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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Creator of the earth and skies,
To Whom all truth and power belong,
Grant us Your truth to make us wise,
Grant us Your power to make us strong.
We have not known You:
To the skies our monuments of folly soar,
And all our self-wrought miseries
Have made us trust ourselves the more.
We have not loved You:
Far and wide the wreckage of our hatred spreads,
And evils wrought by human pride
Recoil on unrepentant heads.
We long to end this worldwide strife:
How shall we follow in Your way?
Speak to mankind Your words of life,
Until our darkness turns to day.
Amen.

THE JOURNAL

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

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

PLEDGE OF ALLEGIANCE

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

Mr. BARROW led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to five 1-minute requests on each side.

OUR NATION IS BROKE

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

Mr. JOHNSON of Ohio. Mr. Speaker, we have a national debt of more than $14.2 trillion, and our unfunded obligations dwarf even that number. Each American taxpayer's share of our national debt is $128,000 and rising.

Our Nation is broke. The Federal Government has maxed out its credit card. This House is listening to the American people, and we've put forth multiple plans to try to get our fiscal house in order, but HARRY REID and President Obama are still not listening.

The clock is ticking; and because of their inaction, we are hours away from a potential government shutdown. Now, they'll deny that this fiscal crisis has been caused by their failed policies, but Americans are too smart to fall for that.

Americans want the tools to grow the economy instead of growing government. So when making spending decisions, we should ask two simple questions in this House: How much does it cost? And who's going to pay for it? If we can't afford it and the American taxpayers are going to foot the bill, gentlemen, ladies, let's vote ''no.''

KEEPING ALL STUDENTS SAFE ACT

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

Mr. GEORGE MILLER of California. Mr. Speaker, 1 year ago this House overwhelmingly passed bipartisan legislation that would have prevented children from being abused in classrooms; but, unfortunately, it never became the law. In the year since then, children have suffered and have been abused in school, and parents have felt completely helpless.

In 2009, the Government Accountability Office told our committee of the shocking wave of abuse by untrained school staff who were misusing emergency interventions. Most of these victims were children with disabilities. Some were 3 and 4 years old. In some cases, children died.

Restraint and seclusion should be used only as a last resort and by trained professionals, but the GAO found that was not the case. This is unacceptable, and yet it is a reality for too many children across the country.

A media report out yesterday highlights that these horrific abuses continued through this past year. In Chicago, a 4-year-old boy's wrists were taped together with painter's tape and then duct tape because he refused to take a nap and he didn't wash his hands. In Fayetteville, North Carolina, a 5-year-old student's arm was broken when a teacher held him down. In New Orleans, a teacher handcuffed a male student by his ankle to a chair because

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he didn't follow the teacher's instructions.

This abuse of children and the death of children has got to stop.

LIBERALS CREATE POSSIBLE SHUTDOWN

(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, Democrats in Congress are still setting up roadblocks to prevent a budget for this fiscal year. Trying to conceal reckless spending, the liberal majority in the last Congress refused to pass a budget, threatening jobs.

Rather than mortgaging the future like the previous Congress, House Republicans sent a commonsense budget to the Senate 47 days ago. This plan limits spending in order to promote job growth. Now we have liberals in the Senate refusing to pass the budget. This is failed leadership.

Democrats in Washington are out of touch with everyday Americans and would rather play the blame game than offer real solutions. The liberal House majority last year failed to pass a budget. The new conservative House passed a budget, but the liberal Senate majority has failed to pass a budget.

Liberals are clearly risking government shutdown.

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

HUNGER SHOULD NOT BE A PARTISAN ISSUE

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

Mr. MCGOVERN. Mr. Speaker, of every 10 people going hungry today, six are women. They are hungry not only because they are the majority poor, with the least access to schools, land, and markets, but because every mother will go to bed hungry before her child does.

H.R. 1 cuts life-saving food aid, humanitarian and development programs almost in half. These programs make up less than 1 percent of the Federal budget. Slashing them does nothing to fix the deficit but will be devastating to millions of poor women and children.

When world food prices are at all-time highs and there are more hungry people in the world than ever before, this is unconscionable. Over 30,000 people—religious and social leaders—are fasting in opposition to these budget cuts.

Hunger should not be a partisan issue. I urge all my colleagues to join these brave citizens and reject these draconian cuts. Support programs that protect the hungry and the most vulnerable here at home and around the world.

Learn more at www.hungerfast.org.

□ 1010

RECONSIDERATION OF THE GOLDSTONE REPORT

(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, the U.N. commissioned its infamous Goldstone Report following the 2008–2009 war between Hamas in Gaza and the State of Israel, a war which grew out of Hamas's ongoing rocket attacks, well over 4,000, intended to terrorize communities in southern Israel. This report alleged the sickening conclusion that Israel deliberately targeted civilians as a matter of policy, an accusation grossly offensive to me as an American, and to the only nation in the Middle East whose freedoms and commitment to humanitarian values we all recognize and admire as mirroring our own.

The Goldstone Report has been held high by those in the international community seeking to delegitimize the State of Israel's very own existence. Now Richard Goldstone has publicly distanced himself from the deeply flawed conclusions of his own report.

So, Mr. Speaker, I ask: Where does a nation go to get its reputation back?

I hope and urge that we can begin to talk to the administration to inform the U.N. and the members of the Goldstone Commission to reconsider its own report, to block U.N. actions based on its falsehoods, and to expeditiously introduce a measure properly exonerating Israel from this damaging libel.

GULFSTREAM TRIBUTE

(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 deep sadness over the passing of four Gulfstream Aerospace employees who perished in a test flight crash in Roswell, New Mexico, this past Saturday.

Gulfstream is headquartered in my congressional district, and I know firsthand the hard work, discipline, and dedication that Gulfstream employees put into their work. Last week, four of those employees lost their lives in the line of duty.

Our thoughts and prayers are with the family, friends, and colleagues of Kent Crenshaw, Vivan Ragusa, David McCollum, and Reece Ollenburg. Today I want to honor their lives and their legacies. They will be missed by their families, colleagues, and communities, and they have our deepest respect and appreciation.

SPENDING AND THE GOVERNMENT SHUTDOWN

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

Mr. MCCOTTER. Mr. Speaker, as we are all very well aware, we are on the verge of a potential government shutdown over the critical issue of spending. For those who are confused by the caterwauling that they hear from this Chamber as to where the parties stand in relation to spending your money and the future deficits and debt of this country, let me put it as clearly as I can.

The Democrats support shutting down the government for more spending. The Republicans support keeping open the government with less spending. I trust your wisdom to determine which you prefer and which you deem in the interests of this country.

REPUBLICAN BUDGET

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I stand here this morning very troubled because the Republican budget will end Medicare and eliminate the guaranteed coverage. This is un-American.

It slashes Medicaid for seniors in nursing homes, health care for children, and Americans with disabilities. This is un-American.

It increases the cost of college education for close to 10 million middle class students and their families. It gives away billions in subsidies to tax breaks for Big Oil, and it gives tax cuts for the wealthy that will add $1 trillion to the deficit. It gives tax breaks to corporations that send jobs overseas.

Yes, we must cut, but we must cut with common sense. We must not gut the future of America. It has to be sensible.

PROHIBIT EPA FROM REGULATING FLY ASH AS A HAZARDOUS MATERIAL

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

Mr. MCKINLEY. Today, Mr. Speaker, I am introducing legislation that will prohibit the EPA from regulating fly ash as a hazardous material.

Fly ash is an unavoidable byproduct of burning coal to produce electricity. Fly ash has been repeatedly tested and approved by the EPA for use by America's customers. Recycling fly ash helps to keep electric generation costs down, which in turn keeps electricity affordable for all our consumers. But if the EPA persists with its plans to designate fly ash as a hazardous material, the expense of handling the material will increase logarithmically, and so will our energy costs.

Why would this administration want to increase the cost of electricity on our senior citizens, hospitals, schools, and American families?

President Obama's relentless war on coal has been an unmitigated job killer and will have a ripple effect on all industries, especially those that recycle fly ash. That's why I am proud to introduce this legislation, which has bipartisan support among my colleagues as well as over two dozen special groups.

THE PENDING GOVERNMENT SHUTDOWN

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

Mr. COHEN. Mr. Speaker, this House is at an historic moment because we look at a possible shutdown of government, a shutdown of government that you have to look and ask: Why may it occur? It's going to occur because we don't have a budget. And why don't we have a budget? Because we've got a great deficit. Why do we have that great deficit? Because the Bush tax cuts got rid of the Clinton excess we had.

During Clinton's days, we had extra money. We balanced the budget. The Bush years: a deficit for the tax cuts, which have been extended with the majority of the Republicans and some Democrats, and two wars overseas in Iraq and Afghanistan that were off budget. And they have cost us much.

In the future, we are going to see a political Armageddon here about this continuing resolution and the budget of this country. And the issue is going to be whether we deal with the superrich or we guarantee America's past and care for everybody to have opportunity and a chance; whether we care about the oil companies that make record profits and give them continued deductions or whether we care about people that need education and health care. Medicare is at risk, Social Security will be at risk, and there's no jobs plan been put forward by this Congress.

And that's just the way it is.

PROVIDING FOR CONSIDERATION OF H.R. 1363, DEPARTMENT OF DEFENSE AND FURTHER ADDITIONAL CONTINUING APPROPRIATIONS ACT, 2011; AND WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Ms. FOXX. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 206 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 206

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1363) making appropriations for the Department of Defense for the fiscal year ending September 30, 2011, and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit.

SEC. 2. The requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported before April 11, 2011, providing for consideration or disposition of a measure making or continuing appropriations for the fiscal year ending September 30, 2011.

The SPEAKER pro tempore (Mr. POE of Texas). The gentlewoman from North Carolina is recognized for 1 hour.

Ms. FOXX. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Ms. FOXX. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Ms. FOXX. House Resolution 206 provides for a closed rule providing for consideration of H.R. 1363, which is a bill providing 1 week of continuing appropriations, a full year of funding for the Department of Defense, and cuts $12 billion in wasteful Federal spending.

Mr. Speaker, it's unfortunate that we are at this juncture nearly 7 months into fiscal year 2011, considering the bill that this House will soon consider. We are seeing a stunning lack of leadership on behalf of Washington Democrats, including Senate Majority Leader REID and President Obama, who have refused to do the work that Americans sent them here to do. They have exhibited willful disregard for our troops and their families, who are uncertain about their paychecks with a government shutdown looming.

The bill we will debate and pass funds the Department of Defense for the remainder of the year, while cutting another $12 billion in wasteful Washington spending. Lest we forget, the reason this problem exists at all is because the liberal Democrat elites were so incapable of governing in the last Congress that they couldn't even pass a budget for the first time since modern congressional budgets were first created over 30 years ago.

□ 1020

They didn't do that because of their lack of leadership then and their apparent realization that the American people had tired of big spending, big government policies streaming out of Washington, which is why the Republicans now control the House of Representatives.

Today with real leadership in the House we have real solutions to these real problems. House Republicans have passed H.R. 1, which is a continuing resolution that takes us to the end of the fiscal year.

The Democrat response? In another display of their lack of leadership, Senator REID sits on his hands while Senator SCHUMER tinkers in his game of manipulating the liberal political message in a phone call with reporters.

House Republicans then took the lead in crafting two short-term continuing resolutions, H.J. Res. 44 and H.J. Res. 48, providing for an additional 5 weeks of funding authority while cutting $10 billion in wasteful Federal spending along the way.

Realizing that the stubborn liberal elites in the Senate and White House are using the threat of a government shutdown to continue their failed wasteful spending policies, House Republicans last week passed H.R. 1255, the Government Shutdown Prevention Act, which provided for enactment of H.R. 1 in the event that the liberal malaise continues to stymie progress on fiscal 2011 appropriations.

After all of these gestures of good faith made by House Republicans, the time has now come for the hapless liberal Democrat elites in the Senate and the White House to make a decision. It's time to decide between acting responsibly, abandoning favored political alliances, or continuing their failed Big Government policies as a solution to all earthly problems.

These points aside, there is one truth upon which everyone could probably agree: that the new Republican House leadership has changed the discussion in Washington, D.C., and across the country.

Whereas the previous discussion in Washington revolved solely around how much more money we should spend, today the discussion is how much more money we should cut.

Americans can now rest easy knowing that their message was received by responsible adults here in the House, and we will work to reflect their support for a leaner Federal Government focused on finding solutions to problems, rather than political gamesmanship and perpetual misguided adventures in social engineering.

Speaker BOEHNER has told the President that the House will not be put in a box and forced to choose between two options that are bad for the country, like accepting a bad deal that fails to make real spending cuts or accepting a government shutdown due to Senate inaction, and that is why House Republicans, in lieu of an agreement in which the White House and Senate agree to real spending cuts, are offering this third option: another good-faith gesture that funds our troops through the

end of the fiscal year while cutting an additional $12 billion in wasteful government spending and keeps the government running for another week.

Real leadership is long overdue in this Congress, Mr. Speaker, and it's refreshing to see the new House Republican majority step in and fill the void left by such a devastating lack of leadership that has resulted from liberal Democrat domination of this city for far too long.

Let's start by voting for this rule and the underlying bill.

I reserve the balance of my time.

Mr. MCGOVERN. I thank the gentlewoman from North Carolina, my friend, Dr. FOXX, for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, I rise in strong opposition to this closed rule and to the misguided underlying legislation.

Mr. Speaker, enough is enough. Enough political posturing. Enough governing by press conference. Enough finger-pointing press releases, Facebook updates, and Tweets.

Democrats have already agreed, reluctantly, to tens of billions of dollars in cuts. Many of these cuts are from programs that are very near and dear to us. We have come more than halfway.

I am pleased that Speaker BOEHNER agreed to attend a negotiating session with President Obama and Senator REID last night. The truth, Mr. Speaker, is that it shouldn't be this hard to come up with a budget to finish this year. President Obama and Senator REID are trying to work with Speaker BOEHNER to come up with a bipartisan agreement that moves this country forward.

But that's what we see coming from the Republican Party in the House. Unfortunately, as of right now, the Republican leadership is continuing with their ''my way or the highway'' obstructionism.

Let's be clear about what's really going on here. Let's at least be straight with the American people. This impasse is not because of disputes between Democrats and Republicans; it's because of an intraparty feud between sensible, pragmatic Republican legislators and angry, take-no-prisoner Republican activists.

Now, I know that many of my friends on the other side of the aisle would like to accept the billions and billions of dollars in cuts that the Democrats have offered and declare a victory.

Unfortunately, their Republican Party has been hijacked by people who relish a shutdown of the Federal Government, people who refuse to take ''yes'' for an answer. They are more interested in making a point than in making law. And unless and until the Republican leadership in this House is willing to stand up to that radical element and stop moving the goalposts, we will not be able to move forward.

My friends on the other side of the aisle talk a good game about wanting to come up with a compromise. Unfortunately, this bill before us today does nothing to achieve that goal. In fact, it is a step backwards. This bill, like H.R. 1 before it, isn't going anywhere. The Senate leadership and the White House have already made it very clear that yet another short-term continuing resolution is not acceptable.

Further, this bill continues the misguided priorities that we have seen from the Republican leadership of the House for the last several months. It cuts vital domestic programs that families, communities, and States rely on during these difficult economic times.

Let me just give you a few examples of the cuts to programs that will directly affect the people in Massachusetts that I am honored to represent.

H.R. 1363 would cut the Land and Water Conservation Fund, which helps preserve open space, by another $71.5 million. It cuts $700 million from the Clean Water and Drinking Water Revolving Funds. I don't know of a community in this country that doesn't have infrastructure needs, and the State revolving fund is one of the few areas where they can get money to help repair sewers and deal with storm water and a bunch of other issues, but they cut it by $700 million more.

Most egregiously of all, it cuts $390 million from the LIHEAP contingency fund. That's fuel assistance for poor people, mostly elderly, who need it as fuel prices continue to rise.

So there it is, Mr. Speaker. There is the clear difference of priorities between the two parties. The Republicans would rather shut down the government than provide heating assistance to some of the most vulnerable people in this country. I should also note that this bill would provide funding for the Department of Defense for the rest of the year, but nothing else.

Every Member of this House believes that making sure our troops get their paychecks is a top priority. The men and women who serve this country in uniform deserve our support.

But, Mr. Speaker, so do the seniors of this country. So do the children of this country. So do the poor and the hungry of this country. So do the people who can't afford hot-shot lobbyists and multimillion dollar ad campaigns. We are supposed to represent them too.

A couple of days ago we saw where the Republican priorities are. They made them crystal clear in their budget proposal. Eliminate Medicare as we know it. Eviscerate Medicaid. Cut funding for education. Cut funding for medical research, health care, environmental protection, and infrastructure in order to make sure that the wealthiest individuals and companies can keep their special interest tax breaks.

Oil companies continue to get their taxpayer subsidies. Why they need them, I don't know, but they continue to get them. And they are protected. Donald Trump continues to get his tax cut under their proposal, but they go after programs that impact working people and people who are the most vulnerable. That may fly on Wall Street, but it sure isn't going to fly on Main Street.

So, again, Mr. Speaker, I say that enough is enough. It is time for serious people to do some serious legislating. The bill before us is a million miles away from that.

I would urge my colleagues to reject this closed rule and to reject the underlying legislation.

I reserve the balance of my time.

Ms. FOXX. I yield myself such time as I may consume.

Mr. Speaker, my colleague from Massachusetts and I are actually, I think, getting fairly fond of each other, spending so much time in the Rules Committee as we do. However, I really have to call into question a couple of comments that he has made.

Is this bill really a step backwards when we're funding our troops for the rest of the year, taking away the uncertainty that they have just in case the government votes to shut down or the Senate doesn't act as it should and allows the government to shut down?

□ 1030

Do we really need to continue all the appropriations for LIHEAP, the funding for helping people pay their heating bills, when we are in April this year? This is money that goes until the end of September. I hardly think that we're going to have people freezing to death in this country between now and September 30.

Do we need to be looking after seniors and children? Obviously, we do. Republicans are not heartless people. But we have to look after them in a responsible way. Cutting spending is the way to be responsible to them.

And, Mr. Speaker, I have to remind my colleague again that we are here to fix a problem that they left for us last year: funding the Federal Government for the rest of this year.

Yesterday in the Rules Committee, one of our colleagues said, Let's stop talking about the past and talk about the future, when we brought this up. Well, Mr. Speaker, Republicans would like nothing more than to do that, but we're doing all that we can to avoid a government shutdown, and that is what this rule and bill are all about this morning.

Republicans understand that unless we change course, higher taxes, inflation, interest rates and unemployment will cripple our economy and rob our children of the opportunity to pursue the American Dream. Let's be clear. We don't have deficits because Americans are taxed too little. We have deficits because Washington spends too much. We've got to stop spending money we don't have. Right now, we're borrowing 43 cents for every dollar that we spend.

I want to talk a little bit about the long-term effects of what we're planning to do in this Congress this spring under Republican majority. The budget

resolution introduced by Budget Chairman PAUL RYAN and passed out of the Budget Committee last evening will spur job creation, stops spending money we don't have, and lifts the crushing burden of debt. It's a plan that puts the budget on a path to fiscal stability and our country on a path to prosperity by cutting $6 trillion in Federal spending over 10 years and takes government spending below 20 percent of GDP.

Mr. Speaker, historically, our government spending has been between 18 and 20 percent of GDP. Once we go over that, we are endangering our country, and that's where our colleagues across the aisle have been for a long time. The White House predicts that their proposal will reduce the deficit by only $1.1 trillion over the same period of time.

According to the nonpartisan Congressional Budget Office, President Obama's budget would generate more than $9.5 trillion in additional deficits between fiscal years 2012 and 2021. I actually have a visual here, Mr. Speaker, that shows exactly what is going to happen under President Obama's budget.

In contrast, the Republican budget resolution provides us with a path to prosperity by limiting the Federal Government to its core constitutional roles, keeping America's promises to seniors, and unleashing the genius of America's workers, investors and entrepreneurs. The Republican budget has a projected real GDP growth of $1.5 trillion over the next 10 years.

With this budget resolution, we're taking direct aim at wasteful Washington spending as opposed to the Obama budget that spends more than $46 trillion over the next decade.

Since January of 2009, there has been a 24 percent increase in non-discretionary spending, a number that jumps to 84 percent when stimulus funds are included, Mr. Speaker. Democrats promised if we paid for their stimulus, unemployment would stay below 8 percent. Then it soared to 10 percent. One trillion dollars in debt later, Americans know they didn't get what they paid for.

The 2009 stimulus law has gotten the most attention with considerable focus on the billions of dollars it wasted on dubious government projects as well as the many promises it broke with respect to job creation and economic growth. The Republican budget resolution projects an unemployment rate of 4 percent by 2015, Mr. Speaker.

If we continue on the wrong path that we're on now, Americans will not be able to rely on Medicare, Medicaid and Social Security in order to plan for retirement if we don't take action. Republicans want to serve as good stewards of the investment of millions of Americans paying into Social Security. Republicans will save $750 billion through Medicaid reform in the form of block grants to States, giving Governors greater and much needed flexibility in their budgets.

As it stands, the share of the budget that goes to these entitlement programs is growing rapidly, and demographics, economics and skewed political incentives are driving Social Security, Medicaid and Medicare into bankruptcy. Alice Rivlin, the former Clinton OMB Director, has called Medicare's current policy ''not sustainable.''

Cutting spending is about ending wasteful spending, making the government leaner and more efficient, showing respect to hardworking taxpayers, and making the tough choices today that save our children and grandchildren from even tougher choices tomorrow. For hardworking Americans, this isn't about politics. It's about their life and putting our economy and our Nation first.

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

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

I have no disagreement with the gentlelady from North Carolina in terms of trying to eliminate waste, fraud and abuse in government. I think we're all for a leaner government. But what we're not for is a meaner government. And that is what the Republican policies are all about—a meaner government.

There's a story that I will submit to the RECORD here. It's talking about the Republican budget. It says the Budget Office claims the GOP Medicare plan could lead to rationing, making it more difficult for our senior citizens to get health care.

By basically obliterating Medicare, you may save a few bucks in the short term, but you're going to deny them care in the long term. I don't see how that is right.

Secondly, I didn't talk about the past in my opening statement; the gentlelady did. I just want the record to be clear about the past and how we got into this mess.

When Bill Clinton left office, we eliminated the deficit and we were paying down the debt. We had all-time high job growth. George Bush comes to office. His reckless tax cuts are not paid for and hundreds of billions of dollars are added to our debt. A Medicare prescription drug bill was not paid for—wasn't paid for—and was more expensive than the Republicans advertised. Add that on to our debt, plus two wars that weren't paid for.

When the first President George Bush went to war against Saddam Hussein when Iraq invaded Kuwait, he went around and he got member nations in the area to actually pitch in to help pay for the war so that the burden wasn't only on the United States. George Bush II comes into office—two wars, we don't pay for them. There's no tax on anybody. It gets onto our credit card. That is just not right.

Men and women in uniform are sacrificing, their families are sacrificing, and the rest of us have been asked to do nothing. They just put it on the credit card. That is not right.

So, Mr. Speaker, I have a disagreement with the gentlelady not over the issue of whether we need to reduce waste and abuse in government. I have an issue with her over the way they're doing it. They protect tax breaks for big oil companies, tax breaks for Donald Trump and subsidies for corn ethanol, a big waste of money. All that's protected. And the way they balance the budget is not by going after that. They go after programs that help poor people, LIHEAP, WIC—the Women, Infant and Children's program of all things—and Pell Grants. We all know that in order to have a strong economy in the 21st century, we need a well-educated workforce, and they cut Pell Grants. They just slash them. That's where they're cutting, cutting programs that help average people, regular people and people who are vulnerable.

What government should be about is making sure that those people are taken care of and not forgotten. Instead, their budget and their priorities are protecting those who have a lot of wealth who don't need government. And I think what they're doing is misguided.

Let me just read one final thing here. This is a story that just appeared on Politico, breaking news. President Obama is calling House Speaker JOHN BOEHNER and Senate Majority Leader HARRY REID back to the White House to negotiate on the budget at 1 p.m. Just before the announcement from the White House, Senator REID said on the Senate floor that the numbers are basically there, but that the only thing holding up an agreement is ideology. He said he was not nearly as optimistic about reaching a deal as he was last night.

So, in other words, Mr. Speaker, this is no longer about numbers. And I regret that so much has had to be cut in order to satisfy my friends on the other side of the aisle.

□ 1040

But now this is about ideology. They have all these riders on these bills, riders that deal with abortion, National Public Radio, and riders that undercut EPA's ability to ensure there is safe drinking water and clean air. They are insisting on all of these ideological riders to be attached to whatever budget deal before they sign it. It is not about the numbers anymore; it is about a rigid, right-wing ideology.

So enough is enough, Mr. Speaker. I urge my Republican colleagues to go back to the negotiating table and negotiate in good faith, let's get a deal, and let's move on to next year's business.

[From NPR, Apr. 5, 2011]

BUDGET OFFICE: GOP MEDICARE PLAN COULD LEAD TO RATIONING

(By Julie Rovner)

Excerpts:

Buried deep in the analysis of the proposal offered Tuesday by Budget Committee Chairman Paul Ryan (R–Wis.), the CBO suggested that moving Medicare beneficiaries from

public to private insurance could actually end up slowing the introduction of new and potentially life-saving medical technology . . .

The key problem, according to CBO, is that private insurance is, well, likely to be more expensive than insurance that's run by the government, competition notwithstanding. ''Under the proposal, most elderly people would pay more for their health care than they would pay under the current Medicare system,'' the CBO said.

And because those seniors would be paying more, those private plans would be looking for ways to bring health spending down . . .

The CBO acknowledges that private health insurance plans would have cost-reduction tools available that government-run Medicare does not—things like limiting benefits, changing co-payment amounts, managing how patients use services, and controlling which doctors and hospitals are in their networks.

''(S)uch steps could serve as alternatives to limiting payments to providers in restraining health care costs and insurance premiums,'' the report says.

But at the same time, it warns, the higher payments could affect care. Beneficiaries might be less likely to use ''new, costly, but possibly beneficial, technologies and techniques'' than they do under current law.

In other words, exactly the sort of rationing that so frightened Republicans when they were fighting the health law—the health law that Ryan's proposal would repeal, by the way.

I reserve the balance of my time.

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

My colleague from Massachusetts knows that every time he brags about what happened when Bill Clinton left office and we had a surplus, that he is going to get an answer to that because he knows full well that Republicans were in control of the Congress. Republicans came in control of the Congress in 1995, and they controlled the Congress the last 6 years of Bill Clinton's Presidency, and it is Republicans who created the surplus, not Bill Clinton. We have to remind them every time that they are trying to rewrite history.

And then they blame George Bush. It is so convenient to do that. In January of 2007, the month Democrats took control of the Congress again, the CBO projected the Federal Government would run a surplus of $800 billion over 10 years, covering the period 2008–2017. But they took the Congress that January and, guess what, the most recent CBO projections available project the Federal Government to run a deficit of $7.4 trillion over the same period. This is an $8.2 trillion deterioration of the budget outlook during Democrat control of Congress.

Mr. MCGOVERN. Will the gentlelady yield?

Ms. FOXX. You can speak on your time, Mr. MCGOVERN. I will let you do that.

My colleague on the other side of the aisle talks a lot about creating a nanny state, taking care of people from birth until death. That's not what the American people want. We see that over in Europe, and it has failed. What the Federal Government does and what school children should learn, if they learn the Preamble to the Constitution and if they read the Declaration of Independence, is that we are here to secure the blessings of liberty for the people. Creating a nanny state does not secure the blessings of liberty for the people.

He talks about how we are not now talking about numbers, but we are talking about ideology. I am happy to debate ideology with my colleague from Massachusetts any day. The American people do not want taxpayer-funded abortions. That's part of what we are talking about. That's part of our ideology. No, we should not be taking money from hardworking Americans and using that money to fund the killing of unborn babies. That is our ideology. Again, the majority of the American people agree with us, and we are going to stand on that ideology every day.

The American people have, Mr. Speaker, the right to a fact-based conversation on the budget. We demand an end to budget gimmicks and accounting tricks used every year to make budgets look responsible when in fact they add to the debt. That is part of our problem with what President Obama is recommending. He wants us to take mythical numbers that he projects instead of real numbers that we have been using.

Passing a short-term measure is a step in the right direction to cut spending while keeping the government open, but it is far from being enough. Excessive government spending has economic consequences for all Americans: higher cost-of-living, higher interest rates, higher taxes. But, Mr. Speaker, we didn't get into this overnight and we will not get out of it overnight. Investors in small businesses need confidence that Congress will use commonsense American principles to cut spending and ensure a secure economic future.

The Republican budget resolution can create 1 million private sector jobs over the next year. We are not going to create these high-paid government jobs that our colleagues have created. America's solution for job creation won't come by raising taxes to pay for even more wasteful Washington bureaucracy. Democrats tried that approach with the stimulus, and it failed.

Republicans, on the other hand, estimate that with the Path to Prosperity budget resolution introduced this week and passed out of the Budget Committee, wages will go up by $1.1 trillion over the next 10 years, yielding an average increase in income of $1,000 per year for each American family.

Mr. Speaker, we need to do in this House what the American people expect us to do: be reasonable stewards, responsible stewards of their money and adhere to the ideology which has made this the greatest country in the world.

I reserve the balance of my time.

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

Mr. Speaker, just two points. One, on the issue of abortion. The law of the land under the Hyde language is that no Federal funds can be used to finance abortion. Introducing abortion into this budget debate is divisive and doesn't belong there. But it is all about ideology, and I get it. So don't say it is about numbers anymore. It is about this kind of right-wing ideology, going after National Public Radio, trying to undercut the EPA. You know, I get it. There is a time and place to do that; this is not it.

The other thing I would say, when I listen to my colleague from North Carolina, the question I was going to ask, if Republicans are responsible for deficit reduction under Bill Clinton, then who is responsible for the increase in deficit when they were in charge of the Presidency, the House and the Senate, when they had all three branches of government? At some point you have to take some responsibility, and at some point you have to live up to the fact that some of the policies that my colleagues pursued when they were in charge here drove this economy into a ditch and added significantly to our deficit.

At this time, Mr. Speaker, I yield 4 minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. I listened to what the gentlewoman on the other side said, and I was really amazed because she was harking back to when we had a Democratic President, Bill Clinton, and a Republican Congress and how we worked together to accomplish certain goals. Well, that is exactly what is missing now. If you listen to what my colleague from Massachusetts said, he said once again the President is calling the Speaker, the Republican Speaker, and the Democratic majority leader in the Senate back to the White House to try to work something out. That's what is happening here. But it is the House Republicans and their leadership that refuse any kind of negotiation. They keep saying: Oh, yeah, they're going to work it out. But they don't. And they keep insisting on this draconian H.R. 1, this continuing resolution that really hurts Americans and kills jobs.

Mr. DREIER. Will the gentleman yield?

Mr. PALLONE. No, I will not yield at this time.

So I say to the gentlewoman, yes, let's go back to those times. Let's have the Republicans here in the House work together with the President and with Senator REID on the other side.

Now, you said before that this CR that is up now would prevent a government shutdown. Just the opposite is true. It is a step backward. It is going to lead directly toward a government shutdown because Republican leadership knows that this bill will not pass the Senate. It doesn't have any cuts in defense. It actually says we will keep the level of funding for defense until

the end of the year. Well, aren't defense cuts on the table? And it continues with this ideological battle. There is actually abortion language in this CR, is my understanding. And the gentlewoman actually said: Well, that is an issue here that we need to resolve, that we should deal with. Well, no, that is not the case because if you continue on this path, no defense cuts, bring up abortion, this bill will certainly not pass the Senate, the President will not sign it, and so we are just simply wasting our time.

What is happening here is the Republicans are ignoring the fact that there are Democrats in the majority in the Senate and there is a Democratic President. You can't have it my way or the highway, and that's what we have been hearing for the last 3 months: my way or the highway.

Now, I just want to mention another thing. I was glad that the gentlewoman brought up the budget, which is to follow, because we know that this bad CR, or spending bill, that we are dealing with now, is a precursor to an even worse budget bill that the Republicans have proposed.

And I want to tell you, you talked about a previous error. The problem with the Republican budget, there are so many, but the biggest problem is it is going to put an end to Medicare. I was here when Speaker Gingrich became Speaker, and he said he wanted Medicare to wither on the vine. And that is what the Republican budget will do. It will end Medicare as we know it because there will be no guarantee. Seniors will go back to the old days when they had to try to find their own private health insurance, and maybe the government will give them some help with it. But for the most part, they won't be able to find health insurance.

So there won't be Medicare; they won't be able to get health insurance. And what are they going to do? They're going to be out on the street; they're going to end up in the emergency room again, which is what happened with the elderly before we passed Medicare.

□ 1050

The gentlewoman went on to say that she's going to reform Medicaid. Well, she's reforming Medicaid by basically giving a block grant to the States. And what does that mean? The States won't have enough money to pay for seniors' nursing home care. So nursing homes will close or they won't provide quality services. We'll see seniors getting bedsores again, if they can even find a nursing home. So essentially we're also going to end Medicaid. Sixty-five percent of Medicaid goes towards seniors and the disabled.

You look at this Republican budget, and this is just a precursor to what we're going to see next week: It will end Medicare as we know it by eliminating its guaranteed coverage. It slashes Medicaid for seniors in nursing homes, health care for children, and Americans with disabilities. It increases the cost of a college education for close to 10 million middle class students. It gives away billions in subsidies and tax breaks to Big Oil.

Ms. FOXX. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from California (Mr. DREIER), the chair of the Rules Committee.

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

Mr. DREIER. I thank my friend from Grandfather Community, North Carolina, for her superb management of this rule.

Mr. Speaker, we are here with a couple of very important priorities:

Number one, we want to ensure that the government doesn't shut down, and that's why we have come forward with this continuing resolution that will provide funding to keep the government open for another week and, first and foremost, to ensure that our men and women in uniform have what they need and their families are not going to be victimized by what has taken place over the past several months.

Mr. Speaker, as I listened to my friend from New Jersey talk about this, I don't like to engage in finger-pointing. I really don't. But I think it's very key—and the reason I don't like to engage in finger-pointing, as my friend from Worcester laughs at that, is the moment you point your finger at someone, I was always taught that there are three pointing right back at you. And I think it's important for us to not point fingers, but I think it's instructive for us to look at what it is that got us here.

I suspect that my friend from Grandfather Community probably explained the fact that for the first time in our Nation's history since the Budget Act has existed, we went through a Congress without a budget having been passed. That's what happened last year. And for the first time ever, we had no appropriations bills passed. Now, I'm not pointing fingers, but I will say that there was not a Republican in the White House, there was not a Republican Senate, and there certainly was not a Republican United States House of Representatives.

So this was dumped onto the laps of the new majority here in the House of Representatives, which, as we all know, if we look at the challenges that are ahead of us, we still have a Democrat in the White House and we still have a Democrat-controlled United States Senate. So of the three levers of power legislatively, we have control of only one-third of those. And in light of that, we're trying to do the best that we can under somewhat challenging circumstances.

Now, last November 2, the American people sent a very strong and powerful message to Washington, D.C. My party happened to see the largest gain in nearly three-quarters of a century; 1938 was the last time we saw the kind of change in favor of the Republican Party that we did last November 2.

So in light of that, there is a powerful message, and I'm happy to say that that message has been heard by both Democrats and Republicans. Why? Because with the 82 percent increase in non-defense discretionary spending that we saw under Speaker PELOSI, the American people said we need to bring an end to that nonsense. And guess what? We have Democrats and Republicans alike talking about the need for spending. Since we've passed H.R. 1, we have had $2 billion in spending cuts every single week. But it is a drop in the bucket. It is a drop in the bucket.

Over the last 2 days, I have had the chance to meet with a very bright, dynamic, new member of the British Parliament, a man called Matthew Hancock. I've just had a chance to meet with ''Facebook girl,'' who was one of the leaders of the tremendous, tremendous change and revolution that has taken place in Egypt. I'm going to be meeting in just a few minutes with leaders from Mongolia. And, Mr. Speaker, I have to say the world is looking at us as we deal with this terrible situation today, and it's critical for us to step up to the plate and provide strong leadership.

Now, what has happened is we have, as my friend from New Jersey underscored, come forward with a budget. It was just unveiled this week. Mr. RYAN, the chairman of the Budget Committee, is going to be bringing it to the Rules Committee, and we will consider it next week. And it is absolutely horrifying to hear the characterizations that have been provided.

Mr. Speaker, obviously encouraged by fear tactics, my constituents in California have been saying, Please, please, please don't support the Republican budget, which will abolish Medicare. That message over and over again has been coming: Don't support the Republican budget, which will abolish Medicare.

And, Mr. Speaker, the thing that's so disturbing is that there are senior citizens, elderly Americans, who are out there and they are very emotionally distraught over the fact that people are telling them from the other side of the aisle, and it's very close to the remarks that my friend from New Jersey just offered, that we are going to abolish Medicare.

Mr. Speaker, I think it's very important for the American people to understand that we are seeking to save Medicare. Saving Medicare is what this is all about.

We all know, if you look at the history of Medicare, it was established in 1965. In 1970, Mr. Speaker, the cost of Medicare was $7 billion. In 1970 it was $7 billion. Four decades later, last year, 2010, the cost of Medicare was $528 billion.

Now, Mr. Speaker, in light of that, there is realization that since we've seen Medicare expand to address the needs of the disabled and so many

other areas, there needs to be reform so that future generations will be able, since they're compelled to pay their FICA tax, to receive the benefits they deserve from Medicare.

But, Mr. Speaker, the idea of frightening senior citizens today by leading them to believe that our budget is going to abolish Medicare is outrageous. And I believe that the American people are smart enough, smart enough, to understand that these fear tactics can't stand. We have a responsibility, I believe now, an obligation, to counter the lies that are being put out there claiming that we're trying to abolish Medicare.

Mr. Speaker, the other thing that's important for us to note is that the American people are hurting all the way across the board. We have an unemployment rate, which we're all encouraged by the fact that it has dropped by a full percentage point, down to 8.8 percent, but it is still unacceptably high. And that's why we need to focus on job creation and economic growth. Mr. Speaker, if we had 2 percent more GDP growth in this country, we would be in a position where we would, in fact, not be having to anguish over the kind of spending that we see right now.

Obviously, it's important for us to recognize that the role of government has become way too big and needs to be dramatically reduced, not only because of spending but because of the encroachment on individual liberty that exists. But we need to realize that government does have things that it needs to do, and we need to generate an increase in the net flow of revenues. A $1.6 trillion national deficit, which is in the President's budget, coupled with $14 trillion in accumulated debt is unacceptable. That's why our goal is to focus on job creation, economic growth.

Our colleague DAVE CAMP of the Ways and Means Committee is focusing on reducing that rate on job creators in this country, the highest of any nation on the face of the Earth, now that Japan has reduced their rate, and that top rate on individuals.

□ 1100

Doing that, coupled with reducing the regulatory constraints that it has imposed, will address the needs of the poor.

Now, my friend from Worcester last night in the Rules Committee was talking about the fact that no one is focused on the plight of the poor in this country. Well, Mr. Speaker, that is our priority, to make sure that we have opportunity so that people who are truly in need have their needs met, but also to ensure that we have opportunity. Creating jobs for individuals is what we need to do.

And so, Mr. Speaker, we are committed to keeping the government open, supporting our troops, and bringing about, with this continuing resolution, a $12 billion reduction in spending. It's something that, if we can pass it here, the Senate should pass it. Everyone is saying they know the Senate isn't going to pass it. The fact of the matter is the Senate should pass it. But we hope that it's not necessary. We hope that Speaker BOEHNER, Leader REID, and President Obama are able to come up with an agreement that will ensure that we don't go through what would be a very difficult thing, that is, shutting down the government.

So I urge my colleagues to support the rule, and I thank my friend for yielding.

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

I want to thank the gentleman from California, the chairman of the Rules Committee, for giving us his itinerary for the day. I'm glad he's meeting with the leaders of Mongolia, because this is a budget only the people of Mongolia would love because it is a tough budget on the people of the United States of America.

He talks about their commitment to helping the poor in this country. I don't know how you do that when you cut WIC, when you go after Pell Grants, when you go after LIHEAP.

Mr. DREIER. Will the gentleman yield?

Mr. MCGOVERN. I yield to the gentleman from California.

Mr. DREIER. I thank my friend for yielding.

Let me just say, I mentioned the 82 percent increase in non-defense discretionary spending. If we look at the increases that have taken place in WIC, LIHEAP, and a wide range of other areas, the notion of slightly paring that back will in no way jeopardize the needs that need to be addressed.

Mr. MCGOVERN. Reclaiming my time, I will just remind my friend, as I did last night, right now there are 30,000 people in this country that are fasting in protest of the cuts that adversely impact the poor. A former colleague, Tony Hall from Ohio, Jim Wallis from Sojourners, David Beckmann from Bread for the World are highlighting the fact that the cuts in this budget are going to be devastating to the most vulnerable people in this country.

What I said in the Rules Committee last night is that sometimes we forget to understand that there are real people behind these cuts, and people are going to be hurt. And, unfortunately, the people who are sacrificing are the people who can least afford to sacrifice. You're not asking Donald Trump to sacrifice. You're not asking big oil companies to sacrifice or those big agri-businesses that receive corn ethanol subsidies. No. It's all focused on working people and poor people.

I don't know when, in the minds of the Republicans, that average working people and people who are vulnerable became the bad guys. It was reckless Wall Street behavior that created this financial crisis, and they get everything, and everyday people get nothing except the bill. That's wrong.

At this point, Mr. Speaker, I yield 4 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Mr. Speaker, as we meet this morning, the top priority of the American people continues to be the jobs crisis in our country. There are too many people out of work and too many people worried that they are next.

Last week, the welcome news came that last month the economy had created about a quarter of a million new private sector jobs. That's a good start, but it's not nearly enough. Shutting the government down just when the economy is starting to get back on its feet would be the worst possible mistake, but we're on the verge of that.

It's important that people understand that the President has gone three-quarters of the way toward the majority party to settle this matter—didn't meet halfway; he has gone three-quarters of the way—but they won't go the full way because there is a fight here about values. This is a fight about what you value.

Ladies and gentlemen of the House, we value Medicare. We believe that after someone has worked their entire life and paid taxes into that Medicare fund that they should not have to worry that a trip to the radiologist will be followed by a trip to the bankruptcy court. This is what Medicare accomplished for our moms and our dads and our grandparents. It said that after a lifetime of hard work, if you have medical worries, they will just be medical worries, not financial worries, because Medicare will pay the bill.

The gentleman from California talked about how they're not destroying Medicare; they're saving it. Let's talk about what they're really doing. Here's what happens:

Today, if a senior goes to the radiologist of her choice, Medicare pays most of the bill and she pays a little bit of it. She decides what doctor to pick. She and the doctor decide what happens next, and no private insurance company gets in the way. Medicare pays the bill.

What they are proposing is to end that system. So now what will happen under their plan is that the taxes that we pay into the Medicare fund will all be paid to health insurance companies. So we will trust the good hands that so gently guide our health care in the health care industry. We will give them the money, all of it, and trust them to do the right thing with the health of America's senior citizens. That is the wrong thing to do with the health of America's senior citizens.

There is a fight here about values. It's a fight that shouldn't take place. We should settle the budget fight. The President has gone three-quarters of the way to the Republican proposal. Settle it today on that basis. But by all means, we will never yield, we will

never concede, we will never concede the point that Medicare should be replaced by private insurance companies.

The Congressional Budget Office has said, in analyzing Chairman RYAN's proposal, that the out-of-pocket health care costs for most retirees in America will go up. This isn't spending reform. This is having someone else pick up the tab. The hospitals aren't going to charge less. The doctors aren't going to charge less. The senior is going to pay more to get that coverage, and he or she is going to have to go ask permission from an insurance company as to what radiologist they can see. Then the radiologist will have to ask permission for what test he or she can order.

Medicare is not perfect, but it works. We should preserve it and defeat the underlying bill.

Ms. FOXX. Mr. Speaker, I yield 1 minute to Speaker BOEHNER, the gentleman from Ohio.

Mr. BOEHNER. I want to thank the gentlelady for yielding.

The House is preparing to pass a responsible troop funding bill that would fund the Department of Defense through September. It would also cut spending by an additional $12 billion and keep the government running for an additional week.

There is no policy reason for the Senate to oppose this responsible troop funding bill that keeps the government running. It reflects a bicameral, bipartisan agreement that was reached in December regarding the troop funding bill, and no Senator has objected to the policy in this bill. I think it is past time that we get this responsible troop funding bill enacted, especially when the U.S. has become engaged in a third war.

To support job creation in America, we are working to make real spending cuts. We are also working on commonsense policy restrictions when it comes to how our taxpayer dollars are spent.

Talks to resolve last year's budget are progressing, but there is no agreement yet, no agreement on numbers, and no agreement on the underlying policies that were passed by this Chamber.

Now, I think we all know that no one wants a shutdown. There is absolutely no policy reason for the Senate not to follow the House in taking these responsible steps to support our troops and to keep our government open.

Mr. MCGOVERN. Mr. Speaker, I appreciate the words of the Speaker of the House, but I would remind my colleagues that when we talk about national security, it needs to include, as well, the health and well-being of our senior citizens here in the United States. It needs to include the health and well-being of our children here in the United States.

□ 1110

It needs to include our infrastructure, our education, the quality of our environment. All those things are part of our national security. We all support funding our troops. What we don't support are reckless policies that are aimed at undercutting programs like Medicare and putting our senior citizens at a disadvantage where they will pay more and get less.

I mean this is an ideological battle that we are, unfortunately, engaged in where my Republican friends believe that Medicare should be ended as we know it. Medicare as we know it they want to end. It is clear. If anyone doubts that, I will tell my colleagues to read the bill, to read the stuff that is coming out of the Budget Committee. Read the bill. For anybody who doubts that Republicans are targeting Medicare, look at what the Budget Committee is doing. It will be there in black and white when it's published, and it will state unequivocally that Medicare, as we know it, will be ended. Senior citizens, according to the CBO, will pay more and get less. That is not what, I think, the American people want. I will just remind my colleagues of a new poll that came out: 66 percent of seniors reject the plan to end Medicare as we know it.

So, if you interpreted the results of the last election as going after Medicare and seniors' health care, I think you misread the results of the last election. The last election was about jobs. We all need to come together and talk about how we protect jobs and help encourage the creation of more jobs in this country. If you want to end the deficit, put people back to work. Here we are in April, and you have yet to bring one single bill to this floor that deals with jobs, that helps create jobs and that helps protect jobs.

My friends on the other side of the aisle need to kind of reevaluate their priorities here. Let's get back to what the American people want—a strong economy and good jobs.

I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I would like to ask the gentleman from Massachusetts if he is ready to close.

Mr. MCGOVERN. I am not. I have a couple of more speakers.

Ms. FOXX. Then I will reserve the balance of my time, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Massachusetts has 6½ minutes remaining.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the ranking member of the Appropriations Committee, the gentleman from Washington (Mr. DICKS).

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

Mr. DICKS. Yesterday, we met in the Rules Committee to discuss this potential CR.

The point I wanted to make was that I felt—and I wish the gentleman from California were here—that a clean CR would be more appropriate at this time, especially if we get an agreement. Because, that way, the President can sign the clean CR, which would keep funding for the troops—I want to point that out as the ranking member on Defense Appropriations—this CR is troubled. I believe, the President will veto it. I also believe it won't be passed in the Senate.

So why are we doing this? Why are we wasting time here when we should be focused on getting a clean CR through, which the President said he would sign, which would allow a little more time for negotiations on this agreement?

Now, we have got to get an agreement. The idea of shutting down the Federal Government in the middle of this economic downturn is just the worst possible idea. Goldman Sachs says you'll lose two-tenths of 1 percent of economic growth. This will mean laying people off. Whether they will get reimbursed or not is a major question for those who are not considered to be vital—and I think all workers are vital, but it's regarding those who are not in essential kinds of jobs.

We talked yesterday to the FAA. They will keep operating. We have troops in the field. As I mentioned before, if we did a clean CR, they would be paid. I think this is a waste of time and that every ounce of effort should be taken in reaching this agreement.

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

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

Mr. DICKS. The administration has bent over backwards, and the Senate has bent over backwards to try to reach an agreement on this, but the leadership on the Republican side keeps changing the goalposts. First, it was $33 billion. Now it's $40 billion. They just can't take ''yes'' for an answer.

The most important thing is that this will hurt the economy. Also, it shows a kind of mean-spiritedness here. When you're going after Medicare and Medicaid in the budget resolution and, in this deal, you're going after women and infant care, this is not what we should be doing. We should be helping the poor people, not taking their safety net away.

Ms. FOXX. I continue to reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 1½ minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Mr. DICKS has the right idea.

What we ought to vote on today is a 1-week extension that's clean, that just gets that done and keeps everybody going in the government, including the military, and then we should resolve our differences. I think that's what we ought to be doing this morning, but what's standing in the way of that is this values debate that I talked about earlier.

Look, it's a position that we understand, which is that the majority party does not want to continue Medicare as

we've known it for all these years. We strongly disagree with them, and we are prepared to have the fight to say why America needs Medicare as it has always been; but that disagreement should not shut the government down; that disagreement over values should not mean that the functions that people have paid for in their taxes don't go forward. Let's not shut the government down over this values debate. Let's have the values debate as the government continues to operate, and by all means, let's protect Medicare.

Mr. MCGOVERN. I am the final speaker on our side.

Ms. FOXX. I continue to reserve the balance of my time.

Mr. MCGOVERN. Well, here we go again—another closed rule, but this rule is different from others. It also includes martial law authority. This means that the Republican leadership can bring any spending bill to the floor at any time they want.

So much for ''read the bill.''

This is not how the House Republicans said they were going to run the House. Open rules? Read the bill? Markups? Hearings? Their record, Mr. Speaker, is abysmal, and this bill is a perfect example of how they are doing things they said they wouldn't do—a closed rule with Martial law authority. I can't say I'm surprised. It's their way or the highway.

Yesterday, a group of tea partiers was protesting on the steps of the Capitol. It's a wonderful thing to be able to protest in the open without any threat of government violence or censorship. It's a very American thing to do. Yet, while they're entitled to their opinion, it's important to point out that they were protesting against keeping the government open.

Yes, Mr. Speaker, they want to shut the government down. Just look at the front page of CQ today. It's of a tea party member on the steps of the Capitol with a sign that says, ''Shut 'er down''; and Republicans in the House are doing their bidding.

Enough is enough. It is time to act like adults and negotiate in good faith. It is time to come to a deal that keeps the government open—a deal without partisan, ideological riders that prevent health groups from providing important women's health information and health screenings, riders that prevent the EPA from keeping our air and water safe, riders that prevent independent, nonpartisan news agencies from reporting in places like Afghanistan, Egypt and Iraq.

Mr. Speaker, it's time that the Republican Party does the right thing for its country and not just for the extremist wing of its party.

At the end of this debate, I will oppose the previous question. If the previous question is defeated, I will offer an amendment to provide a clean CR for 1 week. No harmful cuts or ideological riders like those that are included in the Republican bill. The government stays open while President Obama, Speaker BOEHNER and Senator REID continue to negotiate. Now that they're at the table, it's time to let them do their jobs and come to a deal without a continual moving of the legislative goalposts that's going on under the Republican bill.

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

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

There was no objection.

Mr. MCGOVERN. I urge my colleagues to defeat the previous question and to defeat this closed rule.

My friends on the other side of the aisle need to get serious about negotiating an end to this impasse, and need to stop the ideological riders that are attached to this bill. Let's get serious, and let's get this passed so we can begin to deal with next year's budget.

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

□ 1120

Ms. FOXX. I yield myself the balance of my time.

As our colleague across the aisle said, ''Here we go again.'' Here we go again with the Democrats misleading the American people about what this rule is about, what this bill is about, the underlying bill. Mr. DICKS said he wanted the rule as it is. Our colleagues across the aisle don't want us to be able to take up another bill in case there is an agreement with the President on a long-term CR.

There is only one rider on this bill, Mr. Speaker, and that is to not allow taxpayer funding for abortions in Washington, DC. My colleague across the aisle says national security should include paying for all of these government programs. The Federal Government is the only branch of government that can handle national security, and that means funding our troops. That's exactly what this underlying bill does.

Mr. Speaker, also our colleague says, ''It's time for people to read the bill.'' How interesting that when they were in control, they didn't want anybody to read the bills, and they said you wouldn't be able to know what was going to be in the bill until after it was passed.

I'm sorry, Mr. Speaker. There are words for that. I'm afraid I should not use those on the floor today for fear it might slow down our debate here.

But I want to say that I am particularly concerned that our colleagues have brought up the issue of values. I'm pleased they brought up the issue of values.

Our colleague from New Jersey says what this is, it's about the value of Medicare. Well, Mr. Speaker, it shows what they value are government programs. What we value are life and freedom. There is a distinct difference, Mr. Speaker, in the values of the two parties in this country—one wants more government funding, one wants government control of our lives; the other wants freedom for the American people and life for unborn children.

Mr. Speaker, they are misleading the American people. There's nothing about Medicare in this rule or in this underlying bill.

We've discussed at great length why America needs this rule and this bill. In the face of a government shutdown, our economy is struggling, people are looking for jobs, they demand accountability and belt-tightening in Washington, DC. They need the Federal Government to stop draining job-creating resources from the private sector to fund misguided adventures in social engineering. They demand action. They deserve answers.

It's for these reasons I urge my colleagues to vote for the rule and the underlying bill so we can begin to restore the trust Americans have in their Federal Government and restore this economy.

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

AN AMENDMENT TO H. RES. 206 TO BE OFFERED BY MR. MCGOVERN OF MASSACHUSETTS

(1) In section 1, insert ''and any amendment thereto'' after ''ordered on the bill''.

(2) In section 1, strike ''and (2) one motion to recommit'', and insert:

''(2) the amendment printed in section 3, if offered by Representative Dicks of Washington or his designee, which shall be in order without intervention of any point of order and shall be separately debatable for 30 minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions''.

(3) At the end of the resolution, add the following:

''SEC. 3. The amendment referred to in section 1 is as follows: . . .''.

Strike all after the enacting clause and insert the following:

That the Continuing Appropriations Act, 2011 (Public Law 111–242) is further amended by striking the date specified in section 106(3) and inserting ''April 15, 2011''.

(The information contained herein was provided by the Republican Minority on multiple occasions throughout the 110th and 111th Congresses.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the

control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

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

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Ms. FOXX. I yield back the balance of my time, and I move the previous question on the resolution.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adoption of House Resolution 206, if ordered; and approval of the Journal.

The vote was taken by electronic device, and there were—yeas 238, nays 185, not voting 9, as follows:

[Roll No. 242]

YEAS—238

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heller
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NAYS—185

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—9

Bishop (NY)
Frelinghuysen
Giffords
McMorris Rodgers
Ruppersberger
Schock
Schwartz
Tonko
Young (AK)

□ 1145

Messrs. HIGGINS, CARDOZA and Ms. DEGETTE changed their vote from ''yea'' to ''nay.''

Mr. TERRY changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. TONKO. Mr. Speaker, on rollcall No. 242, had I been present, I would have voted "nay."

Ms. SCHWARTZ. Mr. Speaker, on rollcall No. 242, had I been present, I would have voted "nay."

The SPEAKER pro tempore. The question is on the resolution.

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

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 228, noes 189, not voting 15, as follows:

[Roll No. 243]

AYES—228

Adams
Aderholt
Akin
Alexander
Amash
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Gallegly
Gardner
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heller
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NOES—189

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—15

Austria
Bishop (NY)
Cole
Courtney
Fortenberry
Frelinghuysen
Garrett
Giffords
Harper
McMorris Rodgers
Nunnelee
Pompeo
Rogers (MI)
Stearns
Young (AK)

□ 1152

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HARPER. Mr. Speaker, on rollcall No. 243 I was unavoidably detained. Had I been present, I would have voted "aye."

Mr. COLE. Mr. Speaker, during rollcall vote No. 243 on agreeing to the Rule providing for consideration of H.R. 1363, making appropriations for the Department of Defense for the fiscal year ending September 30, 2011, and for other purposes; and waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, I had briefly stepped off the floor and was unintentionally delayed and missed the vote on the Rule. Had I been present, I would have voted "aye."

LEGISLATIVE PROGRAM

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

Mr. CANTOR. Mr. Speaker, I would like to inform our colleagues that the House will meet at 10 a.m. for morning hour and 12 p.m. for legislative business tomorrow. As the Members know, this is a change from the original calendar.

Due to ongoing negotiations, Mr. Speaker, surrounding continued appropriations for the remainder of fiscal year 2011, I believe it is both appropriate and necessary for this House to be in session tomorrow. I expect legislative business to include, but may not be limited to, H.J. Res. 37, a resolution of disapproval regarding the FCC's recent Internet and broadband industry practices regulation ruling.

Votes are possible at any time after noon tomorrow. At this point, it is too early to tell whether the House will need to be in session this weekend. In the case of lapse in appropriations, however, I fully expect the House to meet.

Mr. Speaker, we will not leave town until we have fulfilled our obligation to cut spending, to begin getting our fiscal house in order, and to keep the government functioning. Therefore, Members should keep their schedules for this weekend as flexible as possible.

Mr. HOYER. Will the majority leader yield?

Mr. CANTOR. I yield to the gentleman from Maryland.

Mr. HOYER. I thank the majority leader for yielding, and I share his view that we ought to keep the government running for not only the sake of our economy, but for the sake of all those that rely on the Federal Government. My friend has made the observation in the past that shutting down the government, and I believe the Speaker has made the same observation, was not a rational policy for us to pursue.

I ask the gentleman, because I believe that the resolution that we will be considering will not either pass the Senate nor be signed by the President, in light of that, and in light of the fact that the majority leader of the Senate and the Speaker have both indicated that negotiations are ongoing, would the gentleman agree to a unanimous consent, as we have done so often in the past when the majority Democrats that were in control of the House and the Senate disagreed with President Bush, that we would have a hold-in-place unanimous consent continuing resolution, not changing the status on either side of the negotiations, for 7 days, which would give the parties the opportunity to come to an agreement.

My understanding from the leader of the Senate is that we have agreed to some $70 billion in cuts, which is a substantial way towards what you wanted and a show that we share the view that we need to have fiscal restraint.

So I ask my friend, if I made a unanimous consent request that we continue the government authority to stay running until next Friday without changing the status quo so that neither party would be disadvantaged and that our government would, in fact, as the gentleman observes is his objective, be able to stay in service to the American people?

Mr. CANTOR. Mr. Speaker, first of all, I'd respond to the gentleman to say that there is no indication in a definite

way that the Senate would not take up and pass the piece of legislation that we would bring up today.

As a response to the second part of his inquiry regarding our going along with unanimous consent, I would say to the gentleman, no. We don't accept the status quo.

Mr. Speaker, America is broke. That is why we are trying to address our fiscal crisis and to get the debt under control.

Mr. HOYER. Will the gentleman yield?

Mr. CANTOR. I yield to the gentleman from Maryland.

Mr. HOYER. I want to inform the gentleman that the White House has just issued an intent to veto the resolution that you are offering. I tell my friend that if, in fact, the gentleman wants to keep the government running while negotiations proceed, we have already agreed to substantial billions of dollars in reductions in spending for 2011. We did so, and we've agreed on that. As a matter of fact, as the gentleman knows, I have voted for both of the previous resolutions. I believed both of those could pass; and, in fact, I was correct. They did pass.

I tell my friend this resolution, in my view, will not pass. However, it is my understanding that both the Speaker and Mr. REID and the President are continuing to have discussions to try to overcome this impasse. That is the legislative process. We never shut down the government when we had the majority and President Bush was in power. And I tell my friend the reason we did not shut it down is because we agreed with the premise you have stated and the premise the Speaker has stated that shutting down the government was not a process that was useful for our economy, for jobs, for our people or for the services that are expected of us. What is useful is for us to rationally provide a context in which negotiations, which quite obviously have not yet been completed, are completed.

Now, you have heard me talk about the ''perfectionist caucus.'' You can't get it all your way, and we can't get it all our way; but, in fact, the American public overwhelmingly elected President Obama for a 4-year term. He is in office.

□ 1200

Mr. Gingrich said that we were ignoring the 2010 election results. We observed that the 2008 election results were regularly ignored by your side of the aisle in the last 2 years. What I am saying to my friend, there is a rational way for us to proceed. And, very frankly, when we were in your shoes, we did so, when we couldn't reach agreement with President Bush.

Mr. CANTOR. Mr. Speaker, reclaiming my time, I would say let us look at why we are where we are to begin with.

Mr. HOYER. I tell my friend, we have little doubt on our side of the aisle why we are where we are today.

Mr. CANTOR. Reclaiming my time, Mr. Speaker, I would say, we are trying to do the business of the American people. We do not want to shut the government down. We don't accept the status quo. We don't want to bankrupt this Nation. We believe there is a fiscal crisis demanding urgent action.

With that, I yield back the balance of my time.

THE JOURNAL

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, on which the yeas and nays were ordered.

The question is on the Speaker's approval of the Journal.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 307, nays 113, answered ''present'' 2, not voting 10, as follows:

[Roll No. 244]

YEAS—307

Adams
Aderholt
Akin
Alexander
Austria
Baca
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Carnahan
Carney
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Cicilline
Clarke (MI)
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Cooper
Costello
Courtney
Crawford
Crenshaw
Critz
Culberson
Davis (IL)
Davis (KY)
DeGette
Denham
DesJarlais
Diaz-Balart
Dingell
Doyle
Dreier
Duncan (SC)
Duncan (TN)
Edwards
Ellmers
Emerson
Eshoo
Farenthold
Fattah
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Frank (MA)
Franks (AZ)
Gallegly
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hanabusa
Harper
Hartzler
Hastings (WA)
Hayworth
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinojosa
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kissell
Kline
Labrador
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
LaTourette
Latta
Levin
Lewis (CA)
Lipinski
Loebsack
Long
Lowey
Luetkemeyer
Lummis
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marino
Markey
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McHenry
McIntyre
McKeon
McNerney
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Payne
Pearce
Pence
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quayle
Quigley
Rangel
Rehberg
Reichert
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Ryan (WI)
Sanchez, Loretta
Scalise
Schiff
Schilling
Schmidt
Schwartz
Schweikert
Scott (SC)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stearns
Stivers
Stutzman
Sullivan
Sutton
Thompson (PA)
Thornberry
Tiberi
Tierney
Tonko
Tsongas
Turner
Upton
Van Hollen
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (FL)
Young (IN)

NAYS—113

Ackerman
Altmire
Andrews
Baldwin
Bass (CA)
Bilbray
Bishop (NY)
Boswell
Brady (PA)
Burgess
Capuano
Cardoza
Carson (IN)
Chu
Clarke (NY)
Clay
Cleaver
Conyers
Costa
Cravaack
Crowley
Cuellar
Cummings
DeFazio
DeLauro
Dent
Deutch
Dicks
Doggett
Dold
Donnelly (IN)
Duffy
Ellison
Engel
Filner
Fitzpatrick
Foxx
Fudge
Gardner
Gibson
Graves (MO)
Grijalva
Gutierrez
Hanna
Harris
Hastings (FL)
Heck
Heller
Hinchey
Hirono
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Keating
Kinzinger (IL)
Kucinich
Landry
Larson (CT)
Latham
Lee (CA)
Lewis (GA)
LoBiondo
Lofgren, Zoe
Luján
Maloney
Marchant
Matsui
McCotter
McDermott
McGovern
McKinley
Meeks
Miller, George
Moore
Napolitano
Olver
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Price (NC)
Rahall
Reed
Renacci
Reyes
Rooney
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schock
Schrader
Scott (VA)
Sires
Slaughter
Stark
Terry
Thompson (CA)
Thompson (MS)
Tipton
Towns
Velázquez
Visclosky
Weiner
Wu

ANSWERED ''PRESENT''—2

Amash
Gohmert

NOT VOTING—10

Davis (CA)
Farr
Frelinghuysen
Garamendi
Giffords
Hall
Lucas
McMorris Rodgers
Whitfield
Young (AK)

□ 1209

So the Journal was approved.

The result of the vote was announced as above recorded.

Stated for:

Mrs. DAVIS of California. Mr. Speaker, on rollcall No. 244, had I been present, I would have voted "yea."

DEPARTMENT OF DEFENSE AND FURTHER ADDITIONAL CONTINUING APPROPRIATIONS ACT, 2011

Mr. ROGERS of Kentucky. Madam Speaker, pursuant to the rule, I call up the bill (H.R. 1363) making appropriations for the Department of Defense for the fiscal year ending September 30, 2011, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Ms. FOXX). Pursuant to House Resolution 206, the bill is considered read.

The text of the bill is as follows:

H.R. 1363

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

SECTION 1. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Division A—Department of Defense Appropriations, 2011

Division B—Further Continuing Appropriations, 2011

DIVISION A—DEPARTMENT OF DEFENSE APPROPRIATIONS, 2011

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2011, for military functions administered by the Department of Defense and for other purposes, namely:

TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty, (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $41,042,653,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $25,912,449,000.

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $13,210,161,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $27,105,755,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10302, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $4,333,165,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,940,191,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $612,191,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 8038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,650,797,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under section 10211, 10302, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $7,511,296,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under section 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $3,060,098,000.

TITLE II

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed $12,478,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes, $33,306,117,000.

OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law; and not to exceed $14,804,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes, $37,809,239,000.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law, $5,539,740,000.

OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law; and not to exceed $7,699,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes, $36,062,989,000.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law, $30,210,810,000:

Provided, That not more than $50,000,000 may be used for the Combatant Commander Initiative Fund authorized under section 166a of title 10, United States Code: *Provided further*, That not to exceed $36,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: *Provided further*, That of the funds provided under this heading, not less than $31,659,000 shall be made available for the Procurement Technical Assistance Cooperative Agreement Program, of which not less than $3,600,000 shall be available for centers defined in 10 U.S.C. 2411(1)(D): *Provided further*, That none of the funds appropriated or otherwise made available by this Act may be used to plan or implement the consolidation of a budget or appropriations liaison office of the Office of the Secretary of Defense, the office of the Secretary of a military department, or the service headquarters of one of the Armed Forces into a legislative affairs or legislative liaison office: *Provided further*, That $8,251,000, to remain available until expended, is available only for expenses relating to certain classified activities, and may be transferred as necessary by the Secretary of Defense to operation and maintenance appropriations or research, development, test and evaluation appropriations, to be merged with and to be available for the same time period as the appropriations to which transferred: *Provided further*, That any ceiling on the investment item unit cost of items that may be purchased with operation and maintenance funds shall not apply to the funds described in the preceding proviso: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

OPERATION AND MAINTENANCE, ARMY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $2,840,427,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,344,264,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $275,484,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $3,291,027,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft), $6,454,624,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For expenses of training, organizing, and administering the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; transportation of things, hire of passenger motor vehicles; supplying and equipping the Air National Guard, as authorized by law; expenses for repair, modification, maintenance, and issue of supplies and equipment, including those furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau, $5,963,839,000.

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

For salaries and expenses necessary for the United States Court of Appeals for the Armed Forces, $14,068,000, of which not to exceed $5,000 may be used for official representation purposes.

ENVIRONMENTAL RESTORATION, ARMY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $464,581,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, NAVY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Navy, $304,867,000, to remain available until transferred: *Provided*, That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, AIR FORCE

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Air Force, $502,653,000, to remain available until transferred: *Provided*, That the Secretary of the Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For the Department of Defense, $10,744,000, to remain available until transferred: *Provided*, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $316,546,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for

the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid programs of the Department of Defense (consisting of the programs provided under sections 401, 402, 404, 407, 2557, and 2561 of title 10, United States Code), $108,032,000, to remain available until September 30, 2012.

COOPERATIVE THREAT REDUCTION ACCOUNT

For assistance to the republics of the former Soviet Union and, with appropriate authorization by the Department of Defense and Department of State, to countries outside of the former Soviet Union, including assistance provided by contract or by grants, for facilitating the elimination and the safe and secure transportation and storage of nuclear, chemical and other weapons; for establishing programs to prevent the proliferation of weapons, weapons components, and weapon-related technology and expertise; for programs relating to the training and support of defense and military personnel for demilitarization and protection of weapons, weapons components and weapons technology and expertise, and for defense and military contacts, $522,512,000, to remain available until September 30, 2013: *Provided*, That of the amounts provided under this heading, not less than $13,500,000 shall be available only to support the dismantling and disposal of nuclear submarines, submarine reactor components, and security enhancements for transport and storage of nuclear warheads in the Russian Far East and North.

DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND

For the Department of Defense Acquisition Workforce Development Fund, $217,561,000.

TITLE III

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $5,254,791,000, to remain available for obligation until September 30, 2013.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,570,108,000, to remain available for obligation until September 30, 2013.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,461,086,000, to remain available for obligation until September 30, 2013.

PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,847,066,000, to remain available for obligation until September 30, 2013.

OTHER PROCUREMENT, ARMY

(INCLUDING TRANSFER OF FUNDS)

For construction, procurement, production, and modification of vehicles, including tactical, support, and non-tracked combat vehicles; the purchase of passenger motor vehicles for replacement only; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $8,145,665,000, to remain available for obligation until September 30, 2013: *Provided*, That of the funds made available in this paragraph, $15,000,000 shall be made available to procure equipment, not otherwise provided for, and may be transferred to other procurement accounts available to the Department of the Army, and that funds so transferred shall be available for the same purposes and the same time period as the account to which transferred.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $16,170,868,000, to remain available for obligation until September 30, 2013.

WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $3,221,957,000, to remain available for obligation until September 30, 2013.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $790,527,000, to remain available for obligation until September 30, 2013.

SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long lead time components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows:

Carrier Replacement Program, $1,721,969,000.

Carrier Replacement Program (AP), $908,313,000.

NSSN, $3,430,343,000.

NSSN (AP), $1,691,236,000.

CVN Refueling, $1,248,999,000.

CVN Refuelings (AP), $408,037,000.

DDG–1000 Program, $77,512,000.

DDG–51 Destroyer, $2,868,454,000.

DDG–51 Destroyer (AP), $47,984,000.

Littoral Combat Ship, $1,168,984,000.

Littoral Combat Ship (AP), $190,351,000.

LHA–R, $942,837,000.

Joint High Speed Vessel, $180,703,000.

Oceanographic Ships, $88,561,000.

LCAC Service Life Extension Program, $83,035,000.

Service Craft, $13,770,000.

For outfitting, post delivery, conversions, and first destination transportation, $295,570,000.

In all: $15,366,658,000, to remain available for obligation until September 30, 2015: *Provided*, That additional obligations may be incurred after September 30, 2015, for engineering services, tests, evaluations, and other

such budgeted work that must be performed in the final stage of ship construction: *Provided further*, That none of the funds provided under this heading for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: *Provided further*, That none of the funds provided under this heading shall be used for the construction of any naval vessel in foreign shipyards.

OTHER PROCUREMENT, NAVY

(INCLUDING TRANSFER OF FUNDS)

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of passenger motor vehicles for replacement only, and the purchase of seven vehicles required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed $250,000 per vehicle; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $5,804,963,000, to remain available for obligation until September 30, 2013: *Provided,* That of the funds made available in this paragraph, $15,000,000 shall be made available to procure equipment, not otherwise provided for, and may be transferred to other procurement accounts available to the Department of the Navy, and that funds so transferred shall be available for the same purposes and the same time period as the account to which transferred.

PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, $1,236,436,000, to remain available for obligation until September 30, 2013.

AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $13,483,739,000, to remain available for obligation until September 30, 2013: *Provided*, That none of the funds provided in this Act for modification of C–17 aircraft, Global Hawk Unmanned Aerial Vehicle and F–22 aircraft may be obligated until all C–17, Global Hawk and F–22 contracts funded with prior year ''Aircraft Procurement, Air Force'' appropriated funds are definitized unless the Secretary of the Air Force certifies in writing to the congressional defense committees that each such obligation is necessary to meet the needs of a warfighting requirement or prevents increased costs to the taxpayer, and provides the reasons for failing to definitize the prior year contracts along with the prospective contract definitization schedule: *Provided further,* That the Secretary of the Air Force shall expand the current HH–60 Operational Loss Replacement program to meet the approved HH–60 Recapitalization program requirements.

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, spacecraft, rockets, and related equipment, including spare parts and accessories therefor, ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $5,424,764,000, to remain available for obligation until September 30, 2013.

PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $731,487,000, to remain available for obligation until September 30, 2013.

OTHER PROCUREMENT, AIR FORCE

(INCLUDING TRANSFER OF FUNDS)

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only, and the purchase of two vehicles required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed $250,000 per vehicle; lease of passenger motor vehicles; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $17,568,091,000, to remain available for obligation until September 30, 2013: *Provided*, That of the funds made available in this paragraph, $15,000,000 shall be made available to procure equipment, not otherwise provided for, and may be transferred to other procurement accounts available to the Department of the Air Force, and that funds so transferred shall be available for the same purposes and the same time period as the account to which transferred.

PROCUREMENT, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $4,009,321,000, to remain available for obligation until September 30, 2013: *Provided,* That of the funds made available in this paragraph, $15,000,000 shall be made available to procure equipment, not otherwise provided for, and may be transferred to other procurement accounts available to the Department of Defense, and that funds so transferred shall be available for the same purposes and the same time period as the account to which transferred.

DEFENSE PRODUCTION ACT PURCHASES

For activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and 2093), $34,346,000, to remain available until expended.

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $9,710,998,000, to remain available for obligation until September 30, 2012.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $17,736,303,000, to remain available for obligation until September 30, 2012: *Provided*, That funds appropriated in this paragraph which are available for the V–22 may be used to meet unique operational requirements of the Special Operations Forces: *Provided further*, That funds appropriated in this paragraph shall be available for the Cobra Judy program.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $26,517,405,000, to remain available for obligation until September 30, 2012.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, $20,797,412,000, to remain available for obligation until September 30, 2012: *Provided*, That

of the funds made available in this paragraph, $3,200,000 shall only be available for program management and oversight of innovative research and development.

OPERATIONAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation, in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith, $194,910,000, to remain available for obligation until September 30, 2012.

TITLE V

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds, $1,434,536,000.

NATIONAL DEFENSE SEALIFT FUND

For National Defense Sealift Fund programs, projects, and activities, and for expenses of the National Defense Reserve Fleet, as established by section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744), and for the necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $1,474,866,000, to remain available until expended: *Provided*, That none of the funds provided in this paragraph shall be used to award a new contract that provides for the acquisition of any of the following major components unless such components are manufactured in the United States: auxiliary equipment, including pumps, for all shipboard services; propulsion system components (engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes: *Provided further*, That the exercise of an option in a contract awarded through the obligation of previously appropriated funds shall not be considered to be the award of a new contract: *Provided further*, That the Secretary of the military department responsible for such procurement may waive the restrictions in the first proviso on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.

TITLE VI

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense as authorized by law, $31,382,198,000; of which $29,671,764,000 shall be for operation and maintenance, of which not to exceed 1 percent shall remain available until September 30, 2012, and of which up to $16,212,121,000 may be available for contracts entered into under the TRICARE program; of which $534,921,000, to remain available for obligation until September 30, 2013, shall be for procurement; and of which $1,175,513,000, to remain available for obligation until September 30, 2012, shall be for research, development, test and evaluation: *Provided*, That, notwithstanding any other provision of law, of the amount made available under this heading for research, development, test and evaluation, not less than $10,000,000 shall be available for HIV prevention educational activities undertaken in connection with United States military training, exercises, and humanitarian assistance activities conducted primarily in African nations.

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions, to include construction of facilities, in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, $1,467,307,000, of which $1,067,364,000 shall be for operation and maintenance, of which no less than $111,178,000, shall be for the Chemical Stockpile Emergency Preparedness Program, consisting of $35,130,000 for activities on military installations and $76,048,000, to remain available until September 30, 2012, to assist State and local governments; $7,132,000 shall be for procurement, to remain available until September 30, 2013; and $392,811,000, to remain available until September 30, 2012, shall be for research, development, test and evaluation, of which $385,868,000 shall only be for the Assembled Chemical Weapons Alternatives (ACWA) program.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for operation and maintenance; for procurement; and for research, development, test and evaluation, $1,156,957,000: *Provided*, That the funds appropriated under this heading shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority contained elsewhere in this Act.

OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $306,794,000, of which $305,794,000 shall be for operation and maintenance, of which not to exceed $700,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on the Inspector General's certificate of necessity for confidential military purposes; and of which $1,000,000, to remain available until September 30, 2013, shall be for procurement.

TITLE VII

RELATED AGENCIES

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain the proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System, $292,000,000.

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For necessary expenses of the Intelligence Community Management Account, $649,732,000.

TITLE VIII

GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: *Provided*, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: *Provided further*, That, in the case of a host nation that does not provide salary increases on an annual basis, any increase granted by that nation shall be annualized for the purpose of applying the preceding proviso: *Provided further*, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: *Provided further*, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

SEC. 8003. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 8004. No more than 20 percent of the appropriations in this Act which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year: *Provided*, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

(TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed $4,000,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: *Provided further*, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: *Provided further*, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress: *Provided further*, That a request for multiple reprogrammings of funds using authority

provided in this section shall be made prior to June 30, 2011: *Provided further*, That transfers among military personnel appropriations shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under this section.

SEC. 8006. (a) With regard to the list of specific programs, projects, and activities (and the dollar amounts and adjustments to budget activities corresponding to such programs, projects, and activities) contained in the tables titled ''Explanation of Project Level Adjustments'' in the explanatory statement regarding this Act, the obligation and expenditure of amounts appropriated or otherwise made available in this Act for those programs, projects, and activities for which the amounts appropriated exceed the amounts requested are hereby required by law to be carried out in the manner provided by such tables to the same extent as if the tables were included in the text of this Act.

(b) Amounts specified in the referenced tables described in subsection (a) shall not be treated as subdivisions of appropriations for purposes of section 8005 of this Act: *Provided*, That section 8005 shall apply when transfers of the amounts described in subsection (a) occur between appropriation accounts.

SEC. 8007. (a) Not later than 60 days after enactment of this Act, the Department of Defense shall submit a report to the congressional defense committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2011: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation both by budget activity and program, project, and activity as detailed in the Budget Appendix; and

(3) an identification of items of special congressional interest.

(b) Notwithstanding section 8005 of this Act, none of the funds provided in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional defense committees, unless the Secretary of Defense certifies in writing to the congressional defense committees that such reprogramming or transfer is necessary as an emergency requirement.

(TRANSFER OF FUNDS)

SEC. 8008. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: *Provided*, That transfers may be made between such funds: *Provided further*, That transfers may be made between working capital funds and the ''Foreign Currency Fluctuations, Defense'' appropriation and the ''Operation and Maintenance'' appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer. Except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 8009. Funds appropriated by this Act may not be used to initiate a special access program without prior notification 30 calendar days in advance to the congressional defense committees.

SEC. 8010. None of the funds provided in this Act shall be available to initiate: (1) a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of $20,000,000; or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year, unless the congressional defense committees have been notified at least 30 days in advance of the proposed contract award: *Provided*, That no part of any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability: *Provided further*, That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed $500,000,000 unless specifically provided in this Act: *Provided further*, That no multiyear procurement contract can be terminated without 10-day prior notification to the congressional defense committees: *Provided further*, That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement: *Provided further*, That none of the funds provided in this Act may be used for a multiyear contract executed after the date of the enactment of this Act unless in the case of any such contract—

(1) the Secretary of Defense has submitted to Congress a budget request for full funding of units to be procured through the contract and, in the case of a contract for procurement of aircraft, that includes, for any aircraft unit to be procured through the contract for which procurement funds are requested in that budget request for production beyond advance procurement activities in the fiscal year covered by the budget, full funding of procurement of such unit in that fiscal year;

(2) cancellation provisions in the contract do not include consideration of recurring manufacturing costs of the contractor associated with the production of unfunded units to be delivered under the contract;

(3) the contract provides that payments to the contractor under the contract shall not be made in advance of incurred costs on funded units; and

(4) the contract does not provide for a price adjustment based on a failure to award a follow-on contract.

Funds appropriated in title III of this Act may be used for a multiyear procurement contract as follows:

Navy MH–60R/S Helicopter Systems.

SEC. 8011. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported as required by section 401(d) of title 10, United States Code: *Provided*, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99–239: *Provided further*, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

SEC. 8012. (a) During fiscal year 2011, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 2012 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2012 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 2012.

(c) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8013. None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 8014. None of the funds appropriated by this Act shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: *Provided*, That this section shall not apply to those members who have reenlisted with this option prior to October 1, 1987: *Provided further*, That this section applies only to active components of the Army.

SEC. 8015. (a) None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of the enactment of this Act, is performed by Department of Defense civilian employees unless—

(1) the conversion is based on the result of a public-private competition that includes a most efficient and cost effective organization plan developed by such activity or function;

(2) the Competitive Sourcing Official determines that, over all performance periods stated in the solicitation of offers for performance of the activity or function, the cost of performance of the activity or function by a contractor would be less costly to the Department of Defense by an amount that equals or exceeds the lesser of—

(A) 10 percent of the most efficient organization's personnel-related costs for performance of that activity or function by Federal employees; or

(B) $10,000,000; and

(3) the contractor does not receive an advantage for a proposal that would reduce costs for the Department of Defense by—

(A) not making an employer-sponsored health insurance plan available to the workers who are to be employed in the performance of that activity or function under the contract; or

(B) offering to such workers an employer-sponsored health benefits plan that requires

the employer to contribute less towards the premium or subscription share than the amount that is paid by the Department of Defense for health benefits for civilian employees under chapter 89 of title 5, United States Code.

(b)(1) The Department of Defense, without regard to subsection (a) of this section or subsection (a), (b), or (c) of section 2461 of title 10, United States Code, and notwithstanding any administrative regulation, requirement, or policy to the contrary shall have full authority to enter into a contract for the performance of any commercial or industrial type function of the Department of Defense that—

(A) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O'Day Act (section 8503 of title 41, United States Code);

(B) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or

(C) is planned to be converted to performance by a qualified firm under at least 51 percent ownership by an Indian tribe, as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)), or a Native Hawaiian Organization, as defined in section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15)).

(2) This section shall not apply to depot contracts or contracts for depot maintenance as provided in sections 2469 and 2474 of title 10, United States Code.

(c) The conversion of any activity or function of the Department of Defense under the authority provided by this section shall be credited toward any competitive or outsourcing goal, target, or measurement that may be established by statute, regulation, or policy and is deemed to be awarded under the authority of, and in compliance with, subsection (h) of section 2304 of title 10, United States Code, for the competition or outsourcing of commercial activities.

(TRANSFER OF FUNDS)

SEC. 8016. Funds appropriated in title III of this Act for the Department of Defense Pilot Mentor-Protege Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protege Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2302 note), as amended, under the authority of this provision or any other transfer authority contained in this Act: *Provided,* That subsection (j) of section 831 of the National Defense Authorization Act for Fiscal Year 1991 is amended by striking ''September 30, 2010'' and inserting ''September 30, 2011'', and by striking ''September 30, 2013'' and inserting ''September 30, 2014''.

SEC. 8017. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: *Provided*, That for the purpose of this section, the term ''manufactured'' shall include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): *Provided further*, That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured in the United States exceeds the aggregate cost of the components produced or manufactured outside the United States: *Provided further*, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8018. None of the funds available to the Department of Defense may be used to demilitarize or dispose of M–1 Carbines, M–1 Garand rifles, M–14 rifles, .22 caliber rifles, .30 caliber rifles, or M–1911 pistols, or to demilitarize or destroy small arms ammunition or ammunition components that are not otherwise prohibited from commercial sale under Federal law, unless the small arms ammunition or ammunition components are certified by the Secretary of the Army or designee as unserviceable or unsafe for further use.

SEC. 8019. No more than $500,000 of the funds appropriated or made available in this Act shall be used during a single fiscal year for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the congressional defense committees that such a relocation is required in the best interest of the Government.

SEC. 8020. In addition to the funds provided elsewhere in this Act, $15,000,000 is appropriated only for incentive payments authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544): *Provided*, That a prime contractor or a subcontractor at any tier that makes a subcontract award to any subcontractor or supplier as defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code, shall be considered a contractor for the purposes of being allowed additional compensation under section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544) whenever the prime contract or subcontract amount is over $500,000 and involves the expenditure of funds appropriated by an Act making Appropriations for the Department of Defense with respect to any fiscal year: *Provided further*, That notwithstanding section 430 of title 41, United States Code, this section shall be applicable to any Department of Defense acquisition of supplies or services, including any contract and any subcontract at any tier for acquisition of commercial items produced or manufactured, in whole or in part by any subcontractor or supplier defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code.

SEC. 8021. Funds appropriated by this Act for the Defense Media Activity shall not be used for any national or international political or psychological activities.

SEC. 8022. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed $350,000,000 for purposes specified in section 2350j(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: *Provided*, That upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriations or fund which incurred such obligations.

SEC. 8023. (a) Of the funds made available in this Act, not less than $30,374,000 shall be available for the Civil Air Patrol Corporation, of which—

(1) $27,048,000 shall be available from ''Operation and Maintenance, Air Force'' to support Civil Air Patrol Corporation operation and maintenance, readiness, counterdrug activities, and drug demand reduction activities involving youth programs;

(2) $2,424,000 shall be available from ''Aircraft Procurement, Air Force''; and

(3) $902,000 shall be available from ''Other Procurement, Air Force'' for vehicle procurement.

(b) The Secretary of the Air Force should waive reimbursement for any funds used by the Civil Air Patrol for counter-drug activities in support of Federal, State, and local government agencies.

SEC. 8024. (a) None of the funds appropriated in this Act are available to establish a new Department of Defense (department) federally funded research and development center (FFRDC), either as a new entity, or as a separate entity administrated by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other nonprofit entities.

(b) No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC, and no paid consultant to any defense FFRDC, except when acting in a technical advisory capacity, may be compensated for his or her services as a member of such entity, or as a paid consultant by more than one FFRDC in a fiscal year: *Provided*, That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to the department from any source during fiscal year 2011 may be used by a defense FFRDC, through a fee or other payment mechanism, for construction of new buildings, for payment of cost sharing for projects funded by Government grants, for absorption of contract overruns, or for certain charitable contributions, not to include employee participation in community service and/or development.

(d) Notwithstanding any other provision of law, of the funds available to the department during fiscal year 2011, not more than 5,750 staff years of technical effort (staff years) may be funded for defense FFRDCs: *Provided*, That of the specific amount referred to previously in this subsection, not more than 1,125 staff years may be funded for the defense studies and analysis FFRDCs: *Provided further*, That this subsection shall not apply to staff years funded in the National Intelligence Program (NIP) and the Military Intelligence Program (MIP).

(e) The Secretary of Defense shall, with the submission of the department's fiscal year 2012 budget request, submit a report presenting the specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year and the associated budget estimates.

(f) Notwithstanding any other provision of this Act, the total amount appropriated in this Act for FFRDCs is hereby reduced by $125,000,000.

SEC. 8025. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: *Provided*, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and

Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: *Provided further*, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That these restrictions shall not apply to contracts which are in being as of the date of the enactment of this Act.

SEC. 8026. For the purposes of this Act, the term ''congressional defense committees'' means the Armed Services Committee of the House of Representatives, the Armed Services Committee of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

SEC. 8027. During the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: *Provided*, That the Senior Acquisition Executive of the military department or Defense Agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: *Provided further*, That Office of Management and Budget Circular A–76 shall not apply to competitions conducted under this section.

SEC. 8028. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

(b) The Secretary of Defense shall submit to the Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 2011. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term ''Buy American Act'' means chapter 83 of title 41, United States Code.

SEC. 8029. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

SEC. 8030. (a) Notwithstanding any other provision of law, the Secretary of the Air Force may convey at no cost to the Air Force, without consideration, to Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington relocatable military housing units located at Grand Forks Air Force Base, Malmstrom Air Force Base, Mountain Home Air Force Base, Ellsworth Air Force Base, and Minot Air Force Base that are excess to the needs of the Air Force.

(b) The Secretary of the Air Force shall convey, at no cost to the Air Force, military housing units under subsection (a) in accordance with the request for such units that are submitted to the Secretary by the Operation Walking Shield Program on behalf of Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington. Any such conveyance shall be subject to the condition that the housing units shall be removed within a reasonable period of time, as determined by the Secretary.

(c) The Operation Walking Shield Program shall resolve any conflicts among requests of Indian tribes for housing units under subsection (a) before submitting requests to the Secretary of the Air Force under subsection (b).

(d) In this section, the term ''Indian tribe'' means any recognized Indian tribe included on the current list published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe Act of 1994 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 479a–1).

SEC. 8031. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than $250,000.

SEC. 8032. (a) During the current fiscal year, none of the appropriations or funds available to the Department of Defense Working Capital Funds shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Department of Defense Working Capital Funds if such an item would not have been chargeable to the Department of Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 2012 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2012 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this Act shall be budgeted for in a proposed fiscal year 2012 procurement appropriation and not in the supply management business area or any other area or category of the Department of Defense Working Capital Funds.

SEC. 8033. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 2012: *Provided*, That funds appropriated, transferred, or otherwise credited to the Central Intelligence Agency Central Services Working Capital Fund during this or any prior or subsequent fiscal year shall remain available until expended: *Provided further*, That any funds appropriated or transferred to the Central Intelligence Agency for advanced research and development acquisition, for agent operations, and for covert action programs authorized by the President under section 503 of the National Security Act of 1947, as amended, shall remain available until September 30, 2012.

SEC. 8034. Notwithstanding any other provision of law, funds made available in this Act for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the Services, the Unified and Specified Commands, and the component commands.

SEC. 8035. Of the funds appropriated to the Department of Defense under the heading ''Operation and Maintenance, Defense-Wide'', not less than $12,000,000 shall be made available only for the mitigation of environmental impacts, including training and technical assistance to tribes, related administrative support, the gathering of information, documenting of environmental damage, and developing a system for prioritization of mitigation and cost to complete estimates for mitigation, on Indian lands resulting from Department of Defense activities.

SEC. 8036. (a) None of the funds appropriated in this Act may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term ''Buy American Act'' means chapter 83 of title 41, United States Code.

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a ''Made in America'' inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

(c) In the case of any equipment or products purchased with appropriations provided under this Act, it is the sense of the Congress that any entity of the Department of Defense, in expending the appropriation, purchase only American-made equipment and products, provided that American-made equipment and products are cost-competitive, quality competitive, and available in a timely fashion.

SEC. 8037. None of the funds appropriated by this Act shall be available for a contract for studies, analysis, or consulting services entered into without competition on the basis of an unsolicited proposal unless the head of the activity responsible for the procurement determines—

(1) as a result of thorough technical evaluation, only one source is found fully qualified to perform the proposed work;

(2) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted in confidence by one source; or

(3) the purpose of the contract is to take advantage of unique and significant industrial accomplishment by a specific concern, or to insure that a new product or idea of a specific concern is given financial support: *Provided*, That this limitation shall not apply to contracts in an amount of less than $25,000, contracts related to improvements of equipment that is in development or production, or contracts as to which a civilian official of the Department of Defense, who has been confirmed by the Senate, determines that the award of such contract is in the interest of the national defense.

SEC. 8038. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used—

(1) to establish a field operating agency; or

(2) to pay the basic pay of a member of the Armed Forces or civilian employee of the department who is transferred or reassigned from a headquarters activity if the member or employee's place of duty remains at the location of that headquarters.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations in subsection (a), on a case-by-case basis, if the Secretary determines, and certifies to the Committees on Appropriations of the House of Representatives and Senate that the granting of the waiver will reduce the personnel requirements or the financial requirements of the department.

(c) This section does not apply to—

(1) field operating agencies funded within the National Intelligence Program;

(2) an Army field operating agency established to eliminate, mitigate, or counter the effects of improvised explosive devices, and, as determined by the Secretary of the Army, other similar threats; or

(3) an Army field operating agency established to improve the effectiveness and efficiencies of biometric activities and to integrate common biometric technologies throughout the Department of Defense.

SEC. 8039. The Secretary of Defense, notwithstanding any other provision of law, acting through the Office of Economic Adjustment of the Department of Defense, may use funds made available in this Act under the heading ''Operation and Maintenance, Defense-Wide'' to make grants and supplement other Federal funds in accordance with the guidance provided in the explanatory statement regarding this Act.

(RESCISSIONS)

SEC. 8040. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

''Procurement of Weapons and Tracked Combat Vehicles, Army, 2009/2011'', $86,300,000.

''Other Procurement, Army, 2009/2011'', $147,600,000.

''Aircraft Procurement, Navy, 2009/2011'', $26,100,000.

''Aircraft Procurement, Air Force, 2009/2011'', $116,900,000.

''Aircraft Procurement, Army, 2010/2012'', $14,000,000.

''Procurement of Weapons and Tracked Combat Vehicles, Army, 2010/2012'', $36,000,000.

''Missile Procurement, Army, 2010/2012'', $9,171,000.

''Aircraft Procurement, Navy, 2010/2012'', $284,847,000.

''Procurement of Ammunition, Navy and Marine Corps, 2010/2012'', $11,576,000.

Under the heading, ''Shipbuilding and Conversion, Navy, 2010/2014'': DDG–51 Destroyer, $22,000,000.

''Other Procurement, Navy, 2010/2012'', $9,042,000.

''Aircraft Procurement, Air Force, 2010/2012'', $151,300,000.

''Other Procurement, Air Force, 2010/2012'', $36,600,000.

''Research, Development, Test and Evaluation, Army, 2010/2011'', $53,500,000.

''Research, Development, Test and Evaluation, Air Force, 2010/2011'', $198,600,000.

''Research, Development, Test and Evaluation, Defense-Wide, 2010/2011'', $10,000,000.

SEC. 8041. None of the funds available in this Act may be used to reduce the authorized positions for military (civilian) technicians of the Army National Guard, Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military (civilian) technicians, unless such reductions are a direct result of a reduction in military force structure.

SEC. 8042. None of the funds appropriated or otherwise made available in this Act may be obligated or expended for assistance to the Democratic People's Republic of Korea unless specifically appropriated for that purpose.

SEC. 8043. Funds appropriated in this Act for operation and maintenance of the Military Departments, Combatant Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence support to Combatant Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the National Intelligence Program and the Military Intelligence Program: *Provided*, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8044. During the current fiscal year, none of the funds appropriated in this Act may be used to reduce the civilian medical and medical support personnel assigned to military treatment facilities below the September 30, 2003, level: *Provided*, That the Service Surgeons General may waive this section by certifying to the congressional defense committees that the beneficiary population is declining in some catchment areas and civilian strength reductions may be consistent with responsible resource stewardship and capitation-based budgeting.

SEC. 8045. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction and counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

SEC. 8046. None of the funds appropriated by this Act may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of domestic origin: *Provided*, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That this restriction shall not apply to the purchase of ''commercial items'', as defined by section 4(12) of the Office of Federal Procurement Policy Act, except that the restriction shall apply to ball or roller bearings purchased as end items.

SEC. 8047. None of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8048. None of the funds made available in this or any other Act may be used to pay the salary of any officer or employee of the Department of Defense who approves or implements the transfer of administrative responsibilities or budgetary resources of any program, project, or activity financed by this Act to the jurisdiction of another Federal agency not financed by this Act without the express authorization of Congress: *Provided*, That this limitation shall not apply to transfers of funds expressly provided for in Defense Appropriations Acts, or provisions of Acts providing supplemental appropriations for the Department of Defense.

SEC. 8049. (a) Notwithstanding any other provision of law, none of the funds available to the Department of Defense for the current fiscal year may be obligated or expended to transfer to another nation or an international organization any defense articles or services (other than intelligence services) for use in the activities described in subsection (b) unless the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate are notified 15 days in advance of such transfer.

(b) This section applies to—

(1) any international peacekeeping or peace-enforcement operation under the authority of chapter VI or chapter VII of the United Nations Charter under the authority of a United Nations Security Council resolution; and

(2) any other international peacekeeping, peace-enforcement, or humanitarian assistance operation.

(c) A notice under subsection (a) shall include the following:

(1) A description of the equipment, supplies, or services to be transferred.

(2) A statement of the value of the equipment, supplies, or services to be transferred.

(3) In the case of a proposed transfer of equipment or supplies—

(A) a statement of whether the inventory requirements of all elements of the Armed Forces (including the reserve components) for the type of equipment or supplies to be transferred have been met; and

(B) a statement of whether the items proposed to be transferred will have to be replaced and, if so, how the President proposes to provide funds for such replacement.

SEC. 8050. None of the funds available to the Department of Defense under this Act shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8051. During the current fiscal year, no more than $30,000,000 of appropriations made in this Act under the heading ''Operation and Maintenance, Defense-Wide'' may be transferred to appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, to be used in support of such personnel in connection with support and services for eligible organizations and activities outside the Department of Defense pursuant to section 2012 of title 10, United States Code.

SEC. 8052. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability for obligation has expired or which has closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, an obligation or an adjustment of an obligation may be charged to any

current appropriation account for the same purpose as the expired or closed account if—

(1) the obligation would have been properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account;

(2) the obligation is not otherwise properly chargeable to any current appropriation account of the Department of Defense; and

(3) in the case of an expired account, the obligation is not chargeable to a current appropriation of the Department of Defense under the provisions of section 1405(b)(8) of the National Defense Authorization Act for Fiscal Year 1991, Public Law 101–510, as amended (31 U.S.C. 1551 note): *Provided*, That in the case of an expired account, if subsequent review or investigation discloses that there was not in fact a negative unliquidated or unexpended balance in the account, any charge to a current account under the authority of this section shall be reversed and recorded against the expired account: *Provided further*, That the total amount charged to a current appropriation under this section may not exceed an amount equal to 1 percent of the total appropriation for that account.

SEC. 8053. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis.

(b) Amounts collected under subsection (a) shall be credited to funds available for the National Guard Distance Learning Project and be available to defray the costs associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

SEC. 8054. Using funds made available by this Act or any other Act, the Secretary of the Air Force, pursuant to a determination under section 2690 of title 10, United States Code, may implement cost-effective agreements for required heating facility modernization in the Kaiserslautern Military Community in the Federal Republic of Germany: *Provided*, That in the City of Kaiserslautern and at the Rhine Ordnance Barracks area, such agreements will include the use of United States anthracite as the base load energy for municipal district heat to the United States Defense installations: *Provided further*, That at Landstuhl Army Regional Medical Center and Ramstein Air Base, furnished heat may be obtained from private, regional or municipal services, if provisions are included for the consideration of United States coal as an energy source.

SEC. 8055. None of the funds appropriated in title IV of this Act may be used to procure end-items for delivery to military forces for operational training, operational use or inventory requirements: *Provided*, That this restriction does not apply to end-items used in development, prototyping, and test activities preceding and leading to acceptance for operational use: *Provided further*, That this restriction does not apply to programs funded within the National Intelligence Program: *Provided further*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8056. None of the funds made available in this Act may be used to approve or license the sale of the F–22A advanced tactical fighter to any foreign government: *Provided*, That the Department of Defense may conduct or participate in studies, research, design and other activities to define and develop a future export version of the F–22A that protects classified and sensitive information, technologies and U.S. warfighting capabilities.

SEC. 8057. (a) The Secretary of Defense may, on a case-by-case basis, waive with respect to a foreign country each limitation on the procurement of defense items from foreign sources provided in law if the Secretary determines that the application of the limitation with respect to that country would invalidate cooperative programs entered into between the Department of Defense and the foreign country, or would invalidate reciprocal trade agreements for the procurement of defense items entered into under section 2531 of title 10, United States Code, and the country does not discriminate against the same or similar defense items produced in the United States for that country.

(b) Subsection (a) applies with respect to—

(1) contracts and subcontracts entered into on or after the date of the enactment of this Act; and

(2) options for the procurement of items that are exercised after such date under contracts that are entered into before such date if the option prices are adjusted for any reason other than the application of a waiver granted under subsection (a).

(c) Subsection (a) does not apply to a limitation regarding construction of public vessels, ball and roller bearings, food, and clothing or textile materials as defined by section 11 (chapters 50–65) of the Harmonized Tariff Schedule and products classified under headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019, 7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

SEC. 8058. (a) None of the funds made available by this Act may be used to support any training program involving a unit of the security forces or police of a foreign country if the Secretary of Defense has received credible information from the Department of State that the unit has committed a gross violation of human rights, unless all necessary corrective steps have been taken.

(b) The Secretary of Defense, in consultation with the Secretary of State, shall ensure that prior to a decision to conduct any training program referred to in subsection (a), full consideration is given to all credible information available to the Department of State relating to human rights violations by foreign security forces.

(c) The Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a) if he determines that such waiver is required by extraordinary circumstances.

(d) Not more than 15 days after the exercise of any waiver under subsection (c), the Secretary of Defense shall submit a report to the congressional defense committees describing the extraordinary circumstances, the purpose and duration of the training program, the United States forces and the foreign security forces involved in the training program, and the information relating to human rights violations that necessitates the waiver.

SEC. 8059. None of the funds appropriated or made available in this Act to the Department of the Navy shall be used to develop, lease or procure the T–AKE class of ships unless the main propulsion diesel engines and propulsors are manufactured in the United States by a domestically operated entity: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes or there exists a significant cost or quality difference.

SEC. 8060. None of the funds appropriated or otherwise made available by this or other Department of Defense Appropriations Acts may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Department of Defense, including areas in such military family housing units that may be used for the purpose of conducting official Department of Defense business.

SEC. 8061. Notwithstanding any other provision of law, funds appropriated in this Act under the heading ''Research, Development, Test and Evaluation, Defense-Wide'' for any new start advanced concept technology demonstration project or joint capability demonstration project may only be obligated 30 days after a report, including a description of the project, the planned acquisition and transition strategy and its estimated annual and total cost, has been provided in writing to the congressional defense committees: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying to the congressional defense committees that it is in the national interest to do so.

SEC. 8062. The Secretary of Defense shall provide a classified quarterly report beginning 30 days after enactment of this Act, to the House and Senate Appropriations Committees, Subcommittees on Defense on certain matters as directed in the classified annex accompanying this Act.

SEC. 8063. During the current fiscal year, none of the funds available to the Department of Defense may be used to provide support to another department or agency of the United States if such department or agency is more than 90 days in arrears in making payment to the Department of Defense for goods or services previously provided to such department or agency on a reimbursable basis: *Provided*, That this restriction shall not apply if the department is authorized by law to provide support to such department or agency on a nonreimbursable basis, and is providing the requested support pursuant to such authority: *Provided further*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8064. Notwithstanding section 12310(b) of title 10, United States Code, a Reserve who is a member of the National Guard serving on full-time National Guard duty under section 502(f) of title 32, United States Code, may perform duties in support of the ground-based elements of the National Ballistic Missile Defense System.

SEC. 8065. None of the funds provided in this Act may be used to transfer to any nongovernmental entity ammunition held by the Department of Defense that has a center-fire cartridge and a United States military nomenclature designation of ''armor penetrator'', ''armor piercing (AP)'', ''armor piercing incendiary (API)'', or ''armor-piercing incendiary tracer (API–T)'', except to an entity performing demilitarization services for the Department of Defense under a contract that requires the entity to demonstrate to the satisfaction of the Department of Defense that armor piercing projectiles are either: (1) rendered incapable of reuse by the demilitarization process; or (2) used to manufacture ammunition pursuant to a contract with the Department of Defense or the manufacture of ammunition for export pursuant to a License for Permanent Export of Unclassified Military Articles issued by the Department of State.

SEC. 8066. Notwithstanding any other provision of law, the Chief of the National Guard Bureau, or his designee, may waive payment of all or part of the consideration that otherwise would be required under section 2667 of title 10, United States Code, in the case of a lease of personal property for a period not in excess of 1 year to any organization specified in section 508(d) of title 32, United States Code, or any other youth, social, or fraternal nonprofit organization as may be approved by the Chief of the National Guard Bureau, or his designee, on a case-by-case basis.

SEC. 8067. None of the funds appropriated by this Act shall be used for the support of any nonappropriated funds activity of the Department of Defense that procures malt beverages and wine with nonappropriated funds for resale (including such alcoholic beverages sold by the drink) on a military installation located in the United States unless such malt beverages and wine are procured within that State, or in the case of the District of Columbia, within the District of Columbia, in which the military installation is located: *Provided*, That in a case in which the military installation is located in more than one State, purchases may be made in any State in which the installation is located: *Provided further*, That such local procurement requirements for malt beverages and wine shall apply to all alcoholic beverages only for military installations in States which are not contiguous with another State: *Provided further*, That alcoholic beverages other than wine and malt beverages, in contiguous States and the District of Columbia shall be procured from the most competitive source, price and other factors considered.

SEC. 8068. Funds available to the Department of Defense for the Global Positioning System during the current fiscal year, and hereafter, may be used to fund civil requirements associated with the satellite and ground control segments of such system's modernization program.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8069. Of the amounts appropriated in this Act under the heading ''Operation and Maintenance, Army'', $147,258,300 shall remain available until expended: *Provided*, That notwithstanding any other provision of law, the Secretary of Defense is authorized to transfer such funds to other activities of the Federal Government: *Provided further*, That the Secretary of Defense is authorized to enter into and carry out contracts for the acquisition of real property, construction, personal services, and operations related to projects carrying out the purposes of this section: *Provided further*, That contracts entered into under the authority of this section may provide for such indemnification as the Secretary determines to be necessary: *Provided further*, That projects authorized by this section shall comply with applicable Federal, State, and local law to the maximum extent consistent with the national security, as determined by the Secretary of Defense.

SEC. 8070. Section 8106 of the Department of Defense Appropriations Act, 1997 (titles I through VIII of the matter under subsection 101(b) of Public Law 104–208; 110 Stat. 3009–111; 10 U.S.C. 113 note) shall continue in effect to apply to disbursements that are made by the Department of Defense in fiscal year 2011.

SEC. 8071. In addition to amounts provided elsewhere in this Act, $4,000,000 is hereby appropriated to the Department of Defense, to remain available for obligation until expended: *Provided*, That notwithstanding any other provision of law, that upon the determination of the Secretary of Defense that it shall serve the national interest, these funds shall be available only for a grant to the Fisher House Foundation, Inc., only for the construction and furnishing of additional Fisher Houses to meet the needs of military family members when confronted with the illness or hospitalization of an eligible military beneficiary.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8072. Of the amounts appropriated in this Act under the headings ''Procurement, Defense-Wide'' and ''Research, Development, Test and Evaluation, Defense-Wide'', $415,115,000 shall be for the Israeli Cooperative Programs: *Provided*, That of this amount, $205,000,000 shall be for the Secretary of Defense to provide to the Government of Israel for the procurement of the Iron Dome defense system to counter short-range rocket threats, $84,722,000 shall be for the Short Range Ballistic Missile Defense (SRBMD) program, including cruise missile defense research and development under the SRBMD program, $58,966,000 shall be available for an upper-tier component to the Israeli Missile Defense Architecture, and $66,427,000 shall be for the Arrow System Improvement Program including development of a long range, ground and airborne, detection suite, of which $12,000,000 shall be for producing Arrow missile components in the United States and Arrow missile components in Israel to meet Israel's defense requirements, consistent with each nation's laws, regulations and procedures: *Provided further*, That funds made available under this provision for production of missiles and missile components may be transferred to appropriations available for the procurement of weapons and equipment, to be merged with and to be available for the same time period and the same purposes as the appropriation to which transferred: *Provided further*, That the transfer authority provided under this provision is in addition to any other transfer authority contained in this Act.

SEC. 8073. None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give Fleet Forces Command administrative and operational control of U.S. Navy forces assigned to the Pacific fleet: *Provided*, That the command and control relationships which existed on October 1, 2004, shall remain in force unless changes are specifically authorized in a subsequent Act.

SEC. 8074. Notwithstanding any other provision of law or regulation, the Secretary of Defense may exercise the provisions of section 7403(g) of title 38, United States Code, for occupations listed in section 7403(a)(2) of title 38, United States Code, as well as the following:

Pharmacists, Audiologists, Psychologists, Social Workers, Othotists/Prosthetists, Occupational Therapists, Physical Therapists, Rehabilitation Therapists, Respiratory Therapists, Speech Pathologists, Dietitian/Nutritionists, Industrial Hygienists, Psychology Technicians, Social Service Assistants, Practical Nurses, Nursing Assistants, and Dental Hygienists:

(A) The requirements of section 7403(g)(1)(A) of title 38, United States Code, shall apply.

(B) The limitations of section 7403(g)(1)(B) of title 38, United States Code, shall not apply.

SEC. 8075. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2011 until the enactment of the Intelligence Authorization Act for Fiscal Year 2011.

SEC. 8076. None of the funds provided in this Act shall be available for obligation or expenditure through a reprogramming of funds that creates or initiates a new program, project, or activity unless such program, project, or activity must be undertaken immediately in the interest of national security and only after written prior notification to the congressional defense committees.

SEC. 8077. The budget of the President for fiscal year 2012 submitted to the Congress pursuant to section 1105 of title 31, United States Code, shall include separate budget justification documents for costs of United States Armed Forces' participation in contingency operations for the Military Personnel accounts, the Operation and Maintenance accounts, and the Procurement accounts: *Provided*, That these documents shall include a description of the funding requested for each contingency operation, for each military service, to include all Active and Reserve components, and for each appropriations account: *Provided further*, That these documents shall include estimated costs for each element of expense or object class, a reconciliation of increases and decreases for each contingency operation, and programmatic data including, but not limited to, troop strength for each Active and Reserve component, and estimates of the major weapons systems deployed in support of each contingency: *Provided further*, That these documents shall include budget exhibits OP–5 and OP–32 (as defined in the Department of Defense Financial Management Regulation) for all contingency operations for the budget year and the two preceding fiscal years.

SEC. 8078. None of the funds in this Act may be used for research, development, test, evaluation, procurement or deployment of nuclear armed interceptors of a missile defense system.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8079. In addition to the amounts appropriated or otherwise made available elsewhere in this Act, $65,200,000 is hereby appropriated to the Department of Defense: *Provided*, That upon the determination of the Secretary of Defense that it shall serve the national interest, he shall make grants in the amounts specified as follows: $20,000,000 to the United Service Organizations; $24,000,000 to the Red Cross; $1,200,000 to the Special Olympics; and $20,000,000 to the Youth Mentoring Grants Program: *Provided further*, That funds available in this section for the Youth Mentoring Grants Program may be available for transfer to the Department of Justice Youth Mentoring Grants Program.

SEC. 8080. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC–130 Weather Reconnaissance mission below the levels funded in this Act: *Provided*, That the Air Force shall allow the 53rd Weather Reconnaissance Squadron to perform other missions in support of national defense requirements during the non-hurricane season.

SEC. 8081. None of the funds provided in this Act shall be available for integration of foreign intelligence information unless the information has been lawfully collected and processed during the conduct of authorized foreign intelligence activities: *Provided*, That information pertaining to United States persons shall only be handled in accordance with protections provided in the Fourth Amendment of the United States Constitution as implemented through Executive Order No. 12333.

SEC. 8082. (a) At the time members of reserve components of the Armed Forces are called or ordered to active duty under section 12302(a) of title 10, United States Code, each member shall be notified in writing of the expected period during which the member will be mobilized.

(b) The Secretary of Defense may waive the requirements of subsection (a) in any case in which the Secretary determines that it is necessary to do so to respond to a national security emergency or to meet dire operational requirements of the Armed Forces.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8083. The Secretary of Defense may transfer funds from any available Department of the Navy appropriation to any available Navy ship construction appropriation for the purpose of liquidating necessary changes resulting from inflation, market fluctuations, or rate adjustments for any ship construction program appropriated in law: *Provided*, That the Secretary may transfer not to exceed $100,000,000 under the authority provided by this section: *Provided further*, That the Secretary may not transfer any funds until 30 days after the proposed transfer has been reported to the Committees on Appropriations of the House of Representatives and the Senate, unless a response from the Committees is received sooner: *Provided further*, That any funds transferred pursuant to this section shall retain the same period of availability as when originally appropriated: *Provided further*, That the transfer authority provided by this section is in addition to any other transfer authority contained elsewhere in this Act.

SEC. 8084. For purposes of section 7108 of title 41, United States Code, any subdivision of appropriations made under the heading ''Shipbuilding and Conversion, Navy'' that is not closed at the time reimbursement is made shall be available to reimburse the Judgment Fund and shall be considered for the same purposes as any subdivision under the heading ''Shipbuilding and Conversion, Navy'' appropriations in the current fiscal year or any prior fiscal year.

SEC. 8085. (a) None of the funds appropriated by this Act may be used to transfer research and development, acquisition, or other program authority relating to current tactical unmanned aerial vehicles (TUAVs) from the Army.

(b) The Army shall retain responsibility for and operational control of the MQ–1C Sky Warrior Unmanned Aerial Vehicle (UAV) in order to support the Secretary of Defense in matters relating to the employment of unmanned aerial vehicles.

SEC. 8086. Notwithstanding any other provision of law or regulation, during the current fiscal year and hereafter, the Secretary of Defense may adjust wage rates for civilian employees hired for certain health care occupations as authorized for the Secretary of Veterans Affairs by section 7455 of title 38, United States Code.

SEC. 8087. Up to $15,000,000 of the funds appropriated under the heading ''Operation and Maintenance, Navy'' may be made available for the Asia Pacific Regional Initiative Program for the purpose of enabling the Pacific Command to execute Theater Security Cooperation activities such as humanitarian assistance, and payment of incremental and personnel costs of training and exercising with foreign security forces: *Provided*, That funds made available for this purpose may be used, notwithstanding any other funding authorities for humanitarian assistance, security assistance or combined exercise expenses: *Provided further*, That funds may not be obligated to provide assistance to any foreign country that is otherwise prohibited from receiving such type of assistance under any other provision of law.

SEC. 8088. None of the funds appropriated by this Act for programs of the Office of the Director of National Intelligence shall remain available for obligation beyond the current fiscal year, except for funds appropriated for research and technology, which shall remain available until September 30, 2012.

SEC. 8089. For purposes of section 1553(b) of title 31, United States Code, any subdivision of appropriations made in this Act under the heading ''Shipbuilding and Conversion, Navy'' shall be considered to be for the same purpose as any subdivision under the heading ''Shipbuilding and Conversion, Navy'' appropriations in any prior fiscal year, and the 1 percent limitation shall apply to the total amount of the appropriation.

SEC. 8090. Notwithstanding any other provision of law, not more than 35 percent of funds provided in this Act for environmental remediation may be obligated under indefinite delivery/indefinite quantity contracts with a total contract value of $130,000,000 or higher.

SEC. 8091. The Director of National Intelligence shall include the budget exhibits identified in paragraphs (1) and (2) as described in the Department of Defense Financial Management Regulation with the congressional budget justification books:

(1) For procurement programs requesting more than $20,000,000 in any fiscal year, the P–1, Procurement Program; P–5, Cost Analysis; P–5a, Procurement History and Planning; P–21, Production Schedule; and P–40, Budget Item Justification.

(2) For research, development, test and evaluation projects requesting more than $10,000,000 in any fiscal year, the R–1, RDT&E Program; R–2, RDT&E Budget Item Justification; R–3, RDT&E Project Cost Analysis; and R–4, RDT&E Program Schedule Profile.

SEC. 8092. The Secretary of Defense shall create a major force program category for space for each future-years defense program of the Department of Defense submitted to Congress under section 221 of title 10, United States Code, during fiscal year 2011. The Secretary of Defense shall designate an official in the Office of the Secretary of Defense to provide overall supervision of the preparation and justification of program recommendations and budget proposals to be included in such major force program category.

SEC. 8093. (a) Not later than 60 days after enactment of this Act, the Office of the Director of National Intelligence shall submit a report to the congressional intelligence committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2011: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation by Expenditure Center and project; and

(3) an identification of items of special congressional interest.

(b) None of the funds provided for the National Intelligence Program in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional intelligence committees, unless the Director of National Intelligence certifies in writing to the congressional intelligence committees that such reprogramming or transfer is necessary as an emergency requirement.

SEC. 8094. The Director of National Intelligence shall submit to Congress each year, at or about the time that the President's budget is submitted to Congress that year under section 1105(a) of title 31, United States Code, a future-years intelligence program (including associated annexes) reflecting the estimated expenditures and proposed appropriations included in that budget. Any such future-years intelligence program shall cover the fiscal year with respect to which the budget is submitted and at least the four succeeding fiscal years.

SEC. 8095. For the purposes of this Act, the term ''congressional intelligence committees'' means the Permanent Select Committee on Intelligence of the House of Representatives, the Select Committee on Intelligence of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives, and the Subcommittee on Defense of the Committee on Appropriations of the Senate.

SEC. 8096. The Department of Defense shall continue to report incremental contingency operations costs for Operation New Dawn and Operation Enduring Freedom on a monthly basis in the Cost of War Execution Report as prescribed in the Department of Defense Financial Management Regulation Department of Defense Instruction 7000.14, Volume 12, Chapter 23 ''Contingency Operations'', Annex 1, dated September 2005.

SEC. 8097. The amounts appropriated in title II of this Act are hereby reduced by $483,000,000 to reflect excess cash balances in Department of Defense Working Capital Funds, as follows: From ''Operation and Maintenance, Army'', $483,000,000.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8098. During the current fiscal year, not to exceed $11,000,000 from each of the appropriations made in title II of this Act for ''Operation and Maintenance, Army'', ''Operation and Maintenance, Navy'', and ''Operation and Maintenance, Air Force'' may be transferred by the military department concerned to its central fund established for Fisher Houses and Suites pursuant to section 2493(d) of title 10, United States Code.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8099. Of the funds appropriated in the Intelligence Community Management Account for the Program Manager for the Information Sharing Environment, $24,000,000 is available for transfer by the Director of National Intelligence to other departments and agencies for purposes of Government-wide information sharing activities: *Provided*, That funds transferred under this provision are to be merged with and available for the same purposes and time period as the appropriation to which transferred: *Provided further*, That the Office of Management and Budget must approve any transfers made under this provision.

SEC. 8100. Funds appropriated by this Act for operation and maintenance may be available for the purpose of making remittances to the Defense Acquisition Workforce Development Fund in accordance with the requirements of section 1705 of title 10, United States Code.

SEC. 8101. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 8102. (a) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract for an amount in excess of $1,000,000 unless the contractor agrees not to—

(1) enter into any agreement with any of its employees or independent contractors that requires, as a condition of employment, that the employee or independent contractor agree to resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention; or

(2) take any action to enforce any provision of an existing agreement with an employee or independent contractor that mandates that the employee or independent contractor resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention.

(b) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract unless the contractor certifies that it requires each covered subcontractor to agree not to enter into, and not to take any action to enforce any provision of, any agreement as described in paragraphs (1) and (2) of subsection (a), with respect to any employee or independent contractor performing work related to such subcontract. For purposes of this subsection, a ''covered subcontractor'' is an entity that has a subcontract in excess of $1,000,000 on a contract subject to subsection (a).

(c) The prohibitions in this section do not apply with respect to a contractor's or subcontractor's agreements with employees or independent contractors that may not be enforced in a court of the United States.

(d) The Secretary of Defense may waive the application of subsection (a) or (b) to a particular contractor or subcontractor for the purposes of a particular contract or subcontract if the Secretary or the Deputy Secretary personally determines that the waiver is necessary to avoid harm to national security interests of the United States, and that the term of the contract or subcontract is not longer than necessary to avoid such harm. The determination shall set forth with specificity the grounds for the waiver and for the contract or subcontract term selected, and shall state any alternatives considered in lieu of a waiver and the reasons each such alternative would not avoid harm to national security interests of the United States. The Secretary of Defense shall transmit to Congress, and simultaneously make public, any determination under this subsection not less than 15 business days before the contract or subcontract addressed in the determination may be awarded.

(e) By March 1, 2011, or within 60 days after enactment of this Act, whichever is later, the Government Accountability Office shall submit a report to the Congress evaluating the effect that the requirements of this section have had on national security, including recommendations, if any, for changes to these requirements.

SEC. 8103. (a) PROHIBITION ON CONVERSION OF FUNCTIONS PERFORMED BY FEDERAL EMPLOYEES TO CONTRACTOR PERFORMANCE.—None of the funds appropriated by this Act or otherwise available to the Department of Defense may be used to begin or announce the competition to award to a contractor or convert to performance by a contractor any functions performed by Federal employees pursuant to a study conducted under Office of Management and Budget (OMB) Circular A–76.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to the award of a function to a contractor or the conversion of a function to performance by a contractor pursuant to a study conducted under Office of Management and Budget (OMB) Circular A–76 once all reporting and certifications required by section 325 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84) have been satisfactorily completed.

SEC. 8104. (a)(1) No National Intelligence Program funds appropriated in this Act may be used for a mission critical or mission essential business management information technology system that is not registered with the Director of National Intelligence. A system shall be considered to be registered with that officer upon the furnishing notice of the system, together with such information concerning the system as the Director of the Business Transformation Office may prescribe.

(2) During the current fiscal year no funds may be obligated or expended for a financial management automated information system, a mixed information system supporting financial and non-financial systems, or a business system improvement of more than $3,000,000, within the Intelligence Community without the approval of the Business Transformation Office, and the designated Intelligence Community functional lead element.

(b) The Director of the Business Transformation Office shall provide the congressional intelligence committees a semi-annual report of approvals under paragraph (1) no later than March 30 and September 30 of each year. The report shall include the results of the Business Transformation Investment Review Board's semi-annual activities, and each report shall certify that the following steps have been taken for systems approved under paragraph (1):

(1) Business process reengineering.

(2) An analysis of alternatives and an economic analysis that includes a calculation of the return on investment.

(3) Assurance the system is compatible with the enterprise-wide business architecture.

(4) Performance measures.

(5) An information assurance strategy consistent with the Chief Information Officer of the Intelligence Community.

(c) This section shall not apply to any programmatic or analytic systems or programmatic or analytic system improvements.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8105. Of the funds appropriated in this Act for the Office of the Director of National Intelligence, $50,000,000, may be transferred to appropriations available to the Central Intelligence Agency, the National Security Agency, and the National Geospatial Intelligence Agency, the Defense Intelligence Agency and the National Reconnaissance Office for the Business Transformation Transfer Funds, to be merged with and to be available for the same time period and the same purposes as the appropriation to which transferred: *Provided*, That the transfer authority provided under this provision is in addition to any other transfer authority contained in this Act.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8106. In addition to funds made available elsewhere in this Act, there is hereby appropriated $538,875,000, to remain available until transferred: *Provided*, That these funds are appropriated to the ''Tanker Replacement Transfer Fund'' (referred to as ''the Fund'' elsewhere in this section): *Provided further*, That the Secretary of the Air Force may transfer amounts in the Fund to ''Operation and Maintenance, Air Force'', ''Aircraft Procurement, Air Force'', and ''Research, Development, Test and Evaluation, Air Force'', only for the purposes of proceeding with a tanker acquisition program: *Provided further*, That funds transferred shall be merged with and be available for the same purposes and for the same time period as the appropriations or fund to which transferred: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of the Air Force shall, not fewer than 15 days prior to making transfers using funds provided in this section, notify the congressional defense committees in writing of the details of any such transfer: *Provided further*, That the Secretary shall submit a report no later than 30 days after the end of each fiscal quarter to the congressional defense committees summarizing the details of the transfer of funds from this appropriation.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8107. From within the funds appropriated for operation and maintenance for the Defense Health Program in this Act, up to $132,200,000, shall be available for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund in accordance with the provisions of section 1704 of the National Defense Authorization Act for Fiscal Year 2010, Public Law 111–84: *Provided*, That for purposes of section 1704(b), the facility operations funded are operations of the integrated Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility as described by section 706 of Public Law 110–417: *Provided further*, That additional funds may be transferred from funds appropriated for operation and maintenance for the Defense Health Program to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Defense to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 8108. (a) Of the amounts made available in this Act under the heading ''Operation and Maintenance, Navy'', not less than $2,000,000, shall be made available for leveraging the Army's Contractor Manpower Reporting Application, modified as appropriate for Service-specific requirements, for documenting the number of full-time contractor employees (or its equivalent) pursuant to United States Code title 10, section 2330a(c) and meeting the requirements of United States Code title 10, section 2330a(e) and United States Code title 10, section 235.

(b) Of the amounts made available in this Act under the heading ''Operation and Maintenance, Air Force'', not less than $2,000,000 shall be made available for leveraging the Army's Contractor Manpower Reporting Application, modified as appropriate for Service-specific requirements, for documenting the number of full-time contractor employees (or its equivalent) pursuant to United States Code title 10 section 2330a(c) and meeting the requirements of United States Code title 10, section 2330a(e) and United States Code title 10, section 235.

(c) The Secretaries of the Army, Navy, Air Force, and the Directors of the Defense

Agencies and Field Activities (in coordination with the appropriate Principal Staff Assistant), in coordination with the Under Secretary of Defense for Personnel and Readiness, shall report to the congressional defense committees within 60 days of enactment of this Act their plan for documenting the number of full-time contractor employees (or its equivalent), as required by United States Code title 10, section 2330a.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8109. In addition to amounts provided elsewhere in this Act, there is appropriated $250,000,000, for an additional amount for ''Operation and Maintenance, Defense-Wide'', to be available until expended: *Provided*, That such funds shall only be available to the Secretary of Defense, acting through the Office of Economic Adjustment of the Department of Defense, or for transfer to the Secretary of Education, notwithstanding any other provision of law, to make grants, conclude cooperative agreements, or supplement other Federal funds to construct, renovate, repair, or expand elementary and secondary public schools on military installations in order to address capacity or facility condition deficiencies at such schools: *Provided further*, That in making such funds available, the Office of Economic Adjustment or the Secretary of Education shall give priority consideration to those military installations with schools having the most serious capacity or facility condition deficiencies as determined by the Secretary of Defense.

SEC. 8110. In addition to amounts provided elsewhere in this Act, there is appropriated $300,000,000, for an additional amount for ''Operation and Maintenance, Defense-Wide'', to remain available until expended. Such funds may be available for the Office of Economic Adjustment, notwithstanding any other provision of law, for transportation infrastructure improvements associated with medical facilities related to recommendations of the Defense Base Closure and Realignment Commission.

SEC. 8111. Section 310(b) of the Supplemental Appropriations Act, 2009 (Public Law 111–32; 124 Stat. 1871) is amended by striking ''1 year'' both places it appears and inserting ''2 years''.

SEC. 8112. The Office of the Director of National Intelligence shall not employ more Senior Executive employees than are specified in the classified annex: *Provided*, That not later than 90 days after enactment of this Act, the Director of National Intelligence shall certify that the Office of the Director of National Intelligence selects individuals for Senior Executive positions in a manner consistent with statutes, regulations, and the requirements of other Federal agencies in making such appointments and will submit its policies and procedures related to the appointment of personnel to Senior Executive positions to the congressional intelligence oversight committees.

SEC. 8113. For all major defense acquisition programs for which the Department of Defense plans to proceed to source selection during the current fiscal year, the Secretary of Defense shall perform an assessment of the winning bidder to determine whether or not the proposed costs are realistic and reasonable with respect to proposed development and production costs. The Secretary of Defense shall provide a report of these assessments, to specifically include whether any cost assessments determined that such proposed costs were unreasonable or unrealistic, to the congressional defense committees not later than 60 days after enactment of this Act and on a quarterly basis thereafter.

SEC. 8114. (a) The Deputy Under Secretary of Defense for Installations and Environment, in collaboration with the Secretary of Energy, shall conduct energy security pilot projects at facilities of the Department of Defense.

(b) In addition to the amounts provided elsewhere in this Act, $20,000,000, is appropriated to the Department of Defense for ''Operation and Maintenance, Defense-Wide'' for energy security pilot projects under subsection (a).

SEC. 8115. None of the funds appropriated or otherwise made available by this Act may be obligated or expended to pay a retired general or flag officer to serve as a senior mentor advising the Department of Defense unless such retired officer files a Standard Form 278 (or successor form concerning public financial disclosure under part 2634 of title 5, Code of Federal Regulations) to the Office of Government Ethics.

SEC. 8116. Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, the Chief of the Air Force Reserve, and the Director of the National Guard Bureau, in collaboration with the Secretary of Agriculture and the Secretary of the Interior, shall submit to the Committees on Appropriations of the House and Senate, the House Committee on Agriculture, the Senate Committee on Agriculture, Nutrition and Forestry, the House Committee on Natural Resources, and the Senate Committee on Energy and Natural Resources a report of firefighting aviation assets. The report required under this section shall include each of the following:

(1) A description of the programming details necessary to obtain an appropriate mix of fixed wing and rotor wing firefighting assets needed to produce an effective aviation resource base to support the wildland fire management program into the future. Such programming details shall include the acquisition and contracting needs of the mix of aviation resources fleet, including the acquisition of up to 24 C–130Js equipped with the Mobile Airborne Fire Fighting System II (in this section referred to as ''MAFFS''), to be acquired over several fiscal years starting in fiscal year 2012.

(2) The costs associated with acquisition and contracting of the aviation assets described in paragraph (1).

(3) A description of the costs of the operation, maintenance, and sustainment of a fixed and rotor wing aviation fleet, including a C–130J/MAFFS II in an Air National Guard tactical airlift unit construct of 4, 6, or 8 C–130Js per unit starting in fiscal year 2012, projected out through fiscal year 2020. Such description shall include the projected costs associated with each of the following through fiscal year 2020:

(A) Crew ratio based on 4, 6, or 8 C–130J Air National Guard unit construct and requirement for full-time equivalent crews.

(B) Associated maintenance and other support personnel and requirement for full-time equivalent positions.

(C) Yearly flying hour model and the cost for use of a fixed and rotor wing aviation fleet, including C–130J in its MAFFS capacity supporting the United States Forest Service.

(D) Yearly flying hour model and cost for use of a C–130J in its capacity supporting Air National Guard tactical airlift training.

(E) Any other costs required to conduct both the airlift and firefighting missions, including the Air National Guard unit construct for C–130Js.

(4) Proposed program management, utilization, and cost share arrangements for the aircraft described in paragraph (1) for primary support of the Forest Service and secondary support, on an as available basis, for the Department of Defense, together with any proposed statutory language needed to authorize and effectuate the same.

(5) An integrated plan for the Forest Service and the Department of the Interior wildland fire management programs to operate the fire fighting air tanker assets referred to in this section.

SEC. 8117. Notwithstanding any other provision of this Act, to reflect savings from revised economic assumptions, the total amount appropriated in title II of this Act is hereby reduced by $244,000,000, the total amount appropriated in title III of this Act is hereby reduced by $258,000,000, and the total amount appropriated in title IV of this Act is hereby reduced by $175,000,000: *Provided*, That the Secretary of Defense shall allocate this reduction proportionally to each budget activity, activity group, subactivity group, and each program, project, and activity, within each appropriation account.

SEC. 8118. The total amount available in this Act for pay for civilian personnel of the Department of Defense for fiscal year 2011 shall be the amount otherwise appropriated or made available by this Act for such pay reduced by $723,000,000.

SEC. 8119. None of the funds appropriated or otherwise made available to the Department of Defense may be used for the disestablishment, closure, or realignment of the Joint Forces Command unless within 120 days of the enactment of this Act—

(1) the Secretary of Defense notifies the congressional defense committees of the proposed disestablishment, closure, or realignment of the Joint Forces Command; and

(2) the Secretary submits to the congressional defense committees a plan for the disestablishment, closure, or realignment of the Joint Forces Command, which plan shall contain at a minimum—

(A) an explanation of the projected savings of the proposed disestablishment, closure, or realignment;

(B) a cost-benefit analysis of the proposed disestablishment, closure, or realignment;

(C) the budgetary impact of the proposed disestablishment, closure, or realignment;

(D) the strategic and operational consequences of the proposed disestablishment, closure, or realignment; and

(E) an appropriate local economic assessment of the proposed disestablishment, closure, or realignment, which shall include at a minimum—

(i) a list of Federal, State, and local government departments and agencies that are required by statute or regulation to provide assistance and outreach for the community affected by the proposed disestablishment, closure, or realignment; and

(ii) a list of the contractors and businesses affected by the proposed disestablishment, closure, or realignment.

SEC. 8120. The explanatory statement regarding this Act, printed in the House of Representatives section of the Congressional Record on or about April 6, 2011, by the Chairman of the Committee on Appropriations of the House of Representatives, shall have the same effect with respect to the allocation of funds and implementation of this Act as if it were a Report of the Committee on Appropriations.

SEC. 8121. None of the funds appropriated or otherwise made available by this Act or any other appropriations Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 8122. (a)(1) Except as provided in paragraph (2), none of the funds appropriated or

otherwise made available by this Act or any other appropriations Act may be used to transfer any individual detained at Guantanamo to the custody or effective control of the individual's country of origin, any other foreign country, or any other foreign entity unless the Secretary of Defense submits to Congress the certification described in subsection (b) by not later than 30 days before the transfer of the individual.

(2) Paragraph (1) shall not apply to any action taken by the Secretary of Defense to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction. The Secretary of Defense shall notify Congress promptly upon issuance of any such order.

(b) The certification described in this subsection is a written certification made by the Secretary of Defense, with the concurrence of the Secretary of State, that the government of the foreign country or the recognized leadership of the foreign entity to which the individual detained at Guantanamo is to be transferred—

(1) is not a designated state sponsor of terrorism or a designated foreign terrorist organization;

(2) maintains effective control over each detention facility in which an individual is to be detained if the individual is to be housed in a detention facility;

(3) is not, as of the date of the certification, facing a threat that is likely to substantially affect its ability to exercise control over the individual;

(4) has agreed to take effective steps to ensure that the individual cannot take action to threaten the United States, its citizens, or its allies in the future;

(5) has taken such steps as the Secretary determines are necessary to ensure that the individual cannot engage or re-engage in any terrorist activity; and

(6) has agreed to share any information with the United States that—

(A) is related to the individual or any associates of the individual; and

(B) could affect the security of the United States, its citizens, or its allies.

(c)(1) Except as provided in paragraph (3), none of the funds appropriated or otherwise made available by this Act or any other appropriations Act may be used to transfer any individual detained at Guantanamo to the custody or effective control of the individual's country of origin, any other foreign country, or any other foreign entity if there is a confirmed case of any individual who was detained at United States Naval Station, Guantanamo Bay, Cuba, at any time after September 11, 2001, who was transferred to the foreign country or entity and subsequently engaged in any terrorist activity.

(2) The Secretary of Defense may waive the prohibition in paragraph (1) if the Secretary determines that such a transfer is in the national security interests of the United States and includes, as part of the certification described in subsection (b) relating to such transfer, the determination of the Secretary under this paragraph.

(3) Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction. The Secretary shall notify Congress promptly upon issuance of any such order.

(d) For the purposes of this section:

(1) The term ''individual detained at Guantanamo'' means any individual who is located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(I) in the custody or under the effective control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

(2) The term ''foreign terrorist organization'' means any organization so designated by the Secretary of State under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

SEC. 8123. (a) None of the funds appropriated or otherwise made available by this Act or any other appropriations Act may be used to construct or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c)) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantanamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

TITLE IX

OVERSEAS CONTINGENCY OPERATIONS

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for ''Military Personnel, Army'', $11,468,033,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

MILITARY PERSONNEL, NAVY

For an additional amount for ''Military Personnel, Navy'', $1,308,719,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for ''Military Personnel, Marine Corps'', $732,920,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for ''Military Personnel, Air Force'', $2,060,442,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

RESERVE PERSONNEL, ARMY

For an additional amount for ''Reserve Personnel, Army'', $268,031,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

RESERVE PERSONNEL, NAVY

For an additional amount for ''Reserve Personnel, Navy'', $48,912,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for ''Reserve Personnel, Marine Corps'', $45,437,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for ''Reserve Personnel, Air Force'', $27,002,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for ''National Guard Personnel, Army'', $853,022,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for ''National Guard Personnel, Air Force'', $16,860,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for ''Operation and Maintenance, Army'', $59,212,782,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for ''Operation and Maintenance, Navy'', $8,970,724,000: *Provided*, That each amount in this paragraph is

designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for ''Operation and Maintenance, Marine Corps'', $4,008,022,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force'', $12,989,643,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for ''Operation and Maintenance, Defense-Wide'', $9,276,990,000: *Provided*, That each amount in this section is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010: *Provided further*, That of the funds provided under this heading:

(1) Not to exceed $12,500,000 for the Combatant Commander Initiative Fund, to be used in support of Operation New Dawn and Operation Enduring Freedom.

(2) Not to exceed $1,600,000,000, to remain available until expended, for payments to reimburse key cooperating nations for logistical, military, and other support, including access provided to United States military operations in support of Operation New Dawn and Operation Enduring Freedom, notwithstanding any other provision of law: *Provided*, That such reimbursement payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, in his discretion, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: *Provided further*, That the requirement to provide notification shall not apply with respect to a reimbursement for access based on an international agreement: *Provided further*, That these funds may be used for the purpose of providing specialized training and procuring supplies and specialized equipment and providing such supplies and loaning such equipment on a non-reimbursable basis to coalition forces supporting United States military operations in Iraq and Afghanistan, and 15 days following notification to the appropriate congressional committees: *Provided further*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for ''Operation and Maintenance, Army Reserve'', $206,784,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for ''Operation and Maintenance, Navy Reserve'', $93,559,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for ''Operation and Maintenance, Marine Corps Reserve'', $29,685,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for ''Operation and Maintenance, Air Force Reserve'', $203,807,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Army National Guard'', $497,849,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Air National Guard'', $417,983,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

AFGHANISTAN INFRASTRUCTURE FUND

(INCLUDING TRANSFER OF FUNDS)

There is hereby established in the Treasury of the United States the ''Afghanistan Infrastructure Fund''. For the ''Afghanistan Infrastructure Fund'', $400,000,000, to remain available until September 30, 2012: *Provided*, That such sums shall be available for infrastructure projects in Afghanistan, notwithstanding any other provision of law, which shall be undertaken by the Secretary of State, unless the Secretary of State and the Secretary of Defense jointly decide that a specific project will be undertaken by the Department of Defense: *Provided further*, That the infrastructure referred to in the preceding proviso is in support of the counterinsurgency strategy, requiring funding for facility and infrastructure projects, including, but not limited to, water, power, and transportation projects and related maintenance and sustainment costs: *Provided further*, That the authority to undertake such infrastructure projects is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That any projects funded by this appropriation shall be jointly formulated and concurred in by the Secretary of State and Secretary of Defense: *Provided further*, That funds may be transferred to the Department of State for purposes of undertaking projects, which funds shall be considered to be economic assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities contained in that Act: *Provided further*, That the transfer authority in the preceding proviso is in addition to any other authority available to the Department of Defense to transfer funds: *Provided further*, That any unexpended funds transferred to the Secretary of State under this authority shall be returned to the Afghanistan Infrastructure Fund if the Secretary of State, in coordination with the Secretary of Defense, determines that the project cannot be implemented for any reason, or that the project no longer supports the counterinsurgency strategy in Afghanistan: *Provided further*, That any funds returned to the Secretary of Defense under the previous proviso shall be available for use under this appropriation and shall be treated in the same manner as funds not transferred to the Secretary of State: *Provided further*, That contributions of funds for the purposes provided herein to the Secretary of State in accordance with section 635(d) of the Foreign Assistance Act from any person, foreign government, or international organization may be credited to this Fund, to remain available until expended, and used for such purposes: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers to or from, or obligations from the Fund, notify the appropriate committees of Congress in writing of the details of any such transfer: *Provided further*, That the ''appropriate committees of Congress'' are the Committees on Armed Services, Foreign Relations and Appropriations of the Senate and the Committees on Armed Services, Foreign Affairs and Appropriations of the House of Representatives: *Provided further*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

AFGHANISTAN SECURITY FORCES FUND

For the ''Afghanistan Security Forces Fund'', $11,619,283,000, to remain available until September 30, 2012: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Combined Security Transition Command—Afghanistan, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, supplies, services,

training, facility and infrastructure repair, renovation, and construction, and funding: *Provided further*, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That up to $15,000,000 of these funds may be available for coalition police trainer life support costs: *Provided further*, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund and used for such purposes: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees in writing upon the receipt and upon the obligation of any contribution, delineating the sources and amounts of the funds received and the specific use of such contributions: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees of any proposed new projects or transfer of funds between budget sub-activity groups in excess of $20,000,000: *Provided further*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

IRAQ SECURITY FORCES FUND

For the ''Iraq Security Forces Fund'', $1,500,000,000, to remain available until September 30, 2012: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, United States Forces-Iraq, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Iraq, including the provision of equipment, supplies, services, training, facility and infrastructure repair, and renovation: *Provided further*, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund and used for such purposes: *Provided further*, That the Secretary shall notify the congressional defense committees in writing upon the receipt and upon the obligation of any contribution, delineating the sources and amounts of the funds received and the specific use of such contributions: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees of any proposed new projects or transfer of funds between budget sub-activity groups in excess of $20,000,000: *Provided further*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for ''Aircraft Procurement, Army'', $2,720,138,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

MISSILE PROCUREMENT, ARMY

For an additional amount for ''Missile Procurement, Army'', $343,828,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for ''Procurement of Weapons and Tracked Combat Vehicles, Army'', $896,996,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for ''Procurement of Ammunition, Army'', $369,885,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OTHER PROCUREMENT, ARMY

For an additional amount for ''Other Procurement, Army'', $6,423,832,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for ''Aircraft Procurement, Navy'', $1,269,549,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

WEAPONS PROCUREMENT, NAVY

For an additional amount for ''Weapons Procurement, Navy'', $90,502,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for ''Procurement of Ammunition, Navy and Marine Corps'', $558,024,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OTHER PROCUREMENT, NAVY

For an additional amount for ''Other Procurement, Navy'', $316,835,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

PROCUREMENT, MARINE CORPS

For an additional amount for ''Procurement, Marine Corps'', $1,589,119,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for ''Aircraft Procurement, Air Force'', $1,991,955,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for ''Missile Procurement, Air Force'', $56,621,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for ''Procurement of Ammunition, Air Force'', $292,959,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for ''Other Procurement, Air Force'', $2,868,593,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on

terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for ''Procurement, Defense-Wide'', $1,262,499,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

NATIONAL GUARD AND RESERVE EQUIPMENT

For procurement of aircraft, missiles, tracked combat vehicles, ammunition, other weapons and other procurement for the reserve components of the Armed Forces, $850,000,000, to remain available for obligation until September 30, 2013, of which $250,000,000 shall be available only for the Army National Guard: *Provided*, That the Chiefs of National Guard and Reserve components shall, not later than 30 days after the enactment of this Act, individually submit to the congressional defense committees the modernization priority assessment for their respective National Guard or Reserve component: *Provided further*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

MINE RESISTANT AMBUSH PROTECTED VEHICLE FUND

(INCLUDING TRANSFER OF FUNDS)

For the Mine Resistant Ambush Protected Vehicle Fund, $3,415,000,000, to remain available until September 30, 2012: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, to procure, sustain, transport, and field Mine Resistant Ambush Protected vehicles: *Provided further*, That the Secretary shall transfer such funds only to appropriations made available in this or any other Act for operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: *Provided further*, That such transferred funds shall be merged with and be available for the same purposes and the same time period as the appropriation to which transferred: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary shall, not fewer than 10 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: *Provided further*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for ''Research, Development, Test and Evaluation, Army'', $143,234,000, to remain available until September 30, 2012: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for ''Research, Development, Test and Evaluation, Navy'', $104,781,000, to remain available until September 30, 2012: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for ''Research, Development, Test and Evaluation, Air Force'', $484,382,000, to remain available until September 30, 2012: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for ''Research, Development, Test and Evaluation, Defense-Wide'', $222,616,000, to remain available until September 30, 2012: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for ''Defense Working Capital Funds'', $485,384,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for ''Defense Health Program'', $1,422,092,000, of which $1,398,092,000 shall be for operation and maintenance, to remain available until September 30, 2011, and of which $24,000,000 shall be for research, development, test and evaluation, to remain available until September 30, 2012: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

For an additional amount for ''Drug Interdiction and Counter-Drug Activities, Defense'', $440,510,000, to remain available until September 30, 2012: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

(INCLUDING TRANSFER OF FUNDS)

For the ''Joint Improvised Explosive Device Defeat Fund'', $2,793,768,000, to remain available until September 30, 2013: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint Improvised Explosive Device Defeat Organization to investigate, develop and provide equipment, supplies, services, training, facilities, personnel and funds to assist United States forces in the defeat of improvised explosive devices: *Provided further*, That the Secretary of Defense may transfer funds provided herein to appropriations for military personnel; operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: *Provided further*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for the ''Office of the Inspector General'', $10,529,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

GENERAL PROVISIONS—THIS TITLE

SEC. 9001. Notwithstanding any other provision of law, funds made available in this title are in addition to amounts appropriated or otherwise made available for the Department of Defense for fiscal year 2011.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9002. Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may, with the approval of the Office of Management and Budget, transfer up to $4,000,000,000 between the appropriations or funds made available to the Department of Defense in this title: *Provided*, That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: *Provided further*, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as

the authority provided in the Department of Defense Appropriations Act, 2011.

SEC. 9003. Supervision and administration costs associated with a construction project funded with appropriations available for operation and maintenance or the ''Afghanistan Security Forces Fund'' provided in this Act and executed in direct support of overseas contingency operations in Afghanistan, may be obligated at the time a construction contract is awarded: *Provided*, That for the purpose of this section, supervision and administration costs include all in-house Government costs.

SEC. 9004. From funds made available in this title, the Secretary of Defense may purchase for use by military and civilian employees of the Department of Defense in Iraq and Afghanistan: (a) passenger motor vehicles up to a limit of $75,000 per vehicle; and (b) heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of $250,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 9005. Not to exceed $500,000,000 of the amount appropriated in this title under the heading ''Operation and Maintenance, Army'' may be used, notwithstanding any other provision of law, to fund the Commander's Emergency Response Program (CERP), for the purpose of enabling military commanders in Iraq and Afghanistan to respond to urgent, small scale, humanitarian relief and reconstruction requirements within their areas of responsibility: *Provided*, That projects (including any ancillary or related elements in connection with such project) executed under this authority shall not exceed $20,000,000: *Provided further*, That not later than 45 days after the end of each fiscal year quarter, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that quarter that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein: *Provided further*, That, not later than 30 days after the end of each month, the Army shall submit to the congressional defense committees monthly commitment, obligation, and expenditure data for the Commander's Emergency Response Program in Iraq and Afghanistan: *Provided further*, That not less than 15 days before making funds available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein for a project with a total anticipated cost for completion of $5,000,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing each of the following:

(1) The location, nature and purpose of the proposed project, including how the project is intended to advance the military campaign plan for the country in which it is to be carried out.

(2) The budget, implementation timeline with milestones, and completion date for the proposed project, including any other CERP funding that has been or is anticipated to be contributed to the completion of the project.

(3) A plan for the sustainment of the proposed project, including the agreement with either the host nation, a non-Department of Defense agency of the United States Government or a third party contributor to finance the sustainment of the activities and maintenance of any equipment or facilities to be provided through the proposed project.

SEC. 9006. Funds available to the Department of Defense for operation and maintenance may be used, notwithstanding any other provision of law, to provide supplies, services, transportation, including airlift and sealift, and other logistical support to coalition forces supporting military and stability operations in Iraq and Afghanistan: *Provided*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees regarding support provided under this section.

SEC. 9007. None of the funds appropriated or otherwise made available by this or any other Act shall be obligated or expended by the United States Government for a purpose as follows:

(1) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.

(2) To exercise United States control over any oil resource of Iraq.

(3) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Afghanistan.

SEC. 9008. None of the funds made available in this Act may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

(1) Section 2340A of title 18, United States Code.

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231 note) and regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations.

(3) Sections 1002 and 1003 of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109–148).

SEC. 9009. (a) The Secretary of Defense shall submit to the congressional defense committees not later than 45 days after the end of each fiscal quarter a report on the proposed use of all funds appropriated by this or any prior Act under each of the headings Iraq Security Forces Fund, Afghanistan Security Forces Fund, Afghanistan Infrastructure Fund, and Pakistan Counterinsurgency Fund on a project-by-project basis, for which the obligation of funds is anticipated during the 3-month period from such date, including estimates for the accounts referred to in this section of the costs required to complete each such project.

(b) The report required by this subsection shall include the following:

(1) The use of all funds on a project-by-project basis for which funds appropriated under the headings referred to in subsection (a) were obligated prior to the submission of the report, including estimates for the accounts referred to in subsection (a) of the costs to complete each project.

(2) The use of all funds on a project-by-project basis for which funds were appropriated under the headings referred to in subsection (a) in prior appropriations Acts, or for which funds were made available by transfer, reprogramming, or allocation from other headings in prior appropriations Acts, including estimates for the accounts referred to in subsection (a) of the costs to complete each project.

(3) An estimated total cost to train and equip the Iraq, Afghanistan, and Pakistan security forces, disaggregated by major program and sub-elements by force, arrayed by fiscal year.

SEC. 9010. Funds made available in this title to the Department of Defense for operation and maintenance may be used to purchase items having an investment unit cost of not more than $250,000: *Provided*, That, upon determination by the Secretary of Defense that such action is necessary to meet the operational requirements of a Commander of a Combatant Command engaged in contingency operations overseas, such funds may be used to purchase items having an investment item unit cost of not more than $500,000.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9011. Of the funds appropriated by this Act for the Office of the Director of National Intelligence, $3,375,000 is available, as specified in the classified annex, for transfer to other departments and agencies of the Federal Government.

SEC. 9012. (a) The Task Force for Business and Stability Operations in Afghanistan may, subject to the direction and control of the Secretary of Defense and with the concurrence of the Secretary of State, carry out projects in fiscal year 2011 to assist the commander of the United States Central Command in developing a link between United States military operations in Afghanistan under Operation Enduring Freedom and the economic elements of United States national power in order to reduce violence, enhance stability, and restore economic normalcy in Afghanistan through strategic business and economic opportunities.

(b) The projects carried out under paragraph (a) may include projects that facilitate private investment, industrial development, banking and financial system development, agricultural diversification and revitalization, and energy development in and with respect to Afghanistan.

(c) The Secretary may use up to $150,000,000 of the funds available for overseas contingency operations in ''Operation and Maintenance, Army'' for additional activities to carry out projects under paragraph (a).

SEC. 9013. (a) Not more than 85 percent of the funds provided in this title for Operation and Maintenance may be available for obligation or expenditure until the date on which the Secretary of Defense submits the report under subsection (b).

(b) Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on contractor employees in the United States Central Command, including—

(1) the number of employees of a contractor awarded a contract by the Department of Defense (including subcontractor employees) who are employed at the time of the report in the area of operations of the United States Central Command, including a list of the number of such employees in each of Iraq, Afghanistan, and all other areas of operations of the United States Central Command; and

(2) for each fiscal year quarter beginning on the date of the report and ending on September 30, 2012—

(A) the number of such employees planned by the Secretary to be employed during each such period in each of Iraq, Afghanistan, and all other areas of operations of the United States Central Command; and

(B) an explanation of how the number of such employees listed under subparagraph (A) relates to the planned number of military personnel in such locations.

SEC. 9014. From funds made available in this title to the Department of Defense for operation and maintenance, up to $129,100,000 may be used by the Secretary of Defense, notwithstanding any other provision of law, to support the United States Government transition activities in Iraq by undertaking facilities renovation and construction associated with establishing Office of Security

Cooperation locations, at no more than four sites, in Iraq: *Provided*, That not less than 15 days before making funds available pursuant to the authority provided in this section, the Secretary shall submit to the congressional defense committees a written notice containing a detailed justification and timeline for each proposed site and the source of funds.

SEC. 9015. Any reference to ''this Act'' in this division shall apply solely to this division.

This division may be cited as the ''Department of Defense Appropriations Act, 2011''.

DIVISION B—FURTHER CONTINUING APPROPRIATIONS, 2011

SEC. 2001. The Continuing Appropriations Act, 2011 (Public Law 111–242) is further amended—

(1) by striking the date specified in section 106(3) and inserting ''April 15, 2011''; and

(2) by adding after section 294, as added by the Additional Continuing Appropriations Amendments, 2011 (Public Law 112–6), the following new sections:

''SEC. 295. Notwithstanding section 101, amounts are provided for 'Agricultural Programs—Agriculture Buildings and Facilities and Rental Payments' at a rate for operations of $262,093,000, of which $178,812,000 shall be available for payments to the General Services Administration for rent and of which $69,781,000 shall be for buildings operations and maintenance expenses.

''SEC. 296. Notwithstanding section 101, amounts are provided for 'Agricultural Programs—Departmental Administration' at a rate for operations of $28,809,000: *Provided*, That the second proviso under such heading in Public Law 111–80 shall not apply to funds appropriated by this Act.

''SEC. 297. Notwithstanding section 101, amounts are provided for 'Agricultural Programs—National Agricultural Statistics Service' at a rate for operations of $151,830,000: *Provided*, That the amounts included under such heading in Public Law 111–80 shall be applied to funds appropriated by this Act by substituting '$33,494,000' for '$37,908,000'.

''SEC. 298. Notwithstanding section 101, amounts are provided for 'Agricultural Programs—National Institute of Food and Agriculture—Integrated Activities' at a rate for operations of $24,874,000: *Provided*, That the amounts included under such heading in Public Law 111–80 shall be applied to funds appropriated by this Act as follows: by substituting '$15,044,000' for '$45,148,000'; by substituting '$10,948,000' for '$12,649,000'; by substituting '$0' for '$14,596,000'; by substituting '$0' for '$4,388,000'; by substituting '$0' for '$1,365,000'; by substituting '$0' for '$3,054,000'; by substituting '$0' for '$5,000,000'; by substituting '$0' for '$3,000,000'; by substituting '$0' for '$732,000'; and by substituting '$0' for '$1,312,000'.

''SEC. 299. Notwithstanding sections 101 and 231, amounts are provided for 'Agricultural Programs—Animal and Plant Health Inspection Service—Salaries and Expenses' at a rate for operations of $832,543,000: *Provided*, That the amounts included under such heading in Public Law 111–80 shall be applied to funds appropriated by this Act by substituting '$45,219,000' for '$60,243,000'.

''SEC. 300. Notwithstanding section 101, amounts are provided for 'Agricultural Programs—Farm Service Agency—Salaries and Expenses' at a rate for operations of $1,229,777,000.

''SEC. 301. Notwithstanding section 101, amounts are provided for 'Conservation Programs—Natural Resources Conservation Service—Watershed Rehabilitation Program' at a rate for operations of $25,161,000.

''SEC. 302. Notwithstanding section 101, amounts are provided for 'Conservation Programs—Natural Resources Conservation Service—Resource Conservation and Development' at a rate for operations of $24,730,000.

''SEC. 303. Notwithstanding section 101, amounts are provided for 'Rural Development Programs—Rural Development Salaries and Expenses' at a rate for operations of $186,987,000.

''SEC. 304. Notwithstanding section 101, amounts are provided for 'Rural Development Programs—Rural Housing Service—Rental Assistance Program' at a rate for operations of $956,570,000: *Provided*, That this section shall not apply to the amounts made available by section 101 for the liquidation of debts under such account.

''SEC. 305. Notwithstanding section 101, in connection with the 'Rural Development Programs—Rural Business-Cooperative Service—Rural Economic Development Loans Program Account', of the funds derived from interest on the cushion of credit payments, as authorized by section 313 of the Rural Electrification Act of 1936, $102,463,000 shall not be obligated and $102,463,000 is rescinded.

''SEC. 306. Notwithstanding section 101, amounts are provided for 'Rural Development Programs—Rural Utilities Service—Rural Water and Waste Disposal Program Account' at a rate for operations of $551,230,000: *Provided*, That the amounts included under such heading in Public Law 111–80 shall be applied to funds appropriated by this Act by substituting '$0' for '$17,500,000'.

''SEC. 307. Notwithstanding section 101, amounts are provided for 'Domestic Food Programs—Food and Nutrition Service—Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)' at a rate for operations of $7,052,000,000.

''SEC. 308. Notwithstanding section 101, amounts are provided for 'Foreign Assistance and Related Programs—Foreign Agricultural Service—Food for Peace Title II Grants' at a rate for operations of $1,455,000,000.

''SEC. 309. Notwithstanding section 101, amounts are provided for 'Foreign Assistance and Related Programs—Foreign Agricultural Service—McGovern-Dole International Food for Education and Child Nutrition Program Grants' at a rate for operations of $199,500,000: *Provided*, That the first proviso under such heading in Public Law 111–80 shall not apply to funds appropriated by this Act.

''SEC. 310. Section 748 of Public Law 111–80 shall not apply for fiscal year 2011.

''SEC. 311. Subsections (g)(5)(A), (h)(1)(C)(i), (h)(2)(B)(i), (j)(5)(A), and (k)(8)(A) of section 749 of Public Law 111–80 shall be applied to funds appropriated by this Act by substituting '$0' for each of the dollar amounts specified in such subsections.

''SEC. 312. Of the unobligated balances available for the cost of broadband loans, as authorized by section 601 of the Rural Electrification Act of 1936, $39,000,000 is rescinded.

''SEC. 313. Notwithstanding sections 101 and 117, amounts are provided for 'Department of Commerce—Bureau of the Census—Periodic Censuses and Programs' at a rate for operations of $942,315,000.

''SEC. 314. Notwithstanding sections 101 and 240, amounts are provided for 'Department of Commerce—National Institute of Standards and Technology—Construction of Research Facilities' at a rate for operations of $80,000,000: *Provided*, That the set-aside for a competitive construction grant program under such heading in division B of Public Law 111–117 shall not apply to funds appropriated by this Act.

''SEC. 315. Notwithstanding section 101, amounts are provided for 'Department of Justice—General Administration—National Drug Intelligence Center' at a rate for operations of $34,023,000.

''SEC. 316. Notwithstanding section 101, amounts are provided for 'Department of Justice—General Administration—Tactical Law Enforcement Wireless Communications' at a rate for operations of $136,143,000.

''SEC. 317. Notwithstanding section 101, amounts are provided for 'Department of Justice—United States Marshals Service—Construction' at a rate for operations of $16,625,000.

''SEC. 318. Notwithstanding section 101, amounts are provided for 'Department of Justice—Federal Bureau of Investigation—Construction' at a rate for operations of $106,915,000.

''SEC. 319. Notwithstanding section 101, amounts are provided for 'Department of Justice—Bureau of Alcohol, Tobacco, Firearms and Explosives—Construction' at a rate for operations of $0.

''SEC. 320. Notwithstanding section 101, amounts are provided for 'Department of Justice—Office of Justice Programs—Weed and Seed Program Fund' at a rate for operations of $0.

''SEC. 321. Notwithstanding section 101, amounts are provided for 'National Aeronautics and Space Administration—Space Operations' at a rate for operations of $6,047,800,000: *Provided*, That the proviso under such heading in division B of Public Law 111–117 shall not apply to funds appropriated by this Act.

''SEC. 322. Notwithstanding section 101, amounts are provided for 'National Aeronautics and Space Administration—Construction and Environmental Compliance and Remediation' at a rate for operations of $408,300,000: *Provided*, That such rate shall not apply to amounts made available by section 101 from lease proceeds under such account: *Provided further*, That the first proviso under such heading in division B of Public Law 111–117 shall not apply to funds appropriated by this Act.

''SEC. 323. Of the unobligated balances of funds made available in prior appropriation Acts for 'Corps of Engineers-Civil—Construction', $100,000,000 is rescinded: *Provided*, That no amounts in this section may be rescinded from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

''SEC. 324. Notwithstanding sections 101 and 172, amounts are provided for 'Corps of Engineers-Civil—Mississippi River and Tributaries' at a rate for operations of $240,000,000: *Provided*, That the proviso under such heading in Public Law 111–85 shall not apply to funds appropriated by this Act: *Provided further*, That of the unobligated balances of funds made available in prior appropriation Acts for 'Corps of Engineers-Civil—Mississippi River and Tributaries' or 'Corps of Engineers-Civil—Flood Control, Mississippi River and Tributaries, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee', $22,000,000 is rescinded: *Provided further*, That such rescission shall be derived by cancelling unobligated balances for the Yazoo Basin, Backwater Pump, Mississippi project: *Provided further*, That no amounts in this section may be rescinded from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

''SEC. 325. Of the unobligated balances of funds made available in prior appropriation Acts for 'Department of Energy—Energy Programs—Energy Efficiency and Renewable Energy', $11,243,000 is rescinded: *Provided*, That no amounts in this section may be rescinded from amounts that were designated

by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

''SEC. 326. Of the unobligated balances of funds made available in prior appropriation Acts for 'Department of Energy—Energy Programs—Electricity Delivery and Energy Reliability', $2,400,000 is rescinded: *Provided*, That no amounts in this section may be rescinded from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

''SEC. 327. Of the unobligated balances of funds made available in prior appropriation Acts for 'Department of Energy—Energy Programs—Nuclear Energy', $6,300,000 is rescinded: *Provided*, That no amounts in this section may be rescinded from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

''SEC. 328. Of the unobligated balances of funds made available in prior appropriation Acts for 'Department of Energy—Energy Programs—Fossil Energy Research and Development', $30,600,000 is rescinded: *Provided*, That no amounts in this section may be rescinded from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

''SEC. 329. Of the unobligated balances of funds made available in prior appropriation Acts for 'Department of Energy—Energy Programs—Naval Petroleum and Oil Shale Reserves', $2,100,000 is rescinded: *Provided*, That no amounts in this section may be rescinded from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

''SEC. 330. Notwithstanding section 101, amounts are provided for 'Department of Energy—Energy Programs—Strategic Petroleum Reserve' at a rate for operations of $209,414,000: *Provided*, That of the unobligated balances of funds made available under such heading in Public Law 110–161, $14,493,000 is rescinded, to be derived from amounts made available for new site land acquisition activities: *Provided further*, That of the unobligated balances of funds made available under such heading in Public Law 110–329, $31,507,000 is rescinded, to be derived from amounts made available for new site expansion activities, beyond land acquisition: *Provided further*, That of the unobligated balances of funds made available under such heading in Public Law 111–85, $25,000,000 is rescinded: *Provided further*, That of the unobligated balances of funds made available under such heading in prior appropriation Acts, in addition to the other amounts rescinded in this section, $15,300,000 is rescinded: *Provided further*, That no amounts in this section may be rescinded from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

''SEC. 331. Of the unobligated balances of funds made available in prior appropriation Acts for 'Department of Energy—Energy Programs—Clean Coal Technology', $18,000,000 is rescinded: *Provided*, That no amounts in this section may be rescinded from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

''SEC. 332. Of the unobligated balances of funds made available in prior appropriation Acts for 'Department of Energy—Energy Programs—Energy Information Administration', $400,000 is rescinded: *Provided*, That no amounts in this section may be rescinded from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

''SEC. 333. Notwithstanding section 101, amounts are provided for 'Department of Energy—Energy Programs—Non-Defense Environmental Cleanup' at a rate for operations of $225,000,000.

''SEC. 334. Notwithstanding section 101, amounts are provided for 'Department of Energy—Energy Programs—Uranium Enrichment Decontamination and Decommissioning Fund' at a rate for operations of $514,000,000: *Provided*, That of the unobligated balances of funds made available under such heading in prior appropriation Acts, $10,000,000 is rescinded: *Provided further*, That no amounts in this section may be rescinded from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

''SEC. 335. Of the unobligated balances of funds made available in prior appropriation Acts for 'Department of Energy—Energy Programs—Science', $7,200,000 is rescinded: *Provided*, That no amounts in this section may be rescinded from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

''SEC. 336. Notwithstanding section 101, amounts are provided for 'Department of Energy—Energy Programs—Advanced Technology Vehicles Manufacturing Loan Program' at a rate for operations of $9,998,000.

''SEC. 337. Of the unobligated balances of funds made available in prior appropriation Acts for 'Department of Energy—Energy Programs—Departmental Administration', $11,900,000 is rescinded: *Provided*, That no amounts in this section may be rescinded from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

''SEC. 338. Of the unobligated balances of funds made available in prior appropriation Acts for 'Department of Energy—Atomic Energy Defense Activities—National Nuclear Security Administration—Naval Reactors', $1,200,000 is rescinded: *Provided*, That no amounts in this section may be rescinded from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

''SEC. 339. Notwithstanding sections 101 and 182, amounts are provided for 'Department of Energy—Atomic Energy Defense Activities—National Nuclear Security Administration—Office of the Administrator' at a rate for operations of $399,793,000: *Provided*, That the last proviso under such heading in Public Law 111–85 shall not apply to funds appropriated by this Act: *Provided further*, That of the unobligated balances of funds made available under such heading in prior appropriation Acts, $4,400,000 is rescinded: *Provided further*, That no amounts in this section may be rescinded from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

''SEC. 340. Notwithstanding sections 101 and 183, amounts are provided for 'Department of Energy—Environmental and Other Defense Activities—Defense Environmental Cleanup' at a rate for operations of $5,096,000,000, of which $33,700,000 shall be transferred to the 'Uranium Enrichment Decontamination and Decommissioning Fund': *Provided*, That the proviso under such heading in Public Law 111–85 shall not apply to funds appropriated by this Act: *Provided further*, That of the unobligated balances of funds made available under such heading in prior appropriation Acts, $11,900,000 is rescinded: *Provided further*, That no amounts in this section may be rescinded from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

''SEC. 341. Notwithstanding sections 101 and 184, amounts are provided for 'Department of Energy—Environmental and Other Defense Activities—Other Defense Activities' at a rate for operations of $823,000,000: *Provided*, That the proviso under such heading in Public Law 111–85 shall not apply to funds appropriated by this Act: *Provided further*, That of the unobligated balances of funds made available under such heading in prior appropriation Acts, $3,400,000 is rescinded: *Provided further*, That no amounts in this section may be rescinded from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

''SEC. 342. Notwithstanding section 101, amounts are provided for 'Denali Commission' at a rate for operations of $10,700,000: *Provided*, That of the unobligated balances of funds made available under such heading in prior appropriation Acts, $15,000,000 is rescinded: *Provided further*, That no amounts in this section may be rescinded from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

''SEC. 343. Notwithstanding section 101, amounts are provided for 'Department of the Treasury—Departmental Offices—Department-Wide Systems and Capital Investments Programs' at a rate for operations of $4,000,000, and the first proviso under such heading in division C of Public Law 111–117 shall not apply to funds appropriated by this Act.

''SEC. 344. Of the unobligated balances available under the heading 'Department of the Treasury—Treasury Forfeiture Fund', $400,000,000 is rescinded.

''SEC. 345. Notwithstanding section 101, amounts are provided for 'Department of the Treasury—Financial Management Service—Salaries and Expenses' at a rate for operations of $232,838,000.

''SEC. 346. Notwithstanding section 101, amounts are provided for 'Department of the Treasury—Alcohol and Tobacco Tax and Trade Bureau—Salaries and Expenses' at a rate for operations of $99,831,000, and the proviso under such heading in division C of Public Law 111–117 shall not apply to funds appropriated by this Act.

''SEC. 347. Notwithstanding section 101, amounts are provided for 'Department of the Treasury—Bureau of the Public Debt—Administering the Public Debt' at a rate for operations of $184,658,000.

''SEC. 348. Notwithstanding sections 101 and 250, amounts are provided for 'Department of the Treasury—Community Development Financial Institutions Fund Program Account' at a rate for operations of

$163,600,000, and the requirement to transfer funds to the Capital Magnet Fund and the funding designation of $3,150,000 for an additional pilot project grant under such heading in division C of Public Law 111–117 shall not apply to funds appropriated by this Act.

''SEC. 349. Notwithstanding section 101, amounts are provided for 'Executive Office of the President and Funds Appropriated to the President—Office of Management and Budget—Salaries and Expenses' at a rate for operations of $92,500,000.

''SEC. 350. Notwithstanding section 101, amounts are provided for 'Executive Office of the President and Funds Appropriated to the President—Partnership Fund for Program Integrity Innovation' at a rate for operations of $0.

''SEC. 351. Notwithstanding section 101, amounts are provided for 'Executive Office of the President and Funds Appropriated to the President—Office of National Drug Control Policy—Counterdrug Technology Assessment Center' at a rate for operations of $0.

''SEC. 352. Notwithstanding sections 101 and 251, amounts are provided for 'Executive Office of the President and Funds Appropriated to the President—Office of National Drug Control Policy—Other Federal Drug Control Programs' at a rate for operations of $142,400,000, of which $85,500,000 shall be for the Drug-Free Communities Program; and amounts included under such heading shall be applied to funds appropriated by this Act by substituting '$0' for '$1,000,000', '$1,250,000', and '$250,000'.

''SEC. 353. Notwithstanding section 101, amounts are provided for 'The Judiciary—Supreme Court of the United States—Care of the Building and Grounds' at a rate for operations of $8,175,000.

''SEC. 354. Notwithstanding section 101, amounts are provided for 'The Judiciary—Courts of Appeals, District Courts, and Other Judicial Services—Fees of Jurors and Commissioners' at a rate for operations of $52,410,000.

''SEC. 355. Notwithstanding section 101, amounts are provided for 'District of Columbia—Federal Funds—Federal Payment to the District of Columbia Courts' at a rate for operations of $244,660,000, of which $59,000,000 shall be for capital improvements.

''SEC. 356. Notwithstanding section 101, amounts are provided for 'District of Columbia—Federal Funds—Federal Payment for Consolidated Laboratory Facility' at a rate for operations of $0.

''SEC. 357. Notwithstanding section 101, amounts are provided for 'District of Columbia—Federal Funds—Federal Payment for Housing for the Homeless' at a rate for operations of $10,000,000.

''SEC. 358. Notwithstanding section 101, amounts are provided for 'District of Columbia—Federal Funds—Federal Payment for Youth Services' at a rate for operations of $0.

''SEC. 359. Section 814 of division C of Public Law 111–117 shall be applied to funds appropriated by this Act by striking 'Federal'.

''SEC. 360. Notwithstanding section 101, amounts are provided for 'Election Assistance Commission—Salaries and Expenses' at a rate for operations of $16,800,000, of which $3,250,000 shall be transferred to the National Institute of Standards and Technology for election reform activities authorized under the Help America Vote Act of 2002 (Public Law 107–252).

''SEC. 361. Notwithstanding sections 101 and 253, the aggregate amount of new obligational authority provided under the heading 'General Services Administration—Real Property Activities—Federal Buildings Fund—Limitations on Availability of Revenue' for Federal buildings and courthouses and other purposes of the Fund shall be available at a rate for operations of $7,504,272,000, of which: (1) $0 is for 'Construction and Acquisition'; and (2) $284,000,000 is for 'Repairs and Alterations' for Special Emphasis Programs and Basic Repairs and Alterations.

''SEC. 362. Notwithstanding section 101, amounts are provided for 'General Services Administration—Federal Citizen Services Fund' at a rate for operations of $34,689,000.

''SEC. 363. Notwithstanding section 101, amounts are provided for 'General Services Administration—Electronic Government Fund' at a rate for operations of $17,000,000.

''SEC. 364. Notwithstanding section 101, amounts are provided for 'National Archives and Records Administration—Electronic Records Archives' at a rate for operations of $72,000,000, of which $52,500,000 shall remain available until September 30, 2013.

''SEC. 365. Notwithstanding section 101, amounts are provided for 'National Archives and Records Administration—National Historical Publications and Records Commission—Grants Program' at a rate for operations of $6,000,000.

''SEC. 366. The amounts included under the heading 'Office of Personnel Management—Salaries and Expenses' in division C of Public Law 111–117 shall be applied to funds appropriated by this Act by substituting '$101,270,000' for '$102,970,000' and by substituting '$111,038,000' for '$112,738,000'.

''SEC. 367. Notwithstanding section 156 of this Act and section 503 of Public Law 111–83, amounts made available by this Act for the Department of Homeland Security shall be available for reprogramming or transfer between and within appropriations to the extent necessary to address emergent circumstances, to meet critical operational requirements, to avoid furloughs or reduction in force, or to provide funding for critical programs and activities required by law: *Provided*, That such reprogrammings or transfers may not result in the termination or initiation of a program, project, or activity: *Provided further*, That the Committees on Appropriations of the Senate and the House of Representatives shall be notified 15 days in advance of such reprogramming or transfer of funds.

''SEC. 368. Notwithstanding sections 101 and 186, amounts are provided for 'Department of Homeland Security—Office of the Under Secretary for Management' at a rate for operations of $239,933,000.

''SEC. 369. Notwithstanding section 101, amounts are provided for 'Department of Homeland Security—Office of the Chief Financial Officer' at a rate for operations of $53,530,000.

''SEC. 370. Notwithstanding section 101, amounts are provided for 'Department of Homeland Security—Office of the Federal Coordinator for Gulf Coast Rebuilding' at a rate for operations of $0.

''SEC. 371. Notwithstanding section 101, amounts are provided for 'Department of Homeland Security—U.S. Customs and Border Protection—Automation Modernization' at a rate for operations of $341,575,000, of which $153,090,000 shall be for the Automated Commercial Environment.

''SEC. 372. Notwithstanding section 101, amounts are provided for 'Department of Homeland Security—U.S. Customs and Border Protection—Border Security Fencing, Infrastructure, and Technology' at a rate for operations of $574,173,000.

''SEC. 373. Notwithstanding section 101, amounts are provided for 'Department of Homeland Security—U.S. Customs and Border Protection—Air and Marine Interdiction, Operations, Maintenance, and Procurement' at a rate for operations of $516,326,000.

''SEC. 374. Notwithstanding section 101, amounts are provided for 'Department of Homeland Security—U.S. Immigration and Customs Enforcement—Automation Modernization' at a rate for operations of $75,000,000.

''SEC. 375. Notwithstanding section 101, amounts are provided for 'Department of Homeland Security—U.S. Immigration and Customs Enforcement—Construction' at a rate for operations of $0.

''SEC. 376. Notwithstanding section 101, amounts are provided for 'Department of Homeland Security—Transportation Security Administration—Surface Transportation Security' at a rate for operations of $105,961,000.

''SEC. 377. Notwithstanding section 101, amounts are provided for 'Department of Homeland Security—Transportation Security Administration—Transportation Threat Assessment and Credentialing' at a rate for operations of $162,999,000.

''SEC. 378. Notwithstanding sections 101 and 193, amounts are provided for 'Department of Homeland Security—National Protection and Programs Directorate—Infrastructure Protection and Information Security' at a rate for operations of $859,000,000.

''SEC. 379. Notwithstanding section 101, amounts are provided for 'Department of Homeland Security—National Protection and Programs Directorate—United States Visitor and Immigrant Status Indicator Technology' at a rate for operations of $334,613,000.

''SEC. 380. Notwithstanding sections 101 and 195, amounts are provided for 'Department of Homeland Security—Federal Emergency Management Agency—State and Local Programs' at a rate for operations of $2,417,500,000: *Provided*, That of the amount provided by this Act for the State Homeland Security Grant Program under such heading, $50,000,000 shall be for the Driver's License Security Grant Program and $10,000,000 shall be for the Citizen Corps Program: *Provided further*, That the amounts provided by this Act for the Citizen Corps Program under such heading shall not be subject to the requirements of subtitle A of title XX of the Homeland Security Act of 2002 (6 U.S.C. 603 et seq.): *Provided further*, That the amounts included under such heading in Public Law 111–83 shall be applied to funds appropriated by this Act as follows: in paragraph (1), by substituting '$788,000,000' for '$950,000,000'; in paragraph (2), by substituting '$788,000,000' for '$887,000,000'; in paragraph (3), by substituting '$17,500,000' for '$35,000,000'; in paragraph (4), by substituting '$35,000,000' for '$41,000,000'; in paragraph (5), by substituting '$0' for '$13,000,000'; in paragraph (6), by substituting '$260,000,000' for '$300,000,000'; in paragraph (7), by substituting '$260,000,000' for '$300,000,000'; in paragraph (8), by substituting '$5,000,000' for '$12,000,000'; in paragraph (9), by substituting '$0' for '$50,000,000'; in paragraph (10), by substituting '$0' for '$50,000,000'; in paragraph (11), by substituting '$0' for '$50,000,000'; in paragraph (12), by substituting '$20,000,000' for '$60,000,000' and by substituting '$0' for each subsequent amount in such paragraph; and in paragraph (13), by substituting '$244,000,000' for '$267,200,000': *Provided further*, That the directed obligation provisions in paragraphs 13(A), 13(B), and 13(C) under such heading in Public Law 111–83 shall not apply to funds appropriated by this Act: *Provided further*, That 5.5 percent of the amount provided for 'Federal Emergency Management Agency—State and Local Programs' by this Act shall be transferred to the 'Federal Emergency Management Agency—Management and Administration' account for program administration.

''SEC. 381. Notwithstanding section 101, amounts are provided for 'Department of Homeland Security—Federal Emergency

Management Agency—Flood Map Modernization Fund' at a rate for operations of $194,000,000.

''SEC. 382. Notwithstanding sections 101 and 196, amounts are provided for 'Department of Homeland Security—Federal Emergency Management Agency—National Predisaster Mitigation Fund' at a rate for operations of $60,000,000: *Provided*, That the directed obligation provision under such heading in Public Law 111–83 shall not apply to funds appropriated by this Act.

''SEC. 383. Notwithstanding section 101, amounts are provided for 'Department of Homeland Security—Federal Law Enforcement Training Center—Salaries and Expenses' at a rate for operations of $235,919,000.

''SEC. 384. Notwithstanding section 101, amounts are provided for 'Department of Homeland Security—Federal Law Enforcement Training Center—Acquisition, Construction, Improvements, and Related Expenses' at a rate for operations of $38,456,000.

''SEC. 385. Notwithstanding sections 101 and 197, amounts are provided for 'Department of Homeland Security—Science and Technology—Research, Development, Acquisition, and Operations' at a rate for operations of $690,000,000.

''SEC. 386. Of the funds transferred to the Department of Homeland Security when it was created in 2003, the following amounts are rescinded from the following accounts and programs:

''(1) 'Operations', $1,692,000.

''(2) 'Violent Crime Reduction Program', $4,871,492.

''(3) 'Office for Domestic Preparedness', $10,568,934.

''SEC. 387. Of the unobligated balances made available to the Department of Homeland Security pursuant to section 505 of Public Law 111–83, the following amounts are rescinded from the following accounts:

''(1) 'Office of the Secretary and Executive Management', $1,437,015.

''(2) 'Office of the Under Secretary for Management', $821,104.

''(3) 'U.S. Customs and Border Protection—Salaries and Expenses', $8,500,000.

''(4) 'U.S. Immigration and Customs Enforcement—Salaries and Expenses', $8,500,000.

''(5) 'Transportation Security Administration—Federal Air Marshals', $2,429,978.

''(6) 'Coast Guard—Operating Expenses', $13,508,196.

''(7) 'Coast Guard—Reserve Training', $3,411,505.

''(8) 'National Protection and Programs Directorate—Infrastructure Protection and Information Security', $861,290.

''(9) 'United States Secret Service—Salaries and Expenses', $602,956.

''(10) 'Federal Emergency Management Agency—Management and Administration', $814,153.

''(11) 'Office of Health Affairs', $831,400.

''(12) 'United States Citizenship and Immigration Services', $7,945,983.

''(13) 'Federal Law Enforcement Training Center—Salaries and Expenses', $1,010,795.

''SEC. 388. Of the unobligated balances available for the following accounts of the Department of Homeland Security, the following amounts are rescinded:

''(1) 'U.S. Customs and Border Protection—Automation Modernization', $10,000,000.

''(2) 'U.S. Customs and Border Protection—Border Security Fencing, Infrastructure, and Technology', $119,000,000.

''(3) 'Federal Emergency Management Agency—National Predisaster Mitigation Fund', $19,603,000.

''(4) 'Science and Technology—Research, Development, Acquisition, and Operations', $6,500,000.

''(5) 'Domestic Nuclear Detection Office—Research, Development, and Operations', $15,700,000.

''(6) 'Coast Guard—Acquisition, Construction, and Improvements', $1,122,000.

''SEC. 389. Of the unobligated balances made available under section 44945 of title 49, United States Code, $800,000 is rescinded.

''SEC. 390. Of the unobligated balances available for accounts under the heading 'Department of Homeland Security—Transportation Security Administration', $15,000,000 is rescinded (in addition to amounts otherwise rescinded by this Act): *Provided*, That the Transportation Security Administration shall not rescind any unobligated balances from the following programs: explosives detection systems; checkpoint support; aviation regulation and other enforcement; and air cargo.

''SEC. 391. Of the unobligated balances available for 'Department of Homeland Security—National Protection and Programs Directorate—Infrastructure Protection and Information Security', the following amounts are rescinded:

''(1) $6,000,000, to be derived from amounts made available for Next Generation Networks.

''(2) $9,600,000, to be derived from amounts which shall be specified by the Secretary of Homeland Security in a report submitted not later than 15 days after the date of the enactment of this Act to the Committees on Appropriations of the Senate and the House of Representatives, describing the amounts rescinded and the original purpose of such funds.

''SEC. 392. Of the unobligated balances available in the Department of the Treasury Forfeiture Fund established by section 9703 of title 31, United States Code, as added by section 638 of Public Law 102–393, $22,600,000 is rescinded.

''SEC. 393. Notwithstanding sections 101 and 258, amounts are provided for 'Department of the Interior—Bureau of Land Management—Management of Lands and Resources' at a rate for operations of $927,523,000: *Provided*, That the amounts included under such heading in division A of Public Law 111–88 shall be applied to funds appropriated by this Act by substituting '$927,523,000' for '$959,571,000' the second place it appears.

''SEC. 394. Notwithstanding sections 101 and 259, amounts are provided for 'Department of the Interior—Bureau of Land Management—Construction' at a rate for operations of $3,590,000.

''SEC. 395. Notwithstanding sections 101 and 260, amounts are provided for 'Department of the Interior—Bureau of Land Management—Land Acquisition' at a rate for operations of $22,212,000: *Provided*, That the proviso under such heading in division A of Public Law 111–88 shall not apply to funds appropriated by this Act.

''SEC. 396. Notwithstanding sections 101 and 261, amounts are provided for 'Department of the Interior—United States Fish and Wildlife Service—Resource Management' at a rate for operations of $1,235,052,000: *Provided*, That the amounts included under such heading in division A of Public Law 111–88 shall be applied to funds appropriated by this Act as follows: by substituting '$20,945,000' for '$22,103,000'; and by substituting '$10,474,000' for '$11,632,000'.

''SEC. 397. Notwithstanding sections 101 and 262, amounts are provided for 'Department of the Interior—United States Fish and Wildlife Service—Construction' at a rate for operations of $23,737,000.

''SEC. 398. Notwithstanding sections 101 and 263, amounts are provided for 'Department of the Interior—United States Fish and Wildlife Service—Land Acquisition' at a rate for operations of $57,471,000.

''SEC. 399. Of the unobligated amounts available for 'Department of the Interior—United States Fish and Wildlife Service—Landowner Incentive Program' from prior year appropriations, all remaining amounts are rescinded.

''SEC. 400. Notwithstanding section 101, amounts are provided for 'Department of the Interior—United States Fish and Wildlife Service—Cooperative Endangered Species Conservation Fund' at a rate for operations of $63,831,000: *Provided*, That the amounts included under such heading in division A of Public Law 111–88 shall be applied to funds appropriated by this Act as follows: by substituting '$24,835,000' for '$29,000,000'; by substituting '$4,987,297' for '$5,145,706'; and by substituting '$38,996,000' for '$56,000,000'.

''SEC. 401. Notwithstanding section 101, amounts are provided for 'Department of the Interior—United States Fish and Wildlife Service—North American Wetlands Conservation Fund' at a rate for operations of $40,000,000.

''SEC. 402. Notwithstanding section 101, amounts are provided for 'Department of the Interior—United States Fish and Wildlife Service—Neotropical Migratory Bird Conservation' at a rate for operations of $4,430,000.

''SEC. 403. Notwithstanding section 101, amounts are provided for 'Department of the Interior—United States Fish and Wildlife Service—Multinational Species Conservation Fund' at a rate for operations of $7,875,000.

''SEC. 404. Notwithstanding section 101, amounts are provided for 'Department of the Interior—United States Fish and Wildlife Service—State and Tribal Wildlife Grants' at a rate for operations of $80,000,000.

''SEC. 405. Notwithstanding section 101, amounts are provided for 'Department of the Interior—National Park Service—Park Partnership Project Grants' at a rate for operations of $0: *Provided*, That all of the provisos under such heading in division A of Public Law 111–88 shall not apply to funds appropriated by this Act.

''SEC. 406. Notwithstanding sections 101 and 266, amounts are provided for 'Department of the Interior—National Park Service—Construction' at a rate for operations of $210,066,000: *Provided*, That the last proviso under such heading in division A of Public Law 111–88 shall not apply to funds appropriated by this Act.

''SEC. 407. Notwithstanding sections 101 and 267, amounts are provided for 'Department of the Interior—National Park Service—Land Acquisition and State Assistance' at a rate for operations of $90,846,000: *Provided*, That the amounts included under such heading in division A of Public Law 111–88 shall be applied to funds appropriated by this Act as follows: by substituting '$31,000,000' for '$40,000,000'; and by substituting '$6,000,000' for '$9,000,000'.

''SEC. 408. Of the unobligated amounts available for 'Department of the Interior—National Park Service—Urban Park and Recreation Fund', $625,000 is rescinded.

''SEC. 409. Notwithstanding sections 101 and 268, amounts are provided for 'Department of the Interior—United States Geological Survey—Surveys, Investigations, and Research' at a rate for operations of $1,076,355,000: *Provided*, That the amounts included under such heading in division A of Public Law 111–88 shall be applied to funds appropriated by this Act by substituting '$53,500,000' for '$40,150,000'.

''SEC. 410. Notwithstanding section 101, amounts are provided for 'Department of the Interior—Bureau of Indian Affairs—Indian Land and Water Claim Settlements and Miscellaneous Payments to Indians' at a rate for operations of $46,480,000, of which $0 shall be for the matter pertaining to Public Law 109–379.

''SEC. 411. Notwithstanding section 101, amounts are provided for 'Department of the Interior—Bureau of Indian Affairs—Indian Land Consolidation' at a rate for operations of $0.

''SEC. 412. Notwithstanding section 101, amounts are provided for 'Department of the Interior—Departmental Offices—Office of the Secretary—Salaries and Expenses' at a rate for operations of $117,336,000.

''SEC. 413. Notwithstanding sections 101 and 270, amounts are provided for 'Department of the Interior—Departmental Offices—Insular Affairs—Assistance to Territories' at a rate for operations of $78,670,000: *Provided*, That the amounts included under such heading in division A of Public Law 111–88 shall be applied to funds appropriated by this Act by substituting '$9,080,000' for '$9,280,000'.

''SEC. 414. Notwithstanding section 101, amounts are provided for 'Department of the Interior—Departmental Offices—Insular Affairs—Compact of Free Association' at a rate for operations of $5,422,000, of which $2,104,000 is for section 122 of division A of Public Law 111–88.

''SEC. 415. Notwithstanding section 101, amounts are provided for 'Department of the Interior—Department-wide Programs—Wildland Fire Management' at a rate for operations of $919,897,000: *Provided*, That the amounts included under such heading in division A of Public Law 111–88 shall be applied to funds appropriated by this Act by substituting '$0' for '$125,000,000': *Provided further*, That of the unobligated balances available under such heading in division A of Public Law 111–88 and prior appropriations Acts, $150,000,000 is rescinded: *Provided further*, That no amounts in this section may be rescinded from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

''SEC. 416. Notwithstanding sections 101 and 271, amounts are provided for 'Environmental Protection Agency—Science and Technology' at a rate for operations of $826,370,000, of which $0 shall be for the purposes specified in 'Research/National Priorities' under the heading 'Science and Technology' in the joint explanatory statement of the managers accompanying Public Law 111–88 and $51,297,000 shall be for 'Homeland Security' under the heading 'Science and Technology' in the table of detailed funding recommendations contained at the end of such joint explanatory statement.

''SEC. 417. Notwithstanding sections 101 and 272, amounts are provided for 'Environmental Protection Agency—Environmental Programs and Management' at a rate for operations of $2,779,851,000: *Provided*, That of the amounts provided by this Act for such account, $0 shall be for cap and trade technical assistance and $0 shall be for the program specified in 'Environmental Protection/National Priorities' under the heading 'Environmental Programs and Management' in the joint explanatory statement of the managers accompanying Public Law 111–88: *Provided further*, That of the amounts provided by this Act for such account, amounts are provided for the Geographic Programs specified in such joint explanatory statement at a rate for operations of $424,875,000: *Provided further*, That of such amount for Geographic Programs, $300,000,000 shall be for the Great Lakes Restoration Initiative: *Provided further*, That of the amounts provided by this Act for such account, $15,142,000 shall be for 'Homeland Security' under the heading 'Environmental Programs and Management' in the table of detailed funding recommendations contained at the end of such joint explanatory statement.

''SEC. 418. Notwithstanding section 101, amounts are provided for 'Environmental Protection Agency—Hazardous Substance Superfund' at a rate for operations of $1,293,475,000: *Provided*, That the amounts included under such heading in division A of Public Law 111–88 shall be applied to funds appropriated by this Act as follows: by substituting '$1,293,475,000' for '$1,306,541,000' in the second place it appears; and by substituting 'September 30, 2010' for 'September 30, 2009': *Provided further*, That of the amounts provided by this Act for such account, $43,468,000 shall be for 'Homeland Security' under the heading 'Hazardous Substance Superfund' in the table of detailed funding recommendations contained at the end of the joint explanatory statement of the managers accompanying Public Law 111–88.

''SEC. 419. Notwithstanding sections 101 and 274, amounts are provided for 'Environmental Protection Agency—State and Tribal Assistance Grants' at a rate for operations of $4,077,946,000: *Provided*, That the amounts included under such heading in division A of Public Law 111–88 shall be applied to funds appropriated by this Act as follows: by substituting '$1,700,000,000' for '$2,100,000,000'; by substituting '$1,087,000,000' for '$1,387,000,000'; by substituting '$14,500,000' for '$17,000,000'; by substituting '$10,000,000' for '$13,000,000'; by substituting '$0' for '$156,777,000'; by substituting '$0' for '$20,000,000'; and by substituting '$1,106,446,000' for '$1,116,446,000'.

''SEC. 420. Notwithstanding section 101, the amounts authorized to transfer under the heading 'Environmental Protection Agency—Administrative Provisions, Environmental Protection Agency' in division A of Public Law 111–88 shall be applied to funds appropriated by this Act by substituting '$300,000,000' for '$475,000,000'.

''SEC. 421. Notwithstanding sections 101 and 276, amounts are provided for 'Department of Agriculture—Forest Service—Forest and Rangeland Research' at a rate for operations of $297,252,000.

''SEC. 422. Notwithstanding sections 101 and 277, amounts are provided for 'Department of Agriculture—Forest Service—State and Private Forestry' at a rate for operations of $272,797,000: *Provided*, That the amounts included under such heading in division A of Public Law 111–88 shall be applied to funds appropriated by this Act by substituting '$52,317,000' for '$76,460,000'.

''SEC. 423. Notwithstanding sections 101 and 278, amounts are provided for 'Department of Agriculture—Forest Service—National Forest System' at a rate for operations of $1,534,089,000.

''SEC. 424. Notwithstanding sections 101 and 279, amounts are provided for 'Department of Agriculture—Forest Service—Capital Improvement and Maintenance' at a rate for operations of $499,618,000: *Provided*, That the amounts included under such heading in division A of Public Law 111–88 shall be applied to funds appropriated by this Act by substituting '$50,731,000' for '$90,000,000'.

''SEC. 425. Notwithstanding sections 101 and 281, amounts are provided for 'Department of Agriculture—Forest Service—Wildland Fire Management' at a rate for operations of $2,172,387,000: *Provided*, That the amounts included under such heading in division A of Public Law 111–88 shall be applied to funds appropriated by this Act by substituting '$0' for '$75,000,000'.

''SEC. 426. Notwithstanding section 101, amounts are provided for 'Department of Agriculture—Forest Service—FLAME Wildfire Suppression Reserve Fund' at a rate for operations of $291,000,000.

''SEC. 427. Notwithstanding section 101, amounts are provided for 'National Gallery of Art—Repair, Restoration and Renovation of Buildings' at a rate for operations of $48,221,000: *Provided*, That the amounts included under such heading in division A of Public Law 111–88 shall be applied to funds appropriated by this Act by substituting '$42,250,000' for '$40,000,000'.

''SEC. 428. Notwithstanding section 101, amounts are provided for 'John F. Kennedy Center for the Performing Arts—Operations and Maintenance' at a rate for operations of $22,500,000: *Provided*, That the proviso under such heading in division A of Public Law 111–88 shall not apply to funds appropriated by this Act.

''SEC. 429. Notwithstanding section 101, amounts are provided for 'John F. Kennedy Center for the Performing Arts—Capital Repair and Restoration' at a rate for operations of $13,920,000.

''SEC. 430. Notwithstanding section 101, amounts are provided for 'Commission of Fine Arts—National Capital Arts and Cultural Affairs' at a rate for operations of $0.

''SEC. 431. Notwithstanding sections 101, 200, and 283, amounts are provided for 'Department of Labor—Employment and Training Administration—Training and Employment Services' at a rate for operations of $3,636,148,000, of which $196,661,000 shall be for national activities described in paragraph (3) under such heading in division D of Public Law 111–117: *Provided*, That the amounts included for national activities under such heading in division D of Public Law 111–117 shall be applied to funds appropriated by this Act as follows: by substituting '$44,561,000' for '$93,450,000', by substituting '$0' for '48,889,000', by substituting '$90,000,000' for '$108,493,000', by substituting '$0' for '$125,000,000', and by substituting '$0' for '$65,000,000'.

''SEC. 432. Of the unobligated balances available in 'Department of Labor—Working Capital Fund', $3,900,000 is permanently rescinded, to be derived solely from amounts available in the Investment in Reinvention Fund (other than amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985).

''SEC. 433. Notwithstanding sections 101, 203, and 285, amounts are provided for 'Department of Health and Human Services—Health Resources and Services Administration—Health Resources and Services' at a rate for operations of $6,982,520,000: *Provided*, That the eighteenth, nineteenth, twenty-second, and twenty-fifth provisos under such heading in division D of Public Law 111–117 shall not apply to funds appropriated by this Act.

''SEC. 434. Notwithstanding sections 101 and 204, amounts are provided for 'Department of Health and Human Services—Centers for Disease Control and Prevention—Disease Control, Research, and Training' at a rate for operations of $6,044,273,000, of which $750,000,000 shall be derived from funds transferred, pursuant to section 4002(c) of Public Law 111–148, from amounts appropriated by section 4002(b) of such Public Law: *Provided*, That for purposes of this section, section 4002(c) of Public Law 111–148 shall be applied as if ', over the fiscal year 2008 level,' were stricken from such section: *Provided further*, That the amount included before the first proviso under such heading in division D of Public Law 111–117 shall be applied to funds appropriated by this Act by substituting '0' for '$20,620,000'.

''SEC. 435. Notwithstanding section 101, amounts are provided for 'Department of Health and Human Services—Administration for Children and Families—Low Income Home Energy Assistance' at a rate for operations of $4,709,672,000, of which $200,000,000 shall be for payments under section 2602(e) of the Low Income Home Energy Assistance Act of 1981.

''SEC. 436. Notwithstanding sections 101 and 208, amounts are provided for 'Department of Health and Human Services—Administration for Children and Families—Children and Families Services Programs' at a rate for operations of $9,269,747,000: *Provided*, That the fifteenth proviso under such heading in division D of Public Law 111–117 shall not apply to funds appropriated by this Act.

''SEC. 437. Notwithstanding sections 101 and 286, in addition to amounts otherwise made available by section 130, amounts are provided for 'Department of Health and Human Services—Office of the Secretary—Public Health and Social Services Emergency Fund' at a rate for operations of $546,109,000, of which $65,578,000 shall be for expenses necessary to prepare for and respond to an influenza pandemic (none of which shall be available past September 30, 2011), $35,000,000 shall be for expenses necessary for fit-out and other costs related to a competitive lease procurement to renovate or replace the existing headquarters building for Public Health Service agencies and other components of the Department of Health and Human Services, and $235,000,000 shall be for Hospital Preparedness Cooperative Agreement Grants.

''SEC. 438. Of the unobligated balances available for 'Department of Education—Education for the Disadvantaged' in division D of Public Law 111–117, $186,500,000 is rescinded, to be derived from the amounts specified under such heading for availability under section 1502 of the ESEA.

''SEC. 439. Notwithstanding sections 101 and 212, amounts are provided for 'Department of Education—School Improvement Programs' at a rate for operations of $5,080,695,000, of which $3,216,244,000 shall become available on July 1, 2011, and remain available through September 30, 2012: *Provided*, That of such amounts, no funds shall be available for activities authorized under subpart 1 of part D of title II of the ESEA or part Z of title VIII of the Higher Education Act of 1965: *Provided further*, That the second, third, and thirteenth provisos under such heading in division D of Public Law 111–117 shall not apply to funds appropriated by this Act.

''SEC. 440. Notwithstanding sections 101 and 213, amounts are provided for 'Department of Education—Innovation and Improvement' at a rate for operations of $1,019,353,000, of which no funds shall be available for activities authorized under section 2151(c) of the ESEA, section 1504 of the ESEA, or part F of title VIII of the Higher Education Act of 1965, and $477,047,000 shall be for part D of title V of the ESEA: *Provided*, That the first, second, third, fourth, fifth, seventeenth, and eighteenth provisos under such heading in division D of Public Law 111–117 shall not apply to funds appropriated by this Act.

''SEC. 441. Notwithstanding sections 101 and 214, amounts are provided for 'Department of Education—Safe Schools and Citizenship Education' at a rate for operations of $341,053,000, of which, notwithstanding section 2343(b) of the ESEA, $2,578,000 is for the continuation costs of awards made on a competitive basis under section 2345 of the ESEA and $207,053,000 shall be for subpart 2 of part A of title IV of the ESEA: *Provided*, That the first and third provisos under such heading in division D of Public Law 111–117 shall not apply to funds appropriated by this Act.

''SEC. 442. Notwithstanding sections 101 and 216, amounts are provided for 'Department of Education—Rehabilitation Services and Disability Research' at a rate for operations of $3,478,026,000: *Provided*, That the second proviso under such heading in division D of Public Law 111–117 shall not apply to funds appropriated by this Act.

''SEC. 443. Notwithstanding section 101, amounts are provided for 'Department of Education—Special Institutions for Persons with Disabilities—National Technical Institute for the Deaf' at a rate for operations of $65,677,000, of which $240,000 shall be available for construction.

''SEC. 444. Notwithstanding sections 101 and 217, amounts are provided for 'Department of Education—Career, Technical, and Adult Education' at a rate for operations of $1,897,541,000, of which $1,106,541,000 shall become available on July 1, 2011, and remain available through September 30, 2012 and no funds shall be available for activities authorized under subpart 4 of part D of title V of the ESEA: *Provided*, That the first, second, third, seventh, and eighth provisos under such heading in division D of Public Law 111–117 shall not apply to funds appropriated by this Act.

''SEC. 445. Notwithstanding sections 101 and 219, amounts are provided for 'Department of Education—Higher Education' at a rate for operations of $2,094,985,000, of which no funds shall be available for activities authorized under section 428L of part B of title IV of the Higher Education Act of 1965, subpart 1 of part D of title VII of the Higher Education Act of 1965, part H of title VIII of the Higher Education Amendments of 1998, section 1543 of the Higher Education Amendments of 1992, or section 117 of the Carl D. Perkins Career and Technical Education Act of 2006: *Provided*, That the seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, and fourteenth provisos under such heading in division D of Public Law 111–117 shall not apply to funds appropriated by this Act.

''SEC. 446. Notwithstanding section 101, amounts are provided for 'Railroad Retirement Board—Dual Benefits Payments Account' at a rate for operations of $57,000,000.

''SEC. 447. Of the funds appropriated for 'Social Security Administration—Limitation on Administrative Expenses' for fiscal years 2010 and prior years (other than funds appropriated by Public Law 111–5) for investment in information technology and telecommunications hardware and software infrastructure, $300,000,000 is rescinded (in addition to the amounts rescinded by section 288).

''SEC. 448. Of the funds made available for 'Military Construction, Defense-Wide' in title I of division E of Public Law 110–329, $23,000,000 is rescinded.

''SEC. 449. Of the funds made available for 'Military Construction, Defense-Wide' in title I of division E of Public Law 111–117, $125,500,000 is rescinded.

''SEC. 450. Of the funds made available for 'Military Construction, Army' in title I of division E of Public Law 111–117, $160,000,000 is rescinded.

''SEC. 451. Of the funds made available for 'Military Construction, Navy and Marine Corps' in title I of division E of Public Law 111–117, $34,000,000 is rescinded.

''SEC. 452. Of the funds made available for 'Military Construction, Air Force' in title I of division E of Public Law 111–117, $87,000,000 is rescinded.

''SEC. 453. Of the unobligated balances available for 'Department of Defense Base Closure Account 2005' from prior appropriations (other than appropriations designated by law as being for contingency operations directly related to the global war on terrorism or as an emergency requirement), $200,000,000 is rescinded.

''SEC. 454. Notwithstanding section 101, amounts are provided for 'Department of Veterans Affairs—Departmental Administration—Information Technology Systems' at a rate for operations of $3,146,898,000: *Provided*, That of the funds made available under such heading in division E of Public Law 111–117, $147,000,000 is rescinded.

''SEC. 455. Notwithstanding section 101, amounts are provided for 'Department of Veterans Affairs—Departmental Administration—Construction, Major Projects' at a rate for operations of $1,151,036,000.

''SEC. 456. Notwithstanding sections 101 and 137, amounts are provided for 'International Security Assistance—Funds Appropriated to the President—Foreign Military Financing Program' at a rate for operations of $5,385,000,000, of which not less than $3,000,000,000 shall be available for grants only for Israel, $1,300,000,000 shall be available for grants only for Egypt, and not less than $300,000,000 shall be available for assistance for Jordan: *Provided*, That, for purposes of this Act, the dollar amount in the first paragraph of the fourth proviso under such heading in title IV of division F of Public Law 111–117 shall be deemed to be $789,000,000.

''SEC. 457. Notwithstanding section 101, amounts are provided for 'Department of State—Administration of Foreign Affairs—Civilian Stabilization Initiative' at a rate for operations of $40,000,000.

''SEC. 458. Notwithstanding section 101, amounts are provided for 'United States Agency for International Development—Funds Appropriated to the President—Civilian Stabilization Initiative' at a rate for operations of $10,000,000.

''SEC. 459. Notwithstanding section 101, amounts are provided for 'Department of State—Administration of Foreign Affairs—Educational and Cultural Exchange Programs' at a rate for operations of $625,000,000.

''SEC. 460. Notwithstanding section 101, amounts are provided for the following accounts at a rate for operations of $0: 'Department of State—Administration of Foreign Affairs—Buying Power Maintenance Account' and 'Multilateral Assistance—Funds Appropriated to the President—Contribution to the Asian Development Fund'.

''SEC. 461. Notwithstanding section 101, amounts are provided for 'Department of State—International Organizations—Contributions to International Organizations' at a rate for operations of $1,545,000,000.

''SEC. 462. Notwithstanding section 101, amounts are provided for 'Department of State—International Organizations—Contributions for International Peacekeeping Activities' at a rate for operations of $2,095,000,000.

''SEC. 463. Notwithstanding section 101, amounts are provided for 'Related Programs—United States Institute of Peace' at a rate for operations of $42,676,000.

''SEC. 464. Notwithstanding section 101, amounts are provided for 'Bilateral Economic Assistance—Funds Appropriated to the President—Economic Support Fund' at a rate for operations of $6,284,000,000.

''SEC. 465. Notwithstanding section 101, amounts are provided for 'Bilateral Economic Assistance—Funds Appropriated to the President—Assistance for Europe, Eurasia and Central Asia' at a rate for operations of $716,354,000.

''SEC. 466. Notwithstanding section 101, amounts are provided for 'Bilateral Economic Assistance—Independent Agencies—Millennium Challenge Corporation' at a rate for operations of $900,000,000.

''SEC. 467. Notwithstanding section 101, amounts are provided for 'International Security Assistance—Department of State—Nonproliferation, Anti-terrorism, Demining and Related Programs' at a rate for operations of $740,000,000.

''SEC. 468. Notwithstanding section 101, amounts are provided for 'International Security Assistance—Department of State—Peacekeeping Operations' at a rate for operations of $305,000,000.

''SEC. 469. Notwithstanding section 101, amounts are provided for 'Multilateral Assistance—Funds Appropriated to the President—International Organizations and Programs' at a rate for operations of $350,550,000.

''SEC. 470. Notwithstanding section 101, amounts are provided for 'Multilateral Assistance—Funds Appropriated to the President—International Financial Institutions—Contribution to the International Development Association' at a rate for operations of $1,235,000,000.

''SEC. 471. Notwithstanding section 101, amounts are provided for 'Multilateral Assistance—Funds Appropriated to the President—International Financial Institutions—Contribution to the Clean Technology Fund' at a rate for operations of $250,000,000.

''SEC. 472. Notwithstanding section 101, amounts are provided for 'Multilateral Assistance—Funds Appropriated to the President—International Financial Institutions—Contribution to the African Development Fund' at a rate for operations of $125,000,000.

''SEC. 473. (a) Of the unobligated balances available from funds appropriated under the heading 'Export and Investment Assistance—Export-Import Bank of the United States—Subsidy Appropriation' in the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2009 (division H of Public Law 111–8) and under such heading in prior acts making appropriations for the Department of State, foreign operations, and related programs, $150,000,000 is rescinded.

''(b) Of the unobligated balances from funds appropriated or otherwise made available for the Buying Power Maintenance Account, $15,000,000 is rescinded.

''(c) Of the unobligated balances available for the Development Assistance account, as identified by Treasury Appropriation Fund Symbols 7206/111021, $1,000,000 is rescinded.

''(d) Of the unobligated balances available for the Assistance for the Independent States of the Former Soviet Union account, as identified by Treasury Appropriation Fund Symbols 7206/111093, 7207/121093, and 72X1093, $11,700,000 is rescinded.

''(e) Of the unobligated balances available for the International Narcotics Control and Law Enforcement account, as identified by Treasury Appropriation Fund Symbols 11X1022, 1106/121022, and 191105/111022, $7,183,000 is rescinded.

''SEC. 474. Notwithstanding section 101, amounts are provided for 'Department of Transportation—Office of the Secretary—Transportation Planning, Research, and Development' at a rate for operations of $9,800,000.

''SEC. 475. Notwithstanding section 101, amounts are provided for 'Department of Transportation—Federal Aviation Administration—Facilities and Equipment' at a rate for operations of $2,927,500,000.

''SEC. 476. Notwithstanding section 101, amounts are provided for 'Department of Transportation—Federal Aviation Administration—Research, Engineering, and Development' at a rate for operations of $187,000,000.

''SEC. 477. Notwithstanding section 101, amounts are provided for 'Department of Transportation—Federal Railroad Administration—Capital Assistance for High Speed Rail Corridors and Intercity Passenger Rail Service' at a rate for operations of $1,000,000,000.

''SEC. 478. Notwithstanding section 101, amounts are provided for 'Department of Transportation—Federal Railroad Administration—Railroad Research and Development' at a rate for operations of $35,100,000.

''SEC. 479. Notwithstanding section 101, amounts are provided for 'Department of Transportation—Federal Transit Administration—Capital Investment Grants' at a rate for operations of $1,720,000,000.

''SEC. 480. Notwithstanding section 101, amounts are provided for 'Department of Transportation—Federal Transit Administration—Research and University Research Centers' at a rate for operations of $64,200,000.

''SEC. 481. Notwithstanding section 101, amounts are provided for 'Department of Housing and Urban Development—Public and Indian Housing—Public Housing Operating Fund' at a rate for operations of $4,626,000,000.

''SEC. 482. Notwithstanding sections 101 and 226, amounts are provided for 'Department of Housing and Urban Development—Community Planning and Development—Community Development Fund' at a rate for operations of $4,230,068,480, of which $0 shall be for grants for the Economic Development Initiative (EDI), $0 shall be for neighborhood initiatives, and $0 shall be for grants specified in the last proviso of the last paragraph under such heading in title II of division A of Public Law 111–117: *Provided*, That the second and third paragraphs under such heading in title II of division A of Public Law 111–117 shall not apply to funds appropriated by this Act.''.

This division may be cited as the ''Further Additional Continuing Appropriations Amendments, 2011''.

This Act may be cited as the ''Department of Defense and Further Additional Continuing Appropriations Act, 2011''.

The SPEAKER pro tempore. The gentleman from Kentucky (Mr. ROGERS) and the gentleman from Washington (Mr. DICKS) each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky.

GENERAL LEAVE

Mr. ROGERS of Kentucky. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1363 and that I may include tabular material on the same.

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

There was no objection.

Mr. ROGERS of Kentucky. I yield myself such time as I may consume.

Madam Speaker, I rise today to support H.R. 1363, the Department of Defense and Further Additional Continuing Appropriations Act, 2011.

I ask my colleagues, Madam Speaker, to support this bill so that we can avoid a government shutdown and provide the necessary time to finally complete negotiations on a final funding agreement for the rest of the 2011 fiscal year.

This bill funds government operations for 1 week while reducing spending by $12 billion. These cuts include funding rescissions, reductions, and program terminations from nearly all areas of the government. Virtually all of these cuts were also included in H.R. 1, and many were included in the President's budget requests, the Senate's alternative to H.R. 1, or the recent OMB CR proposal.

Most importantly, Madam Speaker, this bill supports our troops and our national security by providing funding for our national defense for the remainder of this fiscal year. Our troops and their families deserve to have the financial security we promised them while we continue to work towards a final budget agreement.

After months of uncertainty, it's high time we provide for our national security in a responsible way. This means commonsense funding that ensures the safety of our war fighters and the success of our missions abroad.

However, while this legislation points us in the right direction on security and spending cuts, what we all want right now is to wrap up these negotiations, complete the process for 2011, and move our many other important legislative items onto the table.

As I have said many times before, Madam Speaker, short-term measures like this are not the preferable way to fund the government. So while no one wants to fund the government in 1- or 2-week bursts, this short-term CR is what we must do to prevent a government shutdown and allow time to pass a smart and thoughtful bill for the rest of the year.

Madam Speaker, coming into this Congress, the Democrats left us with a financial mess: soaring deficits, unchecked spending, and no budget, not a single appropriations bill for 2011. And now that we're 6 months into the fiscal year, the Senate Democrats have yet to produce any plan to help clean up this mess.

Despite all the roadblocks we've faced throughout this process, we must continue down the path to fiscal solvency, and this CR both affords us the time required to complete negotiations as well as makes the spending cuts needed to continue to help balance our budgets. We are committed to making real spending cuts like these to reduce our deficits both now and in the future. We are determined to complete this work where Democrats failed to do so.

While answering our constituents' calls to reduce excessive government spending, this bill provides time to negotiate in an honest way to do what is only right for our constituents, our Nation, and our financial future. Let's pass this bill and finally get this leftover work from last year behind us once and for all.

Madam Speaker, I reserve the balance of my time.

Mr. DICKS. Madam Speaker, I yield 2 minutes to the distinguished former whip, the gentleman from South Carolina (Mr. CLYBURN), who is now the assistant minority leader.

Mr. CLYBURN. I thank my friend for yielding me the time.

Madam Speaker, my Republican friends bring to the floor today a transparent political ploy that's an insult to our men and women in uniform and their families.

It says that the Republican majority is willing to put up the funding to arm and equip our troops fighting overseas for the remainder of the year, but they won't find a way to fund the rest of the Federal programs that assist their

spouses, children, and parents who are making significant sacrifices keeping the home front together while their loved ones give all that they have to keep all of us safe and free.

No, they're happy to submit them, their families, to the whims of a budget debate that I'm concerned is rapidly moving toward a shutdown that many of their supporters are clamoring for and seem pleased to have happen.

This is no peace of mind for a soldier fighting in the field to defend our freedoms and interests if his or her spouse or parents are being furloughed at home or their children are being denied essential services.

Is this bill going anywhere in the Senate? I don't think so and certainly hope not. This kind of insensitivity should never be codified.

Madam Speaker, the VA's backlog is extensive and growing. Let's stop wasting time and raising anxieties. Let's get back to the negotiating table so we can avoid a government shutdown and the damage it will do to military families, working men and women, and our Nation's economy.

After all, it's two one-thousandth of 1 percent of the budget that's in dispute here.

Mr. ROGERS of Kentucky. I would point out, Madam Speaker, that this bill would prevent a shutdown. This keeps the government operating. That's one aspect of it.

I yield 3 minutes to the very distinguished chairman of the Defense Appropriations Subcommittee and former chairman of the full committee, the gentleman from Florida (Mr. YOUNG).

Mr. YOUNG of Florida. Mr. Chairman, thank you very much.

Make no mistake about it: This is a national defense appropriations bill. This bill is based on one that was written under Chairman DICKS last year and should have been brought to this floor and passed into law last year. But for some reason, this one, along with every other appropriations bill, didn't see the light of day. This may not be the most perfect defense bill that we've ever produced here, but it is a good bill and it will keep the Defense Department functioning.

And here's the problem for those of us who work every day of our lives in national defense. We see what's happening. Under a continuing resolution, the Defense Department is getting terribly close, dangerously close, to affecting readiness, training, troops and their families. This is not something we can allow to continue.

Put away the politics. Understand the importance of taking care of our soldiers and our sailors and our airmen and our marines and their families.

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Don't make them go without a paycheck because most of them live from paycheck to paycheck. That's just not right, but that's the way it is.

Let's pass this bill, put the politics aside. Let us get the Department of Defense away from a continuing resolution that is having a very, very negative effect on our readiness and on our training.

I want to compliment Chairman ROGERS for the good job that he has done to get us to this point today. Let's pass this bill, and let's get on with the business of the country, and especially defending our country and defending those who defend our country.

Mr. DICKS. Madam Speaker, I yield 4 minutes to the distinguished Democratic whip, Mr. HOYER, my good friend from Maryland.

Mr. HOYER. I thank the gentleman for yielding. How I miss my magic minute.

I want to say to the chairman of the Appropriations Committee, how often he and I have said, you know, when we have these impasses, we need a clean CR. This CR is unclean. This CR will not get us to where you say you want to get, Mr. Chairman, and that's not shutting down the government, because you know and I know the President will not sign this bill. Why? Because you put in poison pills that you know are unacceptable to him. Why? So you can get the votes on your side of the aisle to vote for your bill to keep the government open. Why is that difficult? Because so many of your folks, unless they get 100 percent, are prepared to shut down the government. You and I both know that, Mr. Chairman.

I have great respect for you. Very frankly, I think you and I could go in a room and solve this in the next 30 seconds, but you and I are not in that room. It is time, as the Speaker has said, to be adults.

Why is this viable piece of legislation on the floor? Because you think you can hold the government ransom for an additional $12 billion. I said that I would not support, after supporting the first two—which I thought were reasonable to try to give us an opportunity to solve the differences that exist between us—that I would not vote for a third one, and I'm not going to vote for this one. It won't matter because it's dead anyway, and you all know it's dead. But you're banking on the fact that you know we don't want to shut down government. What's the proof in the pudding? We did not shut it down when we had disagreements with George Bush because we believed that reasonable people elected by a diverse community in America who had differences of opinion were expected by our public to come together, reason together, and act productively together.

Now very frankly, I don't take a back seat to anybody on this floor in my support of defense or the men and women in uniform, and Mr. YOUNG knows that, my dear friend, not a back seat to anyone. And yes, if we passed a unanimous consent request to fund at present levels, defense would continue. Should we have passed a defense bill last year? I think we should have. I'm sorry we didn't. I urged that we do it. But the Senate, as you might recall, would not allow any bills to come to the floor, any bills—that is, the Republicans in the United States Senate would not allow that to happen.

So now we are faced with not a let's-reason-together bill but an additional $12 billion in cuts, which means that week by week by week you think you will get to what you want, not a compromise, not an agreement, but what you want. And you will do it $5 billion a week, $2 billion a week—this one is $12 billion a week. And you have no expectation that that will pass or be signed by the President, but you do it to pretend you want to keep government in operations. Newt Gingrich has said don't worry about shutting down the government, as he shut it down in 1995—and over Christmas—for 3 weeks, in '95 and '96.

Ladies and gentlemen on my side of the aisle, we ought to reject this specious political act which pretends that we want to keep the government open.

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

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

Mr. HOYER. We ought to do, Mr. Chairman, what you and I have done in the past as members of the Appropriations Committee: say we haven't reached an agreement, we will do a clean CR at present levels while we continue to negotiate on behalf of the American people to do what we all want to do.

Mr. DICKS. If the gentleman will yield on that point, if we did that, if we had a clean CR, the President would sign it into law.

Mr. HOYER. Absolutely. And that would pass the Senate as well.

I urge my colleagues to reject this CR and adopt a clean CR that will keep the government in operation and allow us to come together and reason together and pass a reasonable piece of legislation.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair reminds the Members that remarks must be addressed to the Chair and not to others in the second person.

Mr. ROGERS of Kentucky. Madam Speaker, insofar as the military is concerned, this is not a CR. This funds the Department for the balance of the year. The rest of the bill, of course, is the CR.

I yield 3 minutes to the very hard-working chairman of the House Armed Services Committee, the gentleman from California (Mr. MCKEON).

Mr. MCKEON. I thank the gentleman for yielding.

I rise in strong support of the bill before us that will fund our troops through the end of the fiscal year, cut an additional $12 billion in Federal spending, and prevent a government shutdown.

Failure to pass this resolution would intentionally harm those who have made great sacrifices in defense of our ideals and our values. We simply cannot have our fighting forces on the

front lines in Iraq, Afghanistan, and Libya wondering if their families at home will be provided for. It would be a grave injustice and a gross affront to the civil-military relationship. Their pay cannot, should not be disrupted, not for a week, not for a few days, not for a second. Our men and women in uniform deserve better.

I don't even want to contemplate a government shutdown, but if it should happen, people need to know that the pay to our military would be suspended. This means we would have our troops on the front lines risking their lives with their families at home, with bills to pay and mouths to feed, and they wouldn't get their paycheck.

As Secretary Gates has said, many of our youngest sailors, soldiers, airmen, and marines live from paycheck to paycheck. While wives and husbands are off fighting to keep this Nation safe, we cannot have them left wondering what's happening to their families.

I think we are mature enough to fix this problem. But if we don't, failing to properly resource the Defense Department during the difficult trials of war could arrest the momentum that has been achieved through the blood, sweat, and tears of our troops.

The military is already overstretched, over-deployed and overworked. Should this resolution fail, they will also be underpaid. We have too much riding on these young men and women to sell them short. Let's work together to figure out this budget, but let's also get this military pay issue off the table first.

I encourage all Members to send a clear message to our military men and women by supporting this critical troop funding appropriations bill—this Congress believes in you, we support you, we honor your dedication.

Mr. DICKS. I yield 3 minutes to the distinguished gentleman from Virginia (Mr. MORAN), former chairman of Interior, now the ranking Democratic member of the Interior and Environment Subcommittee.

□ 1230

Mr. MORAN. I thank the very distinguished former chair of the Appropriations Committee and now ranking member of the committee as well as of Defense.

Madam Speaker, none of us want any of our soldiers to go unpaid for 1 day or for one moment—obviously, they should not—but there are also representatives of virtually every agency in the government who are working for our goals and objectives throughout the world in combat situations, many of them—in hardship situations. Much of the essential work of the government, our people in the military would be the first to say, is performed by people who don't happen to be in uniform. None of them should go without pay.

This government represents the most important nation in the world, and we are responsible for funding it. We represent the people, and they work for the people. The problem with this bill is that the decision to bring it up now is tantamount to shutting down that government.

What we should be doing is exactly what Mr. HOYER and Mr. DICKS have suggested, which is to bring up a clean continuing resolution, to let us get through the weekend, to come up with a long-term resolution for the rest of the fiscal year, and then to fight out these ideological battles in the fiscal year 2012 appropriations bills.

This is no way to run a government, Madam Speaker, but we do have some precedent. The last time the Republican Party took over the Congress back in 1995, some of my colleagues will recall, we also shut down the government on two occasions for a total of 27 days during the Christmas period. We know what happened then: 800,000 Federal Government workers were furloughed, and it cost the taxpayers more than $1.4 billion. Let me just mention some of the things that happened then and that will happen again.

The Minerals Management Service had to shut down many of the rigs that produce oil, which power this economy. It is estimated that the companies which owned those rigs had to pay at least $525,000. They couldn't get any oil. They were shut in. We had 200,000 U.S. applications for passports which went unprocessed. Thirty thousand applications by foreigners for visas, much of it for business that had to be done in this country, were closed down. U.S. tourist industries and airlines sustained millions of dollars in losses. That's what will happen again.

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

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

Mr. MORAN. Toxic waste cleanup was stopped at 609 sites; 2,400 Superfund workers were sent home; 368 National Park Service sites were closed down; 7 million visitors weren't able to visit the parks; there were more than 2 million visitors who couldn't go to national museums and monuments; the Smithsonian will be shut down; Federal contractors were furloughed.

Throughout this country, not just in the Federal Government, this economy took a deep hit. Jobs were lost. Money was lost. People couldn't pay their mortgages and their car payments. Don't let it happen again, Madam Speaker. Let's pass a clean CR.

Mr. ROGERS of Kentucky. Madam Speaker, I yield 2 minutes to a member of our committee, the gentleman from Texas (Mr. CARTER).

Mr. CARTER. Thank you, Mr. Chairman.

Madam Speaker, this past week or so ago, we had the NCOs of all the Services come in to appear before the MilCon Subcommittee. The question was asked, I believe, by my friends on the other side: What is the number one concern of the United States military, of those who are fighting our wars today—our wars in Afghanistan, Iraq and now in Libya? What is their number one concern?

The top NCO of every Service said: Losing their paychecks and not being able to care for their families back home.

Now, the Democrats are holding our poor troops hostage so that they can have this agenda that is going to result in shutting down the government. Let's make this clear. What we are offering today is to continue the government in action for the next week but to make sure that our troops know that their pay is going to be solid because we are going to fund the Defense Department for the next 5 months.

This is intolerable. We offered in H.R. 1 to fund the entire government and to fund our troops. The Democrats rejected it. We offered again today to fund our troops—to make sure that they're going to get paid and to make sure that the contracts are met and that essential training services are there. They refused it. We have a backup bill, H.R. 1297, which will just guarantee that the troops get paid. They've refused it. Now the Commander in Chief of the military in this country has announced that he is going to veto a bill that would see to it that our soldiers get paid.

The number one worry of men and women in combat today: Will my folks back home have a paycheck?

Now, that's not me saying that. That's the highest NCOs in the Army. We need to respect that and we need to pass this.

Mr. DICKS. I yield 3 minutes to the distinguished gentleman from North Carolina (Mr. PRICE), who is the ranking member on the Homeland Security subcommittee.

Mr. PRICE of North Carolina. Madam Speaker, I rise in opposition to this continuing resolution.

All of us know we are having this debate at a challenging and tense time. We are facing an entirely unnecessary government shutdown, a shutdown that has already been disruptive to critical governmental functions and to our communities, and which may become radically more so. But we all know—everyone in this Chamber knows—this could have been avoided. This is a politically generated crisis.

In December, this House had the opportunity to pass an omnibus appropriations bill—12 subcommittee bills, each written with bipartisan cooperation, with substantial savings relative to the President's budget request—and Republicans in the Senate refused to even consider that omnibus bill.

So, failing that, we asked, What about a yearlong continuing resolution with even more savings? Again, Republicans in the Senate said they would filibuster such a bill, so here we are. What our friends on the other side of the aisle opted for instead was a potential March shutdown that they thought they could use to leverage the tea party agenda.

Now, I and many others on this side of the aisle have been willing in recent weeks to vote for two short-term continuing resolutions to give the process of negotiation more time. We accepted additional cuts, cuts that avoided real damage to the recovering economy or to critical investments. Unfortunately, the resolution before us today breaks with that pattern. It attempts to hold the House and the country hostage to an extreme ideological position to which the Republican Conference has, unfortunately, caved in.

This resolution proposes $12 billion in unacceptable and damaging cuts, cuts that would threaten this fragile recovery, destroy jobs, and pull back critical national investments. It takes, for example, $200 million from the Supplemental Nutrition Program for Women, Infants and Children. It takes $150 million from Federal law enforcement. It would take over $200 million from the Department of Energy's environmental cleanup programs.

In the homeland security area, with which I am most familiar because of the subcommittee I chaired and on which I now serve as ranking member, it would reduce FEMA's State and local grants by 20 percent, below 2010 levels. Both the State homeland security grants and the urban area security grants would go to historically low levels.

The continuing resolution would decimate the Land and Water Conservation Fund. It would radically cut the Clean Water and Drinking Water Revolving Funds. It cuts the Centers of Excellence for veteran students. It cuts school improvement investments by $148 million, including efforts to improve education for returning veterans. It cuts hundreds of millions from the Centers for Disease Control. It would cut $1.5 billion from a critical national investment—high-speed rail. It would cut public housing operating funds drastically.

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

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

Mr. PRICE of North Carolina. Madam Speaker, these cuts are economic folly. They have the potential to damage this fragile recovery and to compromise critical national investments. Republicans may be willing to risk a governmental shutdown to appease extremist elements, but we cannot allow our country to be held hostage to their radical agenda.

□ 1240

Pass a clean Continuing Resolution and continue the discussions. But do not deliver this body blow to our economy.

Mr. ROGERS of Kentucky. I yield 2 minutes to the chairman on our committee of the Subcommittee for Transportation and HUD, the gentleman from Iowa (Mr. LATHAM).

Mr. LATHAM. I thank the gentleman from Kentucky.

The idea that this is somehow artificially created is unbelievable. Is there any memory over on the other side here about what happened last year for the first time since the Budget Act of 1974—that you didn't even attempt to pass a budget last year? You initiated what the majority on your side, both in the House and the Senate, and the Presidency, did not pass one bill into law. That's why we're here today. You know that's not artificial.

And I'm glad they got the talking points down from Senator SCHUMER about being extreme. I tell you what's extreme is to continue to spend this country into oblivion. You're going to have our kids and grandchildren working for the Chinese if you continue this.

And that's why, Madam Speaker, today I rise in support of H.R. 1363, the Troop Funding Bill. It's unfortunate that we have to be here in this way today. But we have no choice because of the inaction of the other side from last year.

This bill will provide much-needed certainty for our troops in the field and would keep the government open for another week. It also makes $12 billion in cuts in other programs, most of which were proposed by the President and by the Democrats—the cuts that we're talking about that are so supposedly draconian out of a $3.6 trillion budget we can't cut $12 billion, apparently.

Now, many in the Senate would like to see the Department of Defense budget used as an offset to continue the spending binge we're on here in Washington. But we cannot allow our troops to be used as a bargaining chip in negotiation. It's time to take the Department of Defense off the table and fund our troops for the rest of this year.

Our brave men and women in the field are engaged in three different wars—one just started again by this President—around the globe and they deserve to know that they have the full support of this Congress.

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

Mr. ROGERS of Kentucky. I yield the gentleman an additional 30 seconds.

Mr. LATHAM. We owe it to those sacrificing for us both home and abroad to ensure that there is not an interruption of their pay. This measure continues to show the House Republicans' commitment to our men and women in uniform while protecting the cause of freedom around the world, as well as our commitment to fiscal sanity in cutting spending while keeping the government open.

If this is rejected by the House and Senate Democrats and the White House—and it's amazing the Commander in Chief of the military is going to veto a bill that will fund his troops. I've never heard anything more outrageous.

Mr. DICKS. I yield 2 minutes to the distinguished gentleman from New York (Mr. ISRAEL), who is a former member of the Appropriations Committee doing great things in his new job.

Mr. ISRAEL. I thank the gentleman.

Mr. Speaker, Republicans came to Washington promising to change the way Washington works. And what do they give us? This political stunt of a resolution.

They came to the majority in 1994 and shut down the government. They came back to the majority in 2010, and they want to shut down the government, and they want to blame Democrats for doing that. The American people see right through this.

They know that you demanded $73 billion in cuts and we agreed to $73 billion in cuts. Now you're saying you want more. They know that not only do you want more, but you want to add restrictions on a women's right to choose. They keep moving the goal posts further and further to the far, far, far, far right. And it is enough.

Now, I keep hearing my friends on the other side of the aisle talk about their concern about debt and deficits. And we agree. Let me remind my friends on the other side of the aisle that several weeks ago, we offered an amendment that would have reduced spending by asking the top five richest oil companies in America just to forgo this year's portion of their tax subsidy. And they said ''no.''

Let me remind my friends that several weeks ago, we offered to reduce spending by eliminating funding for the Bridge to Nowhere. And they said ''no.''

Keep spending on the top five richest, most profitable oil companies, keep spending on the Bridge to Nowhere, but privatize Medicare for senior citizens. Make them tighten their belts, make them sacrifice. But when it comes to our friends in the special interests, spend, spend, spend.

We see right through it. The American people see right through it. It's time to do what we offered to do, which is to meet you where you wanted to meet us until you moved those goal posts.

Enough, Madam Speaker.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind the Members that remarks in debate must be addressed to the Chair and not to other Members in the second person.

Mr. ROGERS of Kentucky. Madam Speaker, may I inquire of the time remaining on both sides?

The SPEAKER pro tempore. The gentleman from Kentucky has 16½ minutes remaining, and the gentleman from Washington has 14½ minutes remaining.

Mr. ROGERS of Kentucky. Madam Speaker, I yield 2 minutes to one of my hardworking subcommittee chairmen on Appropriations, the chairman of the Interior Subcommittee, the gentleman from Idaho (Mr. SIMPSON).

Mr. SIMPSON. There is a way to avoid the consequences of a government shutdown that the government

from Virginia (Mr. MORAN) spoke about just a few minutes ago, and that is to pass this CR, put it on the President's desk so that he will sign it. And I believe he will sign it.

The gentleman from North Carolina said this could have been avoided. He's absolutely right. This could have been avoided. It could have been avoided when the Democrats controlled the House and the Senate and the Presidency last year by actually passing a budget or passing an appropriation bill on the floor of the House.

Guess what? That never happened. You left us with this mess. And now you complain about the way we're trying to clean it up.

The gentleman also said this is an ideological position on which the Republicans will not yield. He's right. And that ideological position is, this country is in a fiscal crisis, and we are going to get our house back in order. If that's the position that we're being criticized for, I welcome that criticism.

Mr. Speaker, nobody wants this government to be shut down. And frankly, there is absolutely no reason to close down the government. The smart thing to do would be to pass this 1-week CR that saves the taxpayers $12 billion and addresses the dual goals of addressing the fiscal crisis that we're in and averting a government shutdown.

It also funds our troops for the rest of this year. It enables our congressional leaders and the White House to dot the I's and cross the T's on the final spending bill for 2011. That would be the smart thing to do.

Many of the spending reductions contained in this CR are spending reductions that the President has submitted to Congress in either his FY11 or FY12 budget request. Almost $1.3 billion of the spending reductions come from my own subcommittee, the Interior and Environment Subcommittee. And these are spending reductions that will probably be in any final agreement that is made between Republicans and Democrats.

So the $12 billion is not extreme. It will be in the final agreement, whatever that agreement is. There is absolutely no reason why the Senate cannot pass this bill and send it to the White House. I believe if you put it on the President's desk, he will sign it so that our troops are funded.

Mr. DICKS. I yield 2 minutes to the gentlewoman from the District of Columbia (Ms. NORTON) who can explain why part of this CR is very ideologically driven and extreme.

Ms. NORTON. I thank the gentleman for his efforts.

I'm here to say to my good friends on the other side, it's one thing to beat up on the District of Columbia; it's another thing to drop a bomb on the city. And that's what this CR does.

It takes the route of authoritarian governments and dictatorships by dictating to a local government how it may spend its local funds. And it may force the District of Columbia government to shut down, even though the District government had a balanced budget, passed it last spring and had it approved by the committees in this House and Senate since last summer.

□ 1250

But because the Congress can't figure out how to pass its own budget, it now threatens to close down the District of Columbia government, which doesn't have a dime in this federal budget, only local funds. My amendment could have avoided all this by allowing local funds to continue to be spent by the District of Columbia.

The other side has been engaged in many attacks on the city's right to self-government, from stripping our vote in the Committee of the Whole, approved by two Federal courts, to three riders in their H.R. 1. But the ultimate attack on a local self-government is Federal usurpation, a virtual taking of our local funds by not allowing the city to use its own money to keep its own local government running.

Worse, there is an attempt to use the District of Columbia as a bargaining chip in these negotiations. There have been no riders in prior continuing resolutions. Shamefully, here the District of Columbia is paired with a rider that no prisoners can be brought into the United States with another that says D.C.'s local funds shall be captured by keeping the city from spending its own local funds on abortion.

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

Mr. DICKS. I yield the gentlewoman an additional 30 seconds.

Ms. NORTON. How much more contempt can you show for the citizens who live in the Nation's Capital? If the Republicans are going to require Members to cite the Constitution in introducing legislation, I ask them to stop tearing up the Constitution and throwing it in the faces of the American citizens who live in the Nation's Capital.

Mr. ROGERS of Kentucky. I reserve the balance of my time.

Mr. DICKS. I yield 2 minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. Thank you, Mr. DICKS.

There is something we have to acknowledge, whatever side of the issue we are going to vote on: we are playing with fire. A government shutdown is going to have two consequences: one, the obvious, and that is folks that depend on governmental services are going to be enormously inconvenienced. Contractors who are owed money from the Federal Government won't be paid. Our citizens are going to be adversely hurt. And folks who work honestly and hard every day for the Federal Government are going to be out of a job. That's significant.

But what's really significant in the long term is that this is sending a signal to the world, not just America, that the American political process is fundamentally broken. If we are unable to reach an agreement on a 1-week continuing resolution to keep government going, what are the prospects for us when we face the challenge of a budget next year? What are the prospects for us when we face the challenge that looms ahead of us in May of raising the debt ceiling so that America can honor the obligation that it has to pay its bills?

When the world begins to lose confidence that America's political process can function, it is going to have a very dramatic and negative impact on the economy. Interest rates are going to go up because the cost of borrowing will go up because the anxiety about whether America meets its obligations will increase. We are playing with fire here.

The biggest problem I have with the proposals that have been made fiscally on the other side in my view is that they are designed to fail. It's not that there isn't a legitimate concern about spending and getting our fiscal house in order. You're right about that. We share that. But if we're going to get from here to there, you cannot attack 100 percent of the problem on 12 percent of the budget.

Mr. ROGERS of Kentucky. Madam Speaker, I yield myself 30 seconds.

Chairman SIMPSON a moment ago referred and reminded us that we're in this mess that we're in because the other side, when they controlled the House last year, failed to pass a single appropriations bill and left the mess in our hands when we took over in January. And now they are complaining about the way we're trying to clean up their mess. It reminds me a bit of Abraham Lincoln back in Illinois when he was practicing law spoke of a man who was accused of killing his parents, and in court made a plea that he was an orphan.

I yield 2 minutes, Madam Speaker, to the chairman on the Financial Services Subcommittee on our full committee, the gentlelady from Missouri (Mrs. EMERSON).

Mrs. EMERSON. Madam Speaker, I rise in support of this resolution, and really want to express, I believe the opinion of all of us, that we do not want the Federal Government to shut down because doing so means abrogating our responsibility to serve the American people from both the legislative and executive branches.

We have all talked about how a shutdown also means our men and women in uniform will face the uncertainty of serving without pay. Your phones must be ringing like mine are, because we are hearing from so many military families whom we represent. They are facing uncertainty on top of uncertainty, posted overseas or with a family member away on active duty in harm's way. They are just trying to keep their households intact. And the President would veto such a piece of legislation?

So this measure achieves two important goals. It ensures our military operations and the pay of our military

members are uninterrupted, and it provides us another week to continue negotiations. No one in this Congress should mistake this for easy work, because it isn't. We are attempting to reduce discretionary spending from historic heights, control the growth in the scope of government, and give our children a future where the necessary functions we enjoy today exist for them tomorrow. We are also attempting to endow them with a future in which they can enjoy low taxes, keep more of what they earn, and invest in new ideas and opportunities, those things that have made our Nation great.

The negotiators and staff members on both sides of this effort are working late hours, weekends; and I am convinced we all want to get this right. But it would be more helpful if we could agree to work and find consensus instead of ripping apart a 1-week bill that funds our troops. I am not the only one to notice that we began the budget process for 2012 this week at the very moment when we are trying to resolve our responsibilities for 2011.

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

Mr. ROGERS of Kentucky. I yield the gentlelady an additional 30 seconds.

Mrs. EMERSON. I hope we can achieve that first goal this week so we can move onto the next order of business, y'all, serving the people we represent through the budget process, and making the difficult decisions to curtail spending we can't afford. We shouldn't borrow, and we sure don't want our children and our grandchildren to pay the bill when it comes due.

Mr. DICKS. I yield 2 minutes to the distinguished gentlelady from Ohio (Ms. KAPTUR), who is the most senior woman in the House of Representatives and on the Appropriations Committee.

Ms. KAPTUR. I thank our distinguished ranking member, Mr. DICKS, for yielding me this time.

Madam Speaker, in our tender economy, where job creation should be our top priority, this flawed legislation moves us backwards. It gives no confidence to the markets that anyone here in the majority knows what they are doing. It is just more fits and starts and stops. This bill is partial, it is short term, and it is a selective bill that leaves the vast majority of budget choices off the table. It is irresponsible.

It selects only some of our valiant fighting forces—some would say ''uses'' them—and extends paychecks for only some through the end of September. But it leaves out the majority of Americans who expect good government out of this Congress to ensure economic growth and a continued recovery on the job front. The American people are sick and tired of political antics. Let me point out this bill is so flawed it leaves out the veterans who come home and can't get work and are lined up with their families at food banks across this country. This bill does nothing about reemploying them, nor assuring their sustenance as employment and food commodity programs are left off the table.

□ 1300

This resolution leaves out decisions regarding food supplies to those pantries so essential to holding life together for our unemployed veterans as well as for millions of other Americans facing hard times. And what about those vets lined up to exercise their GI benefits at local community colleges? This resolution turns its back on 2011 educational funding at community colleges that are an essential reentry portal for returning veterans. So this bill is partial, selective and lopsided.

What about those vets with disabilities who are lined up across our country to get adjudication? This resolution turns its back on them and those adjudication judges that also get paychecks, some as contracted employees, from the government of the United States to do their job of serving veterans.

Let me urge the majority to do what the American people sent us here to do, and that is to govern, to govern for all, to not leave anyone out, to not leave any veterans out, to not leave the vast majority of Americans out.

I ask my colleagues to defeat this flawed resolution. Let us govern responsibly by addressing the entire budget, not just a slice of it; and let's turn the focus here to creating jobs which is what the American people really want.

Mr. ROGERS of Kentucky. I yield 1 minute to a member of our committee, and a good one, the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. Madam Speaker, passing this measure is absolutely the responsible thing to do. We are on the brink of an avoidable, potentially destructive government shutdown; and first and foremost we ensure that our troops are funded for their service to the Nation. Let's get that done.

The American people elected us to ensure the Federal Government runs effectively and efficiently, and allowing even a temporary shutdown is a failure of our most basic responsibility as Members of Congress.

Let's not forget the reason we are here today and in this predicament. It was the inability of the Democratic leadership last year to pass a budget. They didn't even try, and they failed to complete any of the appropriations bills.

In fact, Senator SCHUMER has made it quite clear that a government shutdown is in his political interest. Perhaps that's why the Senate isn't doing anything. You know, they have two paces over there: slow and glacial.

Today was a new day in the Senate. They started slowly and they're winding down from there. I wish they would get to work and pass some type of an appropriations bill.

We passed an appropriations bill; they passed nothing. We need to get this done. It's important to fund the troops, it's important to keep the government open, and this is the right way to do it.

Mr. DICKS. Madam Speaker, may I inquire as to how much time remains on both sides.

Ms. FOXX. The gentleman from Washington has 8 minutes remaining, and the gentleman from Kentucky has 10½ minutes remaining.

Mr. DICKS. I would invite the gentleman to go ahead with a couple of more speakers at this juncture.

Mr. ROGERS of Kentucky. Madam Speaker, I yield 1 minute to a brand-new member of our committee, and a hardworking one at that, the gentleman from Ohio (Mr. AUSTRIA).

Mr. AUSTRIA. I thank the chairman for yielding and for his great leadership.

Madam Speaker, just a reminder as to why we are standing here again debating another CR on this floor is because the Democrat leadership in the last Congress did not fulfill the most basic function that we have in the United States Congress, and that is passing a budget or a single appropriations bill.

As a member of this Appropriations Committee, I am pleased that today we have a CR bill that will have another $12 billion worth of cuts and that, as importantly, will fully fund the Department of Defense for the rest of this fiscal year.

It was 47 days ago that we passed a bill in this House that would have kept government open, that would have cut $100 billion from the President's 2011 budget and would have fully funded our troops through the end of 2011. Any bill we pass must include full funding for our men and women serving in our military.

I represent Wright-Patterson Air Force Base, one of the largest Air Force facilities in the country, and they could be forced to furlough many of the 27,000 military, civilians, and contractors.

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

Mr. AUSTRIA. We have to pass this CR budget with the military component included.

Mr. DICKS. I continue to reserve the balance of my time.

Mr. ROGERS of Kentucky. Madam Speaker, I yield 1 minute to another new member of our committee and a new Member of Congress; but he is doing a great job, the gentleman from Mississippi (Mr. NUNNELEE).

Mr. NUNNELEE. Thank you, Mr. Chairman.

We're engaged in a budget battle for the future of our country, but we have the freedom to engage in that battle because of the brave men and women that have their lives on the line fighting for that freedom.

Have we forgotten? Only 10 years ago, there were those who would have destroyed this very building and disrupted these proceedings by an act of

terror, and we have men and women today fighting to make sure that those acts of terror are never repeated. That's their mission.

It's unconscionable that we would send men and women into harm's way and not fund their efforts. That's why we need to pass this bill, because if we do, we will have the liberty to pursue our mission while our men and women in uniform have the liberty to pursue theirs.

Thank you, Madam Speaker.

Mr. DICKS. I yield myself 15 seconds.

I would just remind the gentleman that if we had a clean CR, the troops would also be taken care of, and a clean CR would be signed into law by the President of the United States so it would be effective.

What is being proposed today will be vetoed. The President has already sent a statement.

I yield 2 minutes to the gentlelady from Texas (Ms. JACKSON LEE) who is a distinguished member of this institution.

Ms. JACKSON LEE of Texas. I thank the ranking member, and I thank the Members on this floor today.

I believe that this is one of the most serious debates that we will have in the history of this Congress. It is whether or not America belongs to all people and not special interests.

Coming from the State of Texas, I can tell you that statistics will say that we probably have the highest number of men and women serving in the United States military, a large number of bases, a large number of veterans; and we well know the values of those men and women who sacrifice and leave their families and go overseas.

But I said yesterday on the floor of the House, we have values. As my colleagues have said, can we say it one more time? We will support a clean CR to pay our troops, to pay their families, to keep the doors of our hospitals open, to provide Medicare for our seniors and Medicaid and education for our children.

But, no, friends on the other side are strangled by special interests, picket signs and loud shouts about ''shut it down.'' The President has already said he will veto this silly legislative initiative.

Why are we in the midst of a serious budget debate? By the way, the Ryan budget that has been put out by the Republicans will deny 66 percent of citizens, of seniors, off of Medicare. They will be off. We will not balance the budget under the Ryan budget until 2040. It will cause $8 trillion more debt.

It's hard for America to understand this complicated process. It seems so confusing, but, my friends, we're talking about last year where people have already committed, making commitments to pay their bills like you would make commitments.

And then in the middle, you would be shortchanged or cut off. Where is the heart on the other side? Yes, yesterday I said shut the government down if you have no heart because we're not going to compromise our values.

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

Ms. JACKSON LEE of Texas. This is wrongheaded and misdirected. I ask you to vote it down and vote with the American people.

Madam Speaker, I rise today in opposition to H.R. 1363, the Department of Defense and Further Additional Continuing Appropriations Act of 2011. While I support our men and women in the armed forces and our need to ensure our national security, I cannot with clear conscience support another continuing resolution that does not allow vital programs to be fully funded.

We must consider the consequence of passing another continuing resolution. Funding the government for a week at a time cripples agencies, rendering them unable to look to the future and focus on how to best serve the American people in the coming fiscal year.

The funding cuts in this particular continuing resolution are harmful to countless Americans and many of my constituents in the 18th Congressional District. We cannot continue to cut services for children, senior citizens, and the underserved. We cannot allow budgets to provide tax cuts to the wealthiest among us, while ignoring the needs of less advantaged citizens. This bill will cut funding that keeps Americans safe and healthy.

The Department of Health and Human Services will suffer deep funding cuts under this proposal. Programs such as hospital preparedness grants, which allocated 28 million dollars to hospitals in Texas last year, will see its budget cut by $185 million dollars, money that could be used to prepare communities and hospitals for public health emergencies.

The Centers for Disease Control's Immunization and Respiratory Disease Center will lose $156 million dollars. Cuts to this vital program will surely impact the millions of dollars in grant money to purchase and administer vaccines that Houston has received from the Immunization and Respiratory Disease Center. These cuts will certainly harm infants and children of low income families who rely on money appropriated for vaccinations to prevent disease and death.

The proposed cut of $390 million from the LIHEAP contingency fund will affect the 500,000 low-income households in Houston that were receiving heating and energy discounts last year.

I urge my colleagues to consider the constituents in their home districts who would be hurt by these cuts. I urge my colleagues to consider the ramifications for the nation by cutting $495 million dollars in FEMA First Responders grants, and the impact that cutting $192 million from the Department of Energy's Environmental Clean Up Program will have on future generations.

My Republican colleagues who support the passage of this continuing resolution seem more concerned with placing controversial issues like the right to choose in the text of the bill. Instead of placing irrelevant ideological issues into a continuing resolution, we must take this time to pass a responsible budget that reduces spending without cutting programs essential to the well being of the American people.

This bill contains many large and dangerous cuts in its one week of CR government funding, including $2 billion in cuts to investments in infrastructure projects that are needed for our nation's continued economic growth. The bill makes reprehensible cuts to the most needy in our elementary and secondary education system by rescinding some $186,500,000 from funds already made available for the Department of Education's Education for the Disadvantaged program.

The bill shamelessly resorts to the use of highly offensive, inflammatory and controversial policy riders highlighted by the Red Herring issue and attack on women embodied in prohibiting the District of Columbia from using Federal funding and the District of Columbia's own funds for abortions even when the life of the mother would be endangered if the fetus were carried to term or where the pregnancy is the result of an act of rape or incest.

President Obama found the one week CR and its policy riders so objectionable that he declared his clear intention to veto the bill and issued a call for Congress to work together to produce a responsible appropriations measure to fund the remainder of fiscal year 2011 and avoid a devastating government shutdown.

I join the President in his call for a responsible appropriations measure to fund the remainder of fiscal year 2011 and avoid a devastating government shutdown. By using this bill with its attached one week CR, the Republicans are engaging in a high stakes masquerade with dire stakes for the American people and business across the country that rely on having a functioning Federal government. The Republicans mask and hide their shame by putting reprehensible and destructive funding cuts in H.R. 1363 which is supposed to provide for a year of funding for our brave men and women serving in the armed services. Shame on them for doing so and shame on them for bringing this nation perilously close to a government shutdown.

Instead of this meager attempt to pass another fake, short-term CR that does not address the issues facing the American people who are counting on Congress to get this right, we need a Clean CR that does not have outrageous Draconian cuts or hold our Veterans and the men and women serving our country honorably as hostages for the sake of Partisan point scoring. I urge my colleagues to join me in rejecting this bill and calling for a proper CR which responsibly funds the Federal government through fiscal year 2011.

Mr. ROGERS of Kentucky. Madam Speaker, I yield 1 minute to the gentleman from Alabama (Mr. BROOKS) a member of the Armed Services Committee.

Mr. BROOKS. Mr. Speaker, let's remind everybody why we are here. We are here because we are trying to save our Federal Government from unsustainable budget deficits.

During the regime of NANCY PELOSI as House Speaker and majority leader over in the Senate, HARRY REID, we have had four consecutive budget deficits that average $1.2 billion a year. Those are unsustainable. They threaten our Federal Government's solvency; we are facing a national bankruptcy.

□ 1310

And so what are we trying to do today? We are trying to protect our

troops who are in Afghanistan and Iraq so that they don't have to worry about whether their homes are going to be foreclosed on as they're off doing battle and their kids and their wives are at home.

We have people from Colony, Alabama, a lady who has two young children, aged 3, twins, and she is fighting on behalf of our country. We have soldiers that I met in Afghanistan and Iraq that are fighting on our behalf. I ask that this House and this Senate do what we should do, and that is protect our troops by funding them adequately and don't leave them in a position where they are not able to take care of their own people at home.

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

Mr. ROGERS of Kentucky. I yield 3 minutes to the distinguished gentleman from Indiana (Mr. PENCE).

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

Mr. PENCE. I thank the gentleman for yielding.

I rise in support of the Department of Defense and Further Continuing Appropriations Act. This 1-week continuing resolution will fully fund the Department of Defense for the remainder of this fiscal year and reduce government spending by $12 billion, and it is worthy of the support of every Member of Congress.

Look, no one wants a government shutdown. But if we don't take a stand for fiscal discipline in Washington, D.C., we're going to shut down the future for our children and grandchildren.

To be honest with you, I'm frustrated that we're here again with another stopgap measure. I'm frustrated that liberals in the Senate continue to resist efforts to accept even modest budget cuts in this year's budget. We're talking about a 2 percent reduction in this year's budget. That's unacceptable to the liberals down the hallway. It seems like liberals in the Senate would rather shut the government down than accept a 2 percent cut in the Federal budget. It seems like liberals in the Senate would rather shut the government down so they can continue to borrow money from China to fund the largest abortion provider in America.

But in this moment, I'm going to support this resolution because the troops come first. We cannot put fiscal battles ahead of support for those who are currently engaged in America's real battles. This CR reaffirms our commitment to our troops. It fully funds DOD for the balance of the year, and it reaffirms our commitment to our most cherished ally, Israel, during these uncertain days.

Now, earlier this week, Senator HARRY REID said the biggest gap in negotiations is between Republicans and Republicans. Nothing could be further from the truth. The biggest gap in these negotiations over a possible government shutdown are between liberals here in Washington, D.C., and the American people. That's where the gaps lie. The American people want to restore fiscal discipline and provide for the common defense, and they know we can do it.

Today, Senator REID took to the floor of the Senate and called this very resolution ''a surefire way to shut down the government.'' And, astonishingly, the Commander in Chief has threatened to veto a bill that would fund our troops at a time of war. Astonishing.

Look, we are going to pass this continuing resolution. We are going to fund our troops in harm's way and stationed all across the world and all across this Nation. And if Democrats here in Washington would rather play political games and shut down the government than support our troops, defend our Treasury and respect our values, then I say shut it down. And I'm certain the American people are going to know who to blame.

Mr. DICKS. Madam Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from Washington has 5¾ minutes.

Mr. DICKS. I will yield myself 4¾ minutes.

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

Mr. DICKS. I just want to make sure that everyone has heard the Statement of Administration Policy that was issued today:

''The administration strongly opposes House passage of H.R. 1363, making appropriations for the Department of Defense for the fiscal year ending September 30, 2011, and for other purposes. As the President stated on April 5, 2011, if negotiations are making significant progress, the administration would support a short-term, clean continuing resolution to allow for enactment of a final bill.

''For the past several weeks, the administration has worked diligently and in good faith to find common ground on the shared goal of cutting spending. After giving the Congress more time by signing short-term extensions into law''—which, by the way, many of us voted for—''the President believes that we need to put politics aside and work out our differences for a bill that covers the rest of the fiscal year. This bill is a distraction from the real work that would bring us closer to a reasonable compromise for funding the remainder of fiscal year 2011 and avert a disruptive Federal Government shutdown that would put the Nation's economic recovery in jeopardy. The administration will continue to work with the Congress to arrive at a compromise that will fund the government for the remainder of the fiscal year in a way that does not undermine future growth and job creation and that averts a costly government shutdown. It is critical that the Congress send a final bill to the President's desk that provides certainty to our men and women in military uniform, their families, small businesses, homeowners, taxpayers, and all Americans. H.R. 1363 simply delays that critical final outcome.

''If presented with this bill, the President will veto it.''

I think the President is right.

What I suggested yesterday to the Rules Committee and to our chairman was that we go forward with a clean CR, which we have done many times. It would allow the President to sign this and us to finish our work. I would much rather have preferred if the clean CR was at a point when all three—the President, the Speaker, and the Majority Leader—had all agreed and said, ''We're done; we need a little more time to do the paperwork,'' but that is not the situation that we're in.

I also want to reiterate, with a clean CR, the troops will be paid and they will receive their checks as they should. And the defense part of this bill, I have worked on. It's a very good piece of legislation. But when you throw in the District of Columbia abortion issue, it really shows that you're not serious. That's why the American people I think believe that this is ideology and not people working together in a commonsense way to get this thing resolved.

So, again, I worry about what we're doing here in terms of economic policy, that again the magnitude of these cuts are going to have a negative effect on the economy. We need to create more jobs, to lower the deficit, and put people back to work.

I urge that we defeat this bill.

Madam Speaker, I reserve the balance of my time.

Mr. ROGERS of Kentucky. May I inquire of the time remaining?

The SPEAKER pro tempore. The gentleman from Kentucky has 4½ minutes remaining. The gentleman from Washington has 2 minutes remaining.

Mr. DICKS. I believe that the Democratic whip may want to propound a question to the chairman, so I am not going to yield back my time until he has an opportunity to do that.

Mr. ROGERS of Kentucky. Madam Speaker, I am prepared to close.

Mr. DICKS. I yield 1 minute to the distinguished Democratic whip, my good friend, the gentleman from Maryland (Mr. HOYER).

□ 1320

Mr. HOYER. Madam Speaker, I want to ask the chairman if he will yield to me for the purposes of making a unanimous consent request that we proceed with what we would call a clean CR, which would provide for the funding of the troops, provide for the funding of all other government agencies at the levels that we are currently at, which of course involve all the cuts that have been made to date in the last two CRs that we passed and for which I voted. I tell my friend, the reason I want to propound this unanimous consent, it will in fact provide for a document, an

act, to pass this House which I believe will in fact pass the Senate and will in fact be signed by the President.

As a result, we will protect our troops and we will protect all other services that government has available for the American people.

I ask my friend if he will yield to me for that purpose.

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

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

Mr. HOYER. I think I have concluded, Madam Speaker, in asking the chairman whether he would yield to me for the purposes of making that unanimous consent so that we could have an act pass this House that we know will be signed by the President and will protect the troops and will keep the government open.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Madam Speaker, what the gentleman is asking is if we will continue the status quo. We do not and cannot accept the status quo.

Mr. HOYER. Will the chairman yield simply for me to clarify my request?

Mr. DICKS. I yield my remaining time to the gentleman from Maryland.

The SPEAKER pro tempore. The gentleman from Kentucky controls the time.

Mr. ROGERS of Kentucky. Madam Speaker, I yield 1 minute to the gentlewoman from New York (Ms. BUERKLE), a new Member of this body.

Ms. BUERKLE. Madam Speaker, I rise in support of this bill, the bill to fund our troops. The last Congress failed to pass a budget, and that's why we're here. That's why we're debating these CRs.

This continuing resolution is the right outcome, not only for the American people, but for our military. This isn't a Democratic or Republican issue, this is what's best for the American people, and most importantly what's best for our troops. Give them certainty, give them what they need to keep us safe and allow us to be here today with this debate.

Mr. ROGERS of Kentucky. I yield 1 minute to the gentleman from Arkansas (Mr. GRIFFIN).

Mr. GRIFFIN of Arkansas. Madam Speaker, while we stand here debating the course of our fiscal future, brave men and women are in harm's way, taking the fight to our enemies around the world. Their families here at home are doing all they can to keep a brave face and keep their family going while their loved ones are abroad.

Sadly, because of the Senate's inaction, these families now face an even greater challenge. Unless the Senate changes course and listens to the American people, our U.S. military families will soon not receive their paychecks. From my home State of Arkansas, we have over 5,000 active duty servicemembers as well as 246 Army National Guardsmen deployed to Afghanistan and Iraq. My district is home to Little Rock Air Force Base, where we have 5,500 airmen and over 15,000 military family members.

Think about this, ladies and gentlemen: the men and women facing our enemies every day don't know whether they will get paid. As the standard bearer for the free world, it is unacceptable and, really, just embarrassing that America can't pay its troops for their service. This is not the time for servicemembers and their families to worry about when the next check will arrive.

I support this bill.

Mr. DICKS. Madam Speaker, I yield myself the remaining time.

The SPEAKER pro tempore. The gentleman from Washington is recognized for 1 minute.

Mr. DICKS. I just want to summarize again: I'm urging a ''no'' vote on this continuing resolution. We have voted twice, many of us on this side, for reasonable continuing resolutions that have gotten us to this point. This one is unreasonable. The President has made it clear that he will veto this bill.

I believe what the gentleman from Maryland was attempting to do was the smart and pragmatic thing, and that was to go with a clean CR that would have kept the government open, that would have protected the troops, made sure that they got paid, and would have passed the Senate and been adopted by the President and signed into law. But they have chosen to put in a highly controversial rider on abortion in the District of Columbia which is ideological. This is not something that a serious appropriations committee would do in the middle of a government crisis, and I hope the American people will understand that.

I yield back the balance of my time.

The SPEAKER pro tempore. The gentleman from Kentucky is recognized for 2¼ minutes.

Mr. ROGERS of Kentucky. Thank you, Madam Speaker.

Let's try to summarize here. The Democrats left us, when we took control of the House, in a mess. You hadn't passed a single appropriations bill. You passed a CR until March 4. We prepared and put into play and passed in the House a continuing resolution that would have funded the government entirely for the balance of the year, including the military, and sent it to the other body. And they have said nothing, and that was 2 months ago.

When that time ran out in March, this body passed a second CR for 2 weeks. Sent that to the Senate. We haven't heard from them since. That time ran out. We passed a third CR. We passed it to the Senate, not a peep. Nothing.

And now a fourth time, now a fourth CR where we are going to give the Senate another chance to come forward with what they propose in a CR. They have yet to pass anything. And I have to say this, too: The White House has been late in coming to the aid of their party. The White House has been absent from the battle until the last few days.

And now you come to us and say, look, here's what we complain about on your cleaning up our mess. And I say to you, this bill takes care of our military, our young men and women fighting in three wars on the other side of the world. And the Commander in Chief of the military is saying I'm going to veto the bill that pays their salaries and supports their families back home. I find that inexplicable, inexplicable that the Commander in Chief would put an end to the pay of our soldiers.

The failure of the Senate to act and the failure of the White House to act when we pass this bill means a vote to shut down the government. Vote ''yes.''

Mr. ROGERS of Kentucky. Madam Speaker, pursuant to section 8120 of Division A of H.R. 1363 as passed the House on April 7, 2011, Chairman ROGERS submits the following explanatory statement:

REPROGRAMMING GUIDANCE

For fiscal year 2011, the Department of Defense is directed to adhere to the definition of Program, Project and Activity, and to follow the guidance for Congressional Special Interest Items, Reprogrammings, Reprogramming Reporting Requirements, and Funding Increases, as specified in the Explanatory Statement, Division A, Department of Defense Appropriations Act Fiscal Year 2010, Public Law 111–118.

CLASSIFIED ANNEX

A classified annex accompanying this Act will be forwarded under separate cover.

Rescissions

Language is included that rescinds $1,213,536,000 from the following programs:

2009 Appropriations:	
Weapons and Tracked Combat Vehicles, Army:	
Future Combat Systems	$86,300,000
Other Procurement, Army:	
Armored Security Vehicles	55,000,000
Force XXII Battle Command Brigade and Below	30,600,000
Semi-trailers, Flatbed	62,000,000
Aircraft Procurement, Navy:	
KC–130J	12,000,000
F/A–18E/F	14,100,000
Aircraft Procurement, Air Force:	
Global Hawk excess funds	49,000,000
C–130 AMP	31,900,000
HC/MC updated pricing	36,000,000
2010 Appropriations:	
Aircraft Procurement, Army:	
Tactical SIGINT Payload	14,000,000
Weapons and Tracked Combat Vehicles, Army:	
Future Combat Systems spin-outs	19,600,000
Improved Recovery Vehicle	8,700,000
MK–19 Grenade Machine Gun Modifications	7,700,000
Missile Procurement, Army:	
GMLRS	9,171,000
Aircraft Procurement, Navy:	
EA–18G MYP savings	89,120,000
F/A–18E/F MYP savings	72,727,000
F–18 Series ECO	17,000,000
E–6 Series	6,000,000
Joint Strike Fighter (AP)	100,000,000
Procurement of Ammunition, Navy and Marine Corps:	
General Purpose Bombs	11,576,000
Shipbuilding and Conversion, Navy:	
DDG–51 main reduction gear savings	22,000,000
Other Procurement, Navy:	
Minesweeping System Replacement	5,400,000
Aircraft Launch Recovery	3,642,000
Aircraft Procurement, Air Force:	
B–2A	5,900,000
B–52	39,300,000
C–17 Modifications	12,200,000
C–130J updated pricing	7,000,000
C–130 AP updated pricing	15,100,000

HC/MC–130 AP	46,900,000
HC/MC–130 updated pricing	13,200,000
Initial Spares—Joint Stars Re-engining	11,700,000
Other Procurement, Air Force:	
FAB–T	36,600,000
Research, Development, Test and Evaluation, Army:	
Aircraft Avionics—JTRS AMF	10,200,000
HFDS	15,000,000
Future Combat System—Class IV UAV Program of Record	12,000,000
TUAV–TSP	16,300,000
Research, Development, Test and Evaluation, Air Force:	
B–2	90,000,000
Classified Program	10,000,000
Alternative Fuels	10,000,000
Small Diameter Bomb	22,000,000
Engine CIP	15,000,000
JSTARS	14,600,000
RQ–4 UAV	18,000,000
C–5 Airlift Squadrons	19,000,000
Research, Development, Test and Evaluation, Defense-Wide:	
BMD Hercules	10,000,000

M–1	Budget Request	Recommendation
MILITARY PERSONNEL, ARMY		
BA–1: PAY AND ALLOWANCES OF OFFICERS		
BASIC PAY	6,392,861	6,392,861
RETIRED PAY ACCRUAL	2,088,308	2,088,308
BASIC ALLOWANCE FOR HOUSING	1,854,718	1,854,718
BASIC ALLOWANCE FOR SUBSISTENCE	255,925	255,925
INCENTIVE PAYS	97,698	97,698
SPECIAL PAYS	300,939	300,939
ALLOWANCES	198,601	198,601
SEPARATION PAY	61,798	61,798
SOCIAL SECURITY TAX	487,469	487,469
TOTAL, BA–1	11,738,317	11,738,317
BA–2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
BASIC PAY	13,682,488	13,682,488
RETIRED PAY ACCRUAL	4,470,859	4,470,859
BASIC ALLOWANCE FOR HOUSING	4,395,850	4,395,850
INCENTIVE PAYS	102,851	102,851
SPECIAL PAYS	1,269,047	1,129,047
Enlistment Bonuses—Excess to Requirement		−40,000
Re-enlistment Bonuses—Excess to Requirement		−100,000
ALLOWANCES	806,471	806,471
SEPARATION PAY	255,127	255,127
SOCIAL SECURITY TAX	1,046,710	1,046,710
TOTAL, BA–2	26,029,403	25,889,403
BA–3: PAY AND ALLOWANCES OF CADETS		
ACADEMY CADETS	74,773	74,773
TOTAL, BA–3	74,773	74,773
BA–4: SUBSISTENCE OF ENLISTED PERSONNEL		
BASIC ALLOWANCE FOR SUBSISTENCE	1,313,309	1,313,309
SUBSISTENCE-IN-KIND	817,691	817,691
FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE	748	748
TOTAL, BA–4	2,131,748	2,131,748
BA–5: PERMANENT CHANGE OF STATION TRAVEL		
ACCESSION TRAVEL	202,699	202,699
TRAINING TRAVEL	142,749	142,749
OPERATIONAL TRAVEL	494,937	494,937
ROTATIONAL TRAVEL	674,831	674,831
SEPARATION TRAVEL	198,439	198,439
TRAVEL OF ORGANIZED UNITS	12,137	12,137
NON-TEMPORARY STORAGE	12,639	12,639
TEMPORARY LODGING EXPENSE	38,931	38,931
TOTAL, BA–5	1,777,362	1,777,362
BA–6: OTHER MILITARY PERSONNEL COSTS		
APPREHENSION OF MILITARY DESERTERS	2,233	2,233
INTEREST ON UNIFORMED SERVICES SAVINGS	648	648
DEATH GRATUITIES	45,500	45,500
UNEMPLOYMENT BENEFITS	188,778	188,778
EDUCATION BENEFITS	30,879	30,879
ADOPTION EXPENSES	610	610
TRANSPORTATION SUBSIDY	8,007	8,007
PARTIAL DISLOCATION ALLOWANCE	338	338
RESERVE OFFICERS TRAINING CORPS (ROTC)	138,731	138,731
JUNIOR ROTC	50,201	50,201
TOTAL, BA–6	465,925	465,925
LESS REIMBURSABLES	−245,251	−245,251
UNDISTRIBUTED ADJUSTMENTS	0	−789,624
Undistributed Transfer to Title IX		−789,624
TOTAL, MILITARY PERSONNEL, ARMY	41,972,277	41,042,653
MILITARY PERSONNEL, NAVY		
BA–1: PAY AND ALLOWANCES OF OFFICERS		
BASIC PAY	3,680,703	3,680,703
RETIRED PAY ACCRUAL	1,202,462	1,202,462
BASIC ALLOWANCE FOR HOUSING	1,263,675	1,263,675
BASIC ALLOWANCE FOR SUBSISTENCE	143,344	143,344
INCENTIVE PAYS	155,148	155,148
SPECIAL PAYS	355,821	355,821
ALLOWANCES	104,291	104,291
SEPARATION PAY	25,353	25,353
SOCIAL SECURITY TAX	278,666	278,666
TOTAL, BA–1	7,209,463	7,209,463
BA–2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
BASIC PAY	8,257,803	8,257,803
RETIRED PAY ACCRUAL	2,700,204	2,700,204
BASIC ALLOWANCE FOR HOUSING	3,682,915	3,682,915
INCENTIVE PAYS	100,499	100,499
SPECIAL PAYS	839,787	814,787
Re-enlistment Bonuses—Excess to Requirement		−5,000
Enlistment Bonuses—Excess to Requirement		−20,000
ALLOWANCES	498,621	498,621
SEPARATION PAY	127,343	127,343
SOCIAL SECURITY TAX	631,722	631,722
TOTAL, BA–2	16,838,894	16,813,894
BA–3: PAY AND ALLOWANCES OF MIDSHIPMEN		
MIDSHIPMEN	74,950	74,950
TOTAL, BA–3	74,950	74,950
BA–4: SUBSISTENCE OF ENLISTED PERSONNEL		
BASIC ALLOWANCE FOR SUBSISTENCE	685,085	685,085
SUBSISTENCE-IN-KIND	419,333	419,333
FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE	12	12
TOTAL, BA–4	1,104,430	1,104,430
BA–5: PERMANENT CHANGE OF STATION TRAVEL		
ACCESSION TRAVEL	76,220	76,220
TRAINING TRAVEL	71,814	71,814
OPERATIONAL TRAVEL	219,685	219,685
ROTATIONAL TRAVEL	354,275	354,275
SEPARATION TRAVEL	103,806	103,806
TRAVEL OF ORGANIZED UNITS	39,368	39,368

M–1		Budget Request	Recommendation
.....	NON-TEMPORARY STORAGE	5,760	5,760
.....	TEMPORARY LODGING EXPENSE	6,386	6,386
.....	OTHER	6,406	6,406
.....	TOTAL, BA–5	883,720	883,720
.....	BA–6: OTHER MILITARY PERSONNEL COSTS	.....	.....
.....	APPREHENSION OF MILITARY DESERTERS	261	261
.....	INTEREST ON UNIFORMED SERVICES SAVINGS	1,427	1,427
.....	DEATH GRATUITIES	17,700	17,700
.....	UNEMPLOYMENT BENEFITS	88,350	88,350
.....	EDUCATION BENEFITS	21,515	21,515
.....	ADOPTION EXPENSES	271	271
.....	TRANSPORTATION SUBSIDY	8,030	8,030
.....	PARTIAL DISLOCATION ALLOWANCE	190	190
.....	RESERVE OFFICERS TRAINING CORPS (ROTC)	27,345	27,345
.....	JUNIOR R.O.T.C	14,093	14,093
.....	TOTAL, BA–6	179,182	179,182
.....	LESS REIMBURSABLES	−339,690	−339,690
.....	UNDISTRIBUTED ADJUSTMENT	0	−13,500
.....	Unobligated/Unexpended Balances	.....	−13,500
.....	TOTAL, MILITARY PERSONNEL, NAVY	25,950,949	25,912,449
	MILITARY PERSONNEL, MARINE CORPS		
.....	BA–1: PAY AND ALLOWANCES OF OFFICERS	.....	.....
.....	BASIC PAY	1,433,200	1,433,200
.....	RETIRED PAY ACCRUAL	465,072	465,072
.....	BASIC ALLOWANCE FOR HOUSING	462,438	462,438
.....	BASIC ALLOWANCE FOR SUBSISTENCE	59,613	59,613
---	INCENTIVE PAYS	50,011	50,011
---	SPECIAL PAYS	27,921	27,9215
---	ALLOWANCES	34,404	34,404
---	SEPARATION PAY	13,299	13,299
---	SOCIAL SECURITY TAX	109,014	109,014
---	TOTAL, BA–1	2,654,972	2,654,972
---	BA–2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL	---	---
---	BASIC PAY	4,910,560	4,910,560
---	RETIRED PAY ACCRUAL	1,591,322	1,591,322
---	BASIC ALLOWANCE FOR HOUSING	1,660,161	1,660,161
---	INCENTIVE PAYS	9,158	9,158
---	SPECIAL PAYS	288,654	288,654
---	ALLOWANCES	278,060	278,060
---	SEPARATION PAY	65,101	65,101
---	SOCIAL SECURITY TAX	372,411	372,411
---	TOTAL, BA–2	9,175,427	9,175,427
---	BA–4: SUBSISTENCE OF ENLISTED PERSONNEL	---	---
---	BASIC ALLOWANCE FOR SUBSISTENCE	489,789	489,789
---	SUBSISTENCE-IN-KIND	324,565	324,565
---	FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE	750	750
---	TOTAL, BA–4	815,104	815,104
---	BA–5: PERMANENT CHANGE OF STATION TRAVEL	---	---
---	ACCESSION TRAVEL	79,378	79,378
---	TRAINING TRAVEL	10,079	10,079
---	OPERATIONAL TRAVEL	239,442	239,442
---	ROTATIONAL TRAVEL	115,330	115,330
---	SEPARATION TRAVEL	55,528	55,528
---	TRAVEL OF ORGANIZED UNITS	742	742
---	NON-TEMPORARY STORAGE	6,305	6,305
---	TEMPORARY LODGING EXPENSE	13,818	13,818
---	OTHER	2,683	2,683
---	TOTAL, BA–5	523,305	523,305
---	BA–6: OTHER MILITARY PERSONNEL COSTS	---	---
---	APPREHENSION OF MILITARY DESERTERS	1,823	1,823
---	INTEREST ON UNIFORMED SERVICES SAVINGS	19	19
---	DEATH GRATUITIES	17,200	17,200
---	UNEMPLOYMENT BENEFITS	69,359	69,359
---	EDUCATION BENEFITS	4,249	4,249
---	ADOPTION EXPENSES	159	159
---	TRANSPORTATION SUBSIDY	2,853	2,853
---	PARTIAL DISLOCATION ALLOWANCE	278	278
---	JUNIOR R.O.T.C	5,573	5,573
---	TOTAL, BA–6	101,513	101,513
---	LESS REIMBURSABLES	−20,160	−20,160
---	UNDISTRIBUTED ADJUSTMENT	0	−40,000
---	Unobligated/Unexpended Balances	---	−40,000
---	TOTAL, MILITARY PERSONNEL, MARINE CORPS	13,250,161	13,210,161
	MILITARY PERSONNEL, AIR FORCE		
---	BA–1: PAY AND ALLOWANCES OF OFFICERS	---	---
---	BASIC PAY	4,687,593	4,687,593
---	RETIRED PAY ACCRUAL	1,522,644	1,522,644
---	BASIC ALLOWANCE FOR HOUSING	1,347,403	1,347,403
---	BASIC ALLOWANCE FOR SUBSISTENCE	182,253	182,253
---	INCENTIVE PAYS	239,121	239,121
---	SPECIAL PAYS	322,642	322,642
---	ALLOWANCES	128,157	128,157
---	SEPARATION PAY	64,974	64,974
---	SOCIAL SECURITY TAX	355,711	355,711
---	TOTAL, BA–1	8,850,498	8,850,498
---	BA–2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL	---	---
---	BASIC PAY	8,540,083	8,540,083
---	RETIRED PAY ACCRUAL	2,781,402	2,781,402
---	BASIC ALLOWANCE FOR HOUSING	3,038,904	3,038,904
---	INCENTIVE PAYS	36,980	36,980
---	SPECIAL PAYS	396,103	380,103
---	Re-enlistment Bonuses - Excess to Requirement	---	−16,000
---	ALLOWANCES	570,857	570,857
---	SEPARATION PAY	124,411	124,411
---	SOCIAL SECURITY TAX	653,317	653,317
---	TOTAL, BA–2	16,142,057	16,126,057
---	BA–3: PAY AND ALLOWANCES OF CADETS	---	---
---	ACADEMY CADETS	75,383	75,383
---	TOTAL, BA–3	75,383	75,383
---	BA–4: SUBSISTENCE OF ENLISTED PERSONNEL	---	---
---	BASIC ALLOWANCE FOR SUBSISTENCE	872,055	872,055
---	SUBSISTENCE-IN-KIND	169,924	169,924
---	FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE	37	37
---	TOTAL, BA–4	1,042,016	1,042,016
---	BA–5: PERMANENT CHANGE OF STATION	---	---
---	ACCESSION TRAVEL	87,377	87,377
---	TRAINING TRAVEL	72,521	72,521

M–1		Budget Request	Recommendation
---	OPERATIONAL TRAVEL	296,604	296,604
---	ROTATIONAL TRAVEL	505,198	505,198
---	SEPARATION TRAVEL	176,549	176,549
---	TRAVEL OF ORGANIZED UNITS	23,561	23,561
---	NON-TEMPORARY STORAGE	40,772	40,772
---	TEMPORARY LODGING EXPENSE	28,936	28,936
---	TOTAL, BA–5	1,231,518	1,231,518
---	BA–6: OTHER MILITARY PERSONNEL COSTS	---	---
---	APPREHENSION OF MILITARY DESERTERS	131	131
---	INTEREST ON UNIFORMED SERVICES SAVINGS	2,179	2,179
---	DEATH GRATUITIES	19,900	19,900
---	UNEMPLOYMENT BENEFITS	49,143	49,143
---	SURVIVOR BENEFITS	1,760	1,760
---	EDUCATION BENEFITS	484	484
---	ADOPTION EXPENSES	395	395
---	TRANSPORTATION SUBSIDY	6,903	6,903
---	PARTIAL DISLOCATION ALLOWANCE	1,578	1,578
---	RESERVE OFFICERS TRAINING CORPS (ROTC)	45,571	45,571
---	JUNIOR ROTC	16,185	16,185
---	TOTAL, BA–6	144,229	144,229
---	LESS REIMBURSABLES	−363,946	−363,946
---	TOTAL, MILITARY PERSONNEL, AIR FORCE	27,121,755	27,105,755
	RESERVE PERSONNEL, ARMY		
---	BA–1: RESERVE COMPONENT TRAINING AND SUPPORT	---	---
---	PAY GROUP A TRAINING (15 DAYS and DRILLS 24/48)	1,249,133	1,249,133
---	PAY GROUP B TRAINING (BACKFILL FOR ACTIVE DUTY)	44,460	36,460
---	Projected Underexecution	---	−8,000
---	PAY GROUP F TRAINING (RECRUITS)	268,215	268,215
---	PAY GROUP P TRAINING (PIPELINE RECRUITS)	8,830	8,830
---	MOBILIZATION TRAINING	21,460	10,460
---	Projected Underexecution	---	−11,000
---	SCHOOL TRAINING	177,121	177,121
---	SPECIAL TRAINING	293,439	283,439
---	Excessive Growth	---	−10,000
---	ADMINISTRATION AND SUPPORT	2,129,646	2,129,646
---	EDUCATION BENEFITS	57,633	57,633
---	HEALTH PROFESSION SCHOLARSHIP	66,940	66,940
---	OTHER PROGRAMS	80,288	80,288
---	TOTAL, BA–1	4,397,165	4,368,165
---	UNDISTRIBUTED ADJUSTMENT	0	−35,000
---	Unobligated/Unexpended Balances	---	−35,000
---	TOTAL, RESERVE PERSONNEL, ARMY	4,397,165	4,333,165
	RESERVE PERSONNEL, NAVY		
---	BA–1: RESERVE COMPONENT TRAINING AND SUPPORT	---	---
---	PAY GROUP A TRAINING (15 DAYS and DRILLS 24/48)	626,657	626,657
---	PAY GROUP B TRAINING (BACKFILL FOR ACTIVE DUTY)	9,070	9,070
---	PAY GROUP F TRAINING (RECRUITS)	45,603	45,603
---	MOBILIZATION TRAINING	8,434	8,434
---	SCHOOL TRAINING	45,930	45,930
---	SPECIAL TRAINING	89,647	89,647
---	ADMINISTRATION AND SUPPORT	1,061,128	1,061,128
---	EDUCATION BENEFITS	3,780	3,780
---	HEALTH PROFESSION SCHOLARSHIP	53,942	53,942
---	TOTAL, BA–1	1,944,191	1,944,191
---	UNDISTRIBUTED ADJUSTMENT	0	−4,000
---	Unobligated/Unexpended Balances	---	−4,000
---	TOTAL, RESERVE PERSONNEL, NAVY	1,944,191	1,940,191
	RESERVE PERSONNEL, MARINE CORPS		
---	BA–1: RESERVE COMPONENT TRAINING AND SUPPORT	---	---
---	PAY GROUP A TRAINING (15 DAYS and DRILLS 24/48)	196,974	196,974
---	PAY GROUP B TRAINING (BACKFILL FOR ACTIVE DUTY)	36,116	36,116
---	PAY GROUP F TRAINING (RECRUITS)	96,138	96,138
---	MOBILIZATION TRAINING	3,724	3,724
---	SCHOOL TRAINING	16,810	16,810
---	SPECIAL TRAINING	27,688	27,688
---	ADMINISTRATION AND SUPPORT	216,537	216,537
---	PLATOON LEADER CLASS	12,256	12,256
---	EDUCATION BENEFITS	11,198	11,198
---	TOTAL, BA–1	617,441	617,441
---	UNDISTRIBUTED ADJUSTMENTS	0	−5,250
---	Unobligated/Unexpended Balances	---	−1,250
---	MIP Marine Corps Reserve Intelligence Program	---	−4,000
---	TOTAL, RESERVE PERSONNEL, MARINE CORPS	617,441	612,191
	RESERVE PERSONNEL, AIR FORCE		
---	BA–1: RESERVE COMPONENT TRAINING AND SUPPORT	---	---
---	PAY GROUP A TRAINING (15 DAYS and DRILLS 24/48)	670,341	670,341
---	PAY GROUP B TRAINING (BACKFILL FOR ACTIVE DUTY)	101,951	101,951
---	PAY GROUP F TRAINING (RECRUITS)	54,850	54,850
---	PAY GROUP P TRAINING (PIPELINE RECRUITS)	50	50
---	MOBILIZATION TRAINING	447	447
---	SCHOOL TRAINING	163,272	163,272
---	SPECIAL TRAINING	243,233	243,233
---	ADMINISTRATION AND SUPPORT	378,772	378,772
---	EDUCATION BENEFITS	18,295	18,295
---	HEALTH PROFESSION SCHOLARSHIP	51,331	51,331
---	OTHER PROGRAMS (ADMINISTRATION and SUPPORT)	4,255	4,255
---	TOTAL, BA–1	1,686,797	1,686,797
---	UNDISTRIBUTED ADJUSTMENTS	0	−36,000
---	Unobligated/Unexpended Balances	---	−15,000
---	Below Budgeted End Strength	---	−21,000
---	TOTAL, RESERVE PERSONNEL, AIR FORCE	1,686,797	1,650,797
	NATIONAL GUARD PERSONNEL, ARMY		
---	BA–1: RESERVE COMPONENT TRAINING AND SUPPORT	---	---
---	PAY GROUP A TRAINING (15 DAYS and DRILLS 24/48)	2,010,867	1,980,867
---	Unjustified Growth	---	−30,000
---	PAY GROUP F TRAINING (RECRUITS)	510,859	510,859
---	PAY GROUP P TRAINING (PIPELINE RECRUITS)	71,222	71,222
---	SCHOOL TRAINING	577,600	577,600
---	SPECIAL TRAINING	534,954	521,954
---	Recruiter Mandays—Excess to Requirement	---	−13,000
---	ADMINISTRATION AND SUPPORT	3,788,954	3,788,954
---	EDUCATION BENEFITS	129,840	129,840
---	TOTAL, BA–1	7,624,296	7,581,296
---	UNDISTRIBUTED ADJUSTMENTS	0	−70,000
---	Unobligated/Unexpended Balances	---	−70,000
---	TOTAL, NATIONAL GUARD PERSONNEL, ARMY	7,624,296	7,511,296
	NATIONAL GUARD PERSONNEL, AIR FORCE		
---	BA–1: RESERVE COMPONENT TRAINING AND SUPPORT	---	---

M–1		Budget Request	Recommendation
---	PAY GROUP A TRAINING (15 DAYS and DRILLS 24/48)	939,636	931,636
---	Inactive Duty Training—Unjustified Growth	---	−8,000
---	PAY GROUP F TRAINING (RECRUITS)	99,839	99,839
---	PAY GROUP P TRAINING (PIPELINE RECRUITS)	298	298
---	SCHOOL TRAINING	209,944	209,944
---	SPECIAL TRAINING	131,226	131,226
---	ADMINISTRATION AND SUPPORT	1,692,112	1,682,112
---	Bonuses—Unjustified Requirement	---	−10,000
---	EDUCATION BENEFITS	30,543	30,543
---	TOTAL, BA–1	3,103,598	3,085,598
---	UNDISTRIBUTED ADJUSTMENTS	0	−25,500
---	Unobligated/Unexpended Balances	---	−17,500
---	Lower than Budgeted Pay Grade Mix	---	−8,000
---	TOTAL, NATIONAL GUARD PERSONNEL, AIR FORCE	3,103,598	3,060,098
---	TOTAL, MILITARY PERSONNEL	127,668,630	126,378,756

M–1		Budget Request	Recommendation
	OPERATION AND MAINTENANCE, ARMY		
111	MANEUVER UNITS	1,087,321	1,087,321
112	MODULAR SUPPORT BRIGADES	114,448	113,790
.....	Deployment Offset	.....	−658
113	ECHELONS ABOVE BRIGADES	773,540	769,338
.....	Deployment Offset	.....	−4,202
114	THEATER LEVEL ASSETS	794,806	767,727
.....	Aircraft Lease for Casualty Evacuation Funded in fiscal year 2011 OCO	.....	−18,500
.....	Transfer to Title IX - Chemical Defense Equipment Sustainment	.....	−8,579
115	LAND FORCES OPERATIONS SUPPORT	1,399,332	1,392,912
.....	Transfer to Title IX - MRAP Vehicle Sustainment at Combat Training Centers	.....	−6,420
116	AVIATION ASSETS	897,666	867,666
.....	Deployment Offset	.....	−30,000
121	FORCE READINESS OPERATIONS SUPPORT	2,520,995	2,314,041
.....	Unjustified Increase for Travel	.....	−91,000
.....	Removal of One-Time fiscal year 2010 Costs	.....	−35,000
.....	Transfer to Title IX - Body Armor Sustainment	.....	−71,660
.....	Transfer to Title IX - Rapid Equipping Force Readiness	.....	−9,294
122	LAND FORCES FORCES SYSTEMS READINESS	596,117	574,946
.....	Transfer to Title IX - Fixed Wing Life Cycle Contract Support	.....	−21,171
123	LAND FORCES DEPOT MAINTENANCE	890,122	950,122
.....	UH-60 A to L Conversions	.....	+60,000
131	BASE OPERATIONS SUPPORT	7,563,566	7,281,191
.....	Transfer from the Defense Health Program for Centralized Management of the Substance Abuse Program	.....	+30,625
.....	Army Tenant Pentagon Rent Requirements	.....	−33,000
.....	Reduced Requirement for Collateral Equipment in fiscal year 2011	.....	−50,000
.....	Transfer to Title IX - Overseas Security Guards	.....	−200,000
.....	Transfer to Title IX - Senior Leader Initiative - Comprehensive Soldier Fitness Program	.....	−30,000
132	FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATION	2,500,892	2,500,892
133	MANAGEMENT AND OPERATIONAL HEADQUARTERS	390,004	390,004
134	COMBATANT COMMANDER'S CORE OPERATIONS	167,758	167,758
138	COMBATANT COMMANDER'S DIRECT MISSION SUPPORT	464,851	464,851
.....	SUBTOTAL, BUDGET ACTIVITY 1	20,161,418	19,642,559
211	STRATEGIC MOBILITY	333,266	333,266
212	ARMY PREPOSITIONED STOCKS	102,240	102,240
213	INDUSTRIAL PREPAREDNESS	5,736	5,736
.....	SUBTOTAL, BUDGET ACTIVITY 2	441,242	441,242
311	OFFICER ACQUISITION	129,902	129,902
312	RECRUIT TRAINING	74,705	74,705
313	ONE STATION UNIT TRAINING	63,223	63,223
314	SENIOR RESERVE OFFICER TRAINING CORPS	479,343	479,343
321	SPECIALIZED SKILL TRAINING	1,082,517	1,027,334
.....	Unjustified Growth in Supply and Equipment Purchases	.....	−40,000
.....	Transfer to Title IX - Survivability and Maneuverability Training	.....	−15,183
322	FLIGHT TRAINING	1,046,124	1,032,124
.....	Budget Justification Does not Match Summary of Price and Program Changes	.....	−14,000
323	PROFESSIONAL DEVELOPMENT EDUCATION	163,607	163,607
324	TRAINING SUPPORT	695,200	695,200
331	RECRUITING AND ADVERTISING	544,014	524,014
.....	Budget Justification Does not Match Summary of Price and Program Changes	.....	−20,000
332	EXAMINING	153,091	153,091
333	OFF-DUTY AND VOLUNTARY EDUCATION	241,170	241,170
334	CIVILIAN EDUCATION AND TRAINING	220,771	220,771
335	JUNIOR RESERVE OFFICER TRAINING CORPS	175,347	183,347
.....	Program Increase - Junior ROTC	.....	+8,000
.....	SUBTOTAL, BUDGET ACTIVITY 3	5,069,014	4,987,831
411	SECURITY PROGRAMS	1,030,355	1,030,355
421	SERVICEWIDE TRANSPORTATION	587,952	557,826
.....	First Destination Transportation Cost of New Equipment is Financed in the Cost of Equipment	.....	−30,126
422	CENTRAL SUPPLY ACTIVITIES	669,853	669,853
423	LOGISTIC SUPPORT ACTIVITIES	503,876	503,876
424	AMMUNITION MANAGEMENT	435,020	435,020
431	ADMINISTRATION	912,355	902,355
.....	Unjustified Growth for Headquarters Accounts	.....	−10,000
432	SERVICEWIDE COMMUNICATIONS	1,528,371	1,528,371
433	MANPOWER MANAGEMENT	368,480	328,480
.....	Unsupported Request for 712 Temporary Hires	.....	−40,000
434	OTHER PERSONNEL SUPPORT	261,829	261,829
435	OTHER SERVICE SUPPORT	1,145,902	1,149,822
.....	Capitol 4th	.....	+3,920
436	ARMY CLAIMS ACTIVITIES	205,967	205,967
437	REAL ESTATE MANAGEMENT	168,664	168,664
441	INTERNATIONAL MILITARY HEADQUARTERS	462,488	476,888
.....	Outfitting of NATO SOF Headquarters Building	.....	+14,400
442	MISCELLANEOUS SUPPORT OF OTHER NATIONS	19,179	16,179
.....	Information Operations	.....	−3,000
.....	SUBTOTAL, BUDGET ACTIVITY 4	8,300,291	8,235,485
.....	FIVE PERCENT COST SAVINGS FOR INVESTMENT IN ENERGY AND UTILITIES PROJECTS THROUGH THE AMERICAN RECOVERY AND REINVESTMENT ACT	.....	−1,000
.....	TOTAL, OPERATION AND MAINTENANCE, ARMY	33,971,965	33,306,117
	OPERATION AND MAINTENANCE, NAVY		
1A1A	MISSION AND OTHER FLIGHT OPERATIONS	4,429,832	4,429,832
1A2A	FLEET AIR TRAINING	81,345	1,605,720
.....	Transfer of Fleet Air Training funding from SAG 3B2K	.....	+958,200
.....	Unjustified Administrative Overhead Cost Growth	.....	−4,225
.....	Transfer of Chief of Naval Air Training from SAG 3B2K	.....	+570,400
1A3A	AVIATION TECHNICAL DATA AND ENGINEERING SERVICES	38,932	38,932
1A4A	AIR OPERATIONS AND SAFETY SUPPORT	100,485	100,485
1A4N	AIR SYSTEMS SUPPORT	355,520	355,520
1A5A	AIRCRAFT DEPOT MAINTENANCE	1,221,410	1,221,410

M–1		Budget Request	Recommendation
1A6A	AIRCRAFT DEPOT OPERATIONS SUPPORT	27,448	27,448
1B1B	MISSION AND OTHER SHIP OPERATIONS	3,696,913	3,666,913
.....	Unjustified Growth in Per Diem Days	.....	−30,000
1B2B	SHIP OPERATIONS SUPPORT AND TRAINING	728,983	728,983
1B4B	SHIP DEPOT MAINTENANCE	4,761,670	4,761,670
1B5B	SHIP DEPOT OPERATIONS SUPPORT	1,344,844	1,338,844
.....	Transfer to RDTE, DW per Memorandum of Agreement	.....	−1,500
.....	NAVSEA Process Requirements and Improvement Office Budget Realignment and Consolidation Justified as Program Growth	.....	−4,500
1C1C	COMBAT COMMUNICATIONS	615,069	550,069
.....	Overstatement of DISA Pricing Adjustment	.....	−65,000
1C2C	ELECTRONIC WARFARE	89,340	89,340
1C3C	SPACE SYSTEMS AND SURVEILLANCE	177,397	177,397
1C4C	WARFARE TACTICS	416,068	416,068
1C5C	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	316,525	316,525
1C6C	COMBAT SUPPORT FORCES	1,083,618	870,817
.....	Unjustified Growth for Naval Expeditionary Combat Command	.....	−20,000
.....	Transfer to Title IX—Naval Expeditionary Combat Command Increases	.....	−192,801
1C7C	EQUIPMENT MAINTENANCE	165,985	165,985
1C8C	DEPOT OPERATIONS SUPPORT	2,836	2,836
1CCH	COMBATANT COMMANDERS CORE OPERATIONS	208,250	208,250
1CCM	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	274,071	274,071
1D1D	CRUISE MISSILE	130,219	130,219
1D2D	FLEET BALLISTIC MISSILE	1,138,418	1,138,418
1D3D	IN-SERVICE WEAPONS SYSTEMS SUPPORT	89,184	89,184
1D4D	WEAPONS MAINTENANCE	459,561	459,561
1D7D	OTHER WEAPON SYSTEMS SUPPORT	366,751	361,751
.....	Civilian Personnel Over-Pricing	.....	−5,000
BSIT	ENTERPRISE INFORMATION TECHNOLOGY	820,507	1,031,207
.....	Requested Transfer from OP,N line 147 for NGEN Funding	.....	+217,700
.....	Overstatement of DISA Pricing Adjustment	.....	−7,000
BSM1	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	1,900,386	1,900,386
BSS1	BASE OPERATING SUPPORT	4,502,857	4,452,857
.....	Transfer to Title IX—Regional/Emergency Operations Center	.....	−50,000
.....	SUBTOTAL, BUDGET ACTIVITY 1	29,544,424	30,910,698
2A1F	SHIP PREPOSITIONING AND SURGE	424,047	424,047
2B1G	AIRCRAFT ACTIVATIONS/INACTIVATIONS	7,593	7,593
2B2G	SHIP ACTIVATIONS/INACTIVATIONS	177,482	180,682
.....	Program Increase—Ship Disposal Program	.....	+3,200
2C1H	FLEET HOSPITAL PROGRAM	70,990	70,990
2C2H	INDUSTRIAL READINESS	2,707	2,707
2C3H	COAST GUARD SUPPORT	23,845	23,845
.....	SUBTOTAL, BUDGET ACTIVITY 2	706,664	709,864
3A1J	OFFICER ACQUISITION	141,057	141,057
3A2J	RECRUIT TRAINING	10,853	10,853
3A3J	RESERVE OFFICERS TRAINING CORPS	143,504	143,504
3B1K	SPECIALIZED SKILL TRAINING	533,004	530,004
.....	Transfer to Title IX—NAVSEA VSSS/EOD Training	.....	−3,000
3B2K	FLIGHT TRAINING	1,538,171	9,571
.....	Transfer of Fleet Air Training funding to SAG 1A2A	.....	−958,200
.....	Transfer of Chief of Naval Air Training to SAG 1A2A	.....	−570,400
3B3K	PROFESSIONAL DEVELOPMENT EDUCATION	162,844	162,844
3B4K	TRAINING SUPPORT	171,153	171,153
3C1L	RECRUITING AND ADVERTISING	261,287	261,922
.....	Program Increase—Naval Sea Cadet Corps	.....	+635
3C3L	OFF-DUTY AND VOLUNTARY EDUCATION	145,560	145,560
3C4L	CIVILIAN EDUCATION AND TRAINING	109,865	109,865
3C5L	JUNIOR ROTC	50,369	53,369
.....	Program Increase—Junior ROTC	.....	+3,000
.....	SUBTOTAL, BUDGET ACTIVITY 3	3,267,667	1,739,702
4A1M	ADMINISTRATION	829,010	829,010
4A2M	EXTERNAL RELATIONS	7,632	7,632
4A3M	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	118,838	111,838
.....	Overstated Requirement for Other Intragovernmental Purchases	.....	−7,000
4A4M	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	194,775	194,775
4A5M	OTHER PERSONNEL SUPPORT	282,580	282,580
4A6M	SERVICEWIDE COMMUNICATIONS	503,067	496,089
.....	Nuclear Command, Control and Communications Systems Budget Realignment and Consolidation Justified as Program Growth	.....	−6,978
4B1N	SERVICEWIDE TRANSPORTATION	230,294	230,294
4B2N	PLANNING, ENGINEERING AND DESIGN	259,990	259,990
4B3N	ACQUISITION AND PROGRAM MANAGEMENT	868,069	856,069
.....	Civilian Personnel Over-Pricing	.....	−12,000
4B5N	HULL, MECHANICAL AND ELECTRICAL SUPPORT	55,217	55,217
4B6N	COMBAT/WEAPONS SYSTEMS	19,053	19,053
4B7N	SPACE AND ELECTRONIC WARFARE SYSTEMS	77,702	77,702
4C1P	NAVAL INVESTIGATIVE SERVICE	549,484	546,484
.....	Civilian Personnel Over-Pricing	.....	−3,000
4D1Q	INTERNATIONAL HEADQUARTERS AND AGENCIES	5,567	5,567
999	OTHER PROGRAMS	614,275	607,475
.....	Classified Adjustment	.....	−6,800
.....	SUBTOTAL, BUDGET ACTIVITY 4	4,615,553	4,579,775
.....	UNDISTRIBUTED REDUCTION DUE TO HISTORIC UNDEREXECUTION	.....	−127,200
.....	FIVE PERCENT COST SAVINGS FOR INVESTMENT IN ENERGY AND UTILITIES PROJECTS THROUGH THE AMERICAN RECOVERY AND REINVESTMENT ACT	.....	−3,600
.....	TOTAL, OPERATION AND MAINTENANCE, NAVY	38,134,308	37,809,239
	OPERATION AND MAINTENANCE, MARINE CORPS		
1A1A	OPERATIONAL FORCES	745,678	745,678
1A2A	FIELD LOGISTICS	658,616	658,616
1A3A	DEPOT MAINTENANCE	78,891	78,891
1B1B	MARITIME PREPOSITIONING	72,344	72,344
BSM1	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	594,904	594,904
BSS1	BASE OPERATING SUPPORT	2,206,137	2,198,437
.....	Collateral Equipment Decrease in fiscal year 2011 not Properly Accounted for in Budget Documentation	.....	−7,700
.....	SUBTOTAL, BUDGET ACTIVITY 1	4,356,570	4,348,870
3A1C	RECRUIT TRAINING	16,096	16,096
3A2C	OFFICER ACQUISITION	420	420
3B1D	SPECIALIZED SKILLS TRAINING	91,197	91,197
3B3D	PROFESSIONAL DEVELOPMENT EDUCATION	32,379	32,379
3B4D	TRAINING SUPPORT	319,742	319,742
3C1F	RECRUITING AND ADVERTISING	233,663	233,663
3C2F	OFF-DUTY AND VOLUNTARY EDUCATION	61,980	61,980
3C3F	JUNIOR ROTC	19,497	19,497
.....	SUBTOTAL, BUDGET ACTIVITY 3	774,974	774,974
4A3G	SERVICEWIDE TRANSPORTATION	29,569	29,569
4A4G	ADMINISTRATION	341,657	335,657
.....	Administrative Efficiencies	.....	−6,000
4B3N	ACQUISITION AND PROGRAM MANAGEMENT	87,570	87,570
.....	SUBTOTAL, BUDGET ACTIVITY 4	458,796	452,796
.....	UNDISTRIBUTED REDUCTION DUE TO HISTORIC UNDEREXECUTION	.....	−34,400
.....	FIVE PERCENT COST SAVINGS FOR INVESTMENT IN ENERGY AND UTILITIES PROJECTS THROUGH THE AMERICAN RECOVERY AND REINVESTMENT ACT	.....	−2,500
.....	TOTAL, OPERATION AND MAINTENANCE, MARINE CORPS	5,590,340	5,539,740

M–1		Budget Request	Recommendation
	OPERATION AND MAINTENANCE, AIR FORCE		
011A	PRIMARY COMBAT FORCES	4,261,115	4,218,222
.....	Unjustified Growth for Programming/Execution	.....	−34,408
.....	Unsupported Request for Civilian Personnel	.....	−8,485
011C	COMBAT ENHANCEMENT FORCES	2,995,278	2,933,353
.....	Unjustified Growth for Programming/ Execution	.....	−61,925
011D	AIR OPERATIONS TRAINING	1,573,602	1,508,352
.....	Unjustified Growth for Programming/ Execution	.....	−13,598
.....	Transfer of Range Maintenance funding to SAG 011R	.....	−33,652
.....	Removal of One-Time fiscal year 2010 Cost for F–35A Beddown Costs	.....	−18,000
011M	DEPOT MAINTENANCE	2,189,481	2,176,793
.....	Program Increase—Warner Robins Air Logistics Center Aircraft Depot Maintenance	.....	+4,000
.....	Air Force Requested Transfer to OM,ANG for C-130s	.....	−10,879
.....	Air Force Requested Transfer to OM,AFR for C-130s	.....	−5,809
011R	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	1,556,234	1,664,886
.....	Transfer of Range Maintenance from SAG 011D	.....	+33,652
.....	Adjustments to Meet Life, Health, Safety and ADA Compliance Standards	.....	+75,000
011Z	BASE OPERATING SUPPORT	3,088,003	2,937,621
.....	Unjustified Growth for Programming/Execution	.....	−91,675
.....	Unsupported Request for Civilian Personnel	.....	−58,707
012A	GLOBAL C31 AND EARLY WARNING	1,511,243	1,450,927
.....	Unsupported Request for Civilian Personnel	.....	−16,013
.....	Unjustified Growth for Programming/ Execution	.....	−44,303
012C	OTHER COMBAT OPERATIONS SUPPORT PROGRAMS	1,035,291	1,020,300
.....	Unjustified Growth for Programming/ Execution	.....	−12,268
.....	Unsupported Request for Civilian Personnel	.....	−2,723
012F	TACTICAL INTELLIGENCE AND SPECIAL ACTIVITIES	595,028	595,028
013A	LAUNCH FACILITIES	342,355	342,355
013C	SPACE CONTROL SYSTEMS	811,022	811,022
015A	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	797,754	791,754
.....	Information Operations	.....	−6,000
015B	COMBATANT COMMANDERS CORE OPERATIONS	233,021	225,865
.....	Unsupported Request for Civilian Personnel	.....	−7,156
.....	SUBTOTAL, BUDGET ACTIVITY 1	20,989,427	20,676,478
021A	AIRLIFT OPERATIONS	2,975,663	2,975,663
021D	MOBILIZATION PREPAREDNESS	158,647	158,647
021M	DEPOT MAINTENANCE	140,286	140,286
021R	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	348,231	348,231
021Z	BASE SUPPORT	683,286	635,231
.....	Unsupported Request for Civilian Personnel	.....	−45,577
.....	Unjustified Growth for Programming/ Execution	.....	−2,478
.....	SUBTOTAL, BUDGET ACTIVITY 2	4,306,113	4,258,058
031A	OFFICER ACQUISITION	114,403	114,403
031B	RECRUIT TRAINING	28,195	28,195
031D	RESERVE OFFICER TRAINING CORPS (ROTC)	90,453	90,453
031R	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	411,570	400,652
.....	Unsupported Request for Civilian Personnel	.....	−10,918
031Z	BASE SUPPORT (ACADEMIES ONLY)	902,323	845,576
.....	Unjustified Growth for Programming/ Execution	.....	−16,216
.....	Unsupported Request for Civilian Personnel	.....	−40,531
032A	SPECIALIZED SKILL TRAINING	510,065	470,584
.....	Unsupported Request for Civilian Personnel	.....	−11,481
.....	Growth in Overhead Expenses not Justified by Increases to Training Metrics	.....	−28,000
032B	FLIGHT TRAINING	1,012,816	1,012,816
032C	PROFESSIONAL DEVELOPMENT EDUCATION	221,553	221,553
032D	TRAINING SUPPORT	126,784	123,260
.....	Unsupported Request for Civilian Personnel	.....	−3,524
032M	DEPOT MAINTENANCE	619	619
033A	RECRUITING AND ADVERTISING	150,222	143,635
.....	Unsupported Request for Civilian Personnel	.....	−1,487
.....	Air Force Recruiting Information Support System - Air Force Requested Transfer to RDTE,AF	.....	−5,100
033B	EXAMINING	409	409
033C	OFF DUTY AND VOLUNTARY EDUCATION	172,643	172,643
033D	CIVILIAN EDUCATION AND TRAINING	208,872	208,872
033E	JUNIOR ROTC	77,692	81,692
.....	Program Increase - Junior ROTC	.....	+4,000
.....	SUBTOTAL, BUDGET ACTIVITY 3	4,028,619	3,915,362
041A	LOGISTICS OPERATIONS	1,110,471	1,082,427
.....	Unsupported Request for Civilian Personnel	.....	−28,044
041B	TECHNICAL SUPPORT ACTIVITIES	949,018	937,913
.....	Unjustified Growth for Programming/ Execution	.....	−5,866
.....	Unsupported Request for Civilian Personnel	.....	−5,239
041M	DEPOT MAINTENANCE	7,365	7,365
041R	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	368,349	367,651
.....	Unsupported Request for Civilian Personnel	.....	−698
041Z	BASE SUPPORT	1,363,230	1,292,621
.....	Unsupported Request for Civilian Personnel	.....	−30,609
.....	Pentagon Reservation Maintenance Fund Pricing	.....	−40,000
042A	ADMINISTRATION	657,268	657,268
042B	SERVICEWIDE COMMUNICATIONS	693,379	672,562
.....	Unjustified Growth for Programming/ Execution	.....	−20,817
042G	OTHER SERVICEWIDE ACTIVITIES	1,152,877	1,138,670
.....	Unsupported Request for Civilian Personnel	.....	−22,207
.....	Analytical Support for the Executive Agent for Space -Transfer from RDTE,AF line 216	.....	+8,000
042I	CIVIL AIR PATROL CORPORATION	22,848	27,048
.....	Civil Air Patrol Program Increase	.....	+4,200
043A	SECURITY PROGRAMS	1,159,342	1,141,160
.....	Unsupported Request for Civilian Personnel	.....	−18,182
044A	INTERNATIONAL SUPPORT	36,206	36,206
.....	SUBTOTAL, BUDGET ACTIVITY 4	7,520,353	7,360,891
.....	UNDISTRIBUTED REDUCTION DUE TO HISTORIC UNDEREXECUTION	.....	−134,300
.....	FIVE PERCENT COST SAVINGS FOR INVESTMENT IN ENERGY AND UTILITIES PROJECTS THROUGH THE AMERICAN RECOVERY AND REINVESTMENT ACT	.....	−13,500
.....	TOTAL, OPERATION AND MAINTENANCE, AIR FORCE	36,844,512	36,062,989
	OPERATION AND MAINTENANCE, DEFENSE-WIDE		
.....	JOINT CHIEFS OF STAFF	420,940	420,940
.....	SPECIAL OPERATIONS COMMAND	3,944,330	3,930,330
.....	Non-Standard Aviation Platforms Sustainment and Logistical Support	.....	−5,000
.....	Removal of One-Time fiscal year 2010 Congressional Increases	.....	−9,000
.....	SUBTOTAL, BUDGET ACTIVITY 1	4,365,270	4,351,270
.....	DEFENSE ACQUISITION UNIVERSITY	145,896	145,896
.....	NATIONAL DEFENSE UNIVERSITY	97,633	97,633
.....	SUBTOTAL, BUDGET ACTIVITY 3	243,529	243,529
.....	CIVIL MILITARY PROGRAMS	156,043	164,043
.....	STARBASE Youth Program	.....	+8,000
.....	BUSINESS TRANSFORMATION AGENCY	143,441	143,441
.....	DEFENSE CONTRACT AUDIT AGENCY	486,143	482,643
.....	Removal of One-Time fiscal year 2010 Cost for Renewing Three Year License for Software	.....	−3,500
.....	DEFENSE FINANCE AND ACCOUNTING SERVICE	1,593	1,593
.....	DEFENSE INFORMATION SYSTEMS AGENCY	1,384,450	1,374,450
.....	Multinational Information Sharing Programs	.....	−10,000

M–1		Budget Request	Recommendation
.....	DEFENSE LEGAL SERVICES AGENCY	42,404	42,404
.....	DEFENSE LOGISTICS AGENCY	448,043	396,395
.....	Facilities Sustainment	.....	−58,848
.....	Procurement Technical Assistance Program	.....	+7,200
.....	DEFENSE MEDIA ACTIVITY	255,878	255,878
.....	DEFENSE POW /MISSING PERSONS OFFICE	24,155	24,155
.....	DEFENSE TECHNOLOGY SECURITY AGENCY	37,624	37,624
.....	DEFENSE THREAT REDUCTION AGENCY	463,522	445,682
.....	Core Operational Support Activities - unnecessary increase	.....	−17,840
.....	DEFENSE DEPENDENTS EDUCATION	2,514,537	2,679,537
.....	Military Spouse Career Advancement Accounts	.....	+165,000
.....	DEFENSE HUMAN RESOURCES ACTIVITY	824,153	794,353
.....	Joint Advertising, Market Research and Studies	.....	−29,800
.....	DEFENSE CONTRACT MANAGEMENT AGENCY	1,112,849	1,107,849
.....	Overstatement of NSPS to GS Conversion	.....	−5,000
.....	DEFENSE SECURITY COOPERATION AGENCY	683,853	539,369
.....	Global Train and Equip (1206)	.....	−139,507
.....	Stability Operations Fellowship Program -- not authorized	.....	−4,977
.....	DEFENSE SECURITY SERVICE	518,743	518,743
.....	OFFICE OF ECONOMIC ADJUSTMENT	50,811	50,811
.....	OFFICE OF THE SECRETARY OF DEFENSE	2,245,300	2,232,986
.....	Battlefield Information Collection and Exploitation System	.....	−15,000
.....	Combatant Commander's Exercise Engagement and Training Transformation (CE2T2)	.....	−26,500
.....	Readiness and Environmental Protection Initiative	.....	+60,186
.....	Overstatement of Civilian Personnel Pay Requirements	.....	−24,500
.....	AT&L—Integrated Acquisition Environment Internal Realignment not Properly Accounted for in Budget Documentation	.....	−6,500
.....	WASHINGTON HEADQUARTERS SERVICES	604,130	594,330
.....	Overstatement of Civilian Personnel Pay Requirements	.....	−9,800
.....	SUBTOTAL, BUDGET ACTIVITY 4	11,997,672	11,886,286
.....	OTHER PROGRAMS	13,977,425	13,685,725
.....	Classified Adjustments	.....	−291,700
.....	IMPACT AID	.....	40,000
.....	IMPACT AID FOR CHILDREN WITH SEVERE DISABILITIES	.....	4,000
.....	TOTAL, OPERATION AND MAINTENANCE, DEFENSE-WIDE	30,583,896	30,210,810
	OPERATION AND MAINTENANCE, ARMY RESERVE		
111	MANEUVER UNITS	1,282	1,282
112	MODULAR SUPPORT BRIGADES	12,413	12,413
113	ECHELONS ABOVE BRIGADES	460,814	460,814
114	THEATER LEVEL ASSETS	168,020	168,020
115	LAND FORCES OPERATIONS SUPPORT	555,944	555,944
116	AVIATION ASSETS	70,378	70,378
121	FORCES READINESS OPERATIONS SUPPORT	391,326	381,326
.....	Decrease Requested Growth for Travel	.....	−10,000
122	LAND FORCES SYSTEM READINESS	108,093	108,093
123	DEPOT MAINTENANCE	136,854	136,854
131	BASE OPERATIONS SUPPORT	577,146	567,146
.....	Unjustified Increase in Motor Pool Operations Costs	.....	−10,000
132	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	234,486	234,486
.....	SUBTOTAL, BUDGET ACTIVITY 1	2,716,756	2,696,756
421	SERVICEWIDE TRANSPORTATION	12,717	12,717
431	ADMINISTRATION	74,685	74,685
432	SERVICEWIDE COMMUNICATIONS	3,797	3,797
433	PERSONNEL/FINANCIAL ADMINISTRATION	9,245	9,245
434	RECRUITING AND ADVERTISING	61,877	61,877
.....	SUBTOTAL, BUDGET ACTIVITY 4	162,321	162,321
.....	UNDISTRIBUTED REDUCTION DUE TO HISTORIC UNDEREXECUTION	.....	−18,650
.....	TOTAL, OPERATION AND MAINTENANCE, ARMY RESERVE	2,879,077	2,840,427
	OPERATION AND MAINTENANCE, NAVY RESERVE		
1A1A	MISSION AND OTHER FLIGHT OPERATIONS	599,649	599,649
1A3A	INTERMEDIATE MAINTENANCE	13,209	13,209
1A4A	AIR OPERATIONS AND SAFETY SUPPORT	2,668	2,668
1A5A	AIRCRAFT DEPOT MAINTENANCE	140,377	140,377
1A6A	AIRCRAFT DEPOT OPERATIONS SUPPORT	309	309
1B1B	MISSION AND OTHER SHIP OPERATIONS	65,757	62,757
.....	Mismatch of OPTEMPO and Steaming Day Performance Data	.....	−3,000
1B2B	SHIP OPERATIONAL SUPPORT AND TRAINING	587	587
1B4B	SHIP DEPOT MAINTENANCE	91,054	91,054
1C1C	COMBAT COMMUNICATIONS	15,882	15,882
1C6C	COMBAT SUPPORT FORCES	140,186	140,186
1D4D	WEAPONS MAINTENANCE	5,492	5,492
BSIT	ENTERPRISE INFORMATION TECHNOLOGY	56,046	56,046
BSMR	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	81,407	81,407
BSSR	BASE OPERATING SUPPORT	131,988	131,988
.....	SUBTOTAL, BUDGET ACTIVITY 1	1,344,611	1,341,611
4A1M	ADMINISTRATION	3,276	3,276
4A4M	MILITARY MANPOWER & PERSONNEL	13,698	13,698
4A6M	SERVICEWIDE COMMUNICATIONS	2,628	2,628
4B3N	ACQUISITION AND PROGRAM MANAGEMENT	3,551	3,551
.....	SUBTOTAL, BUDGET ACTIVITY 4	23,153	23,153
.....	UNDISTRIBUTED REDUCTION DUE TO HISTORIC UNDEREXECUTION	.....	−20,500
.....	TOTAL, OPERATION AND MAINTENANCE, NAVY RESERVE	1,367,764	1,344,264
	OPERATION AND MAINTENANCE, MARINE CORPS RESERVE		
1A1A	OPERATING FORCES	104,566	104,566
1A3A	DEPOT MAINTENANCE	16,392	16,392
BSM1	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	38,762	38,762
BSS1	BASE OPERATING SUPPORT	99,924	92,424
.....	Eliminate Growth in Administrative Costs	.....	−7,500
.....	SUBTOTAL, BUDGET ACTIVITY 1	259,644	252,144
BSM1	SERVICEWIDE TRANSPORTATION	835	835
BSS1	ADMINISTRATION	15,871	15,871
3A1C	RECRUITING AND ADVERTISING	8,884	8,884
.....	SUBTOTAL, BUDGET ACTIVITY 4	25,590	25,590
.....	UNDISTRIBUTED REDUCTION DUE TO HISTORIC UNDEREXECUTION	.....	−2,250
.....	TOTAL, OPERATION AND MAINTENANCE, MARINE CORPS RESERVE	285,234	275,484
	OPERATION AND MAINTENANCE, AIR FORCE RESERVE		
011A	PRIMARY COMBAT FORCES	2,275,407	2,276,450
.....	Air Force Requested Transfer to OM,ANG for C-130s	.....	−2,017
.....	Air Force Requested Transfer from OM,AF for C-130s	.....	+3,060
011G	MISSION SUPPORT OPERATIONS	111,742	111,742
011M	DEPOT MAINTENANCE	415,687	418,436
.....	Air Force Requested Transfer from OM,AF for C-130s	.....	+2,749
011R	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	88,822	88,822
011Z	BASE OPERATING SUPPORT	277,985	277,985
.....	SUBTOTAL, BUDGET ACTIVITY 1	3,169,643	3,173,435
042A	ADMINISTRATION	80,526	80,526
042J	RECRUITING AND ADVERTISING	24,353	24,353

M–1		Budget Request	Recommendation
042K	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	19,716	19,716
042L	OTHER PERSONNEL SUPPORT	6,071	6,071
042M	AUDIOVISUAL	726	726
.....	SUBTOTAL, BUDGET ACTIVITY 4	131,392	131,392
.....	UNDISTRIBUTED REDUCTION DUE TO HISTORIC UNDEREXECUTION	.....	−13,800
.....	TOTAL, OPERATION AND MAINTENANCE, AIR FORCE RESERVE	3,301,035	3,291,027
	OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD		
111	MANEUVER UNITS	807,193	807,193
112	MODULAR SUPPORT BRIGADES	166,474	166,474
113	ECHELONS ABOVE BRIGADE	607,567	607,567
114	THEATER LEVEL ASSETS	249,930	249,930
115	LAND FORCES OPERATIONS SUPPORT	35,657	35,657
116	AVIATION ASSETS	838,895	854,895
.....	Aircraft Maintenance Program Increase	.....	+16,000
121	FORCE READINESS OPERATIONS SUPPORT	570,119	544,119
.....	Distance Learning—Transfer from OCO OM,ARNG SAG 135	.....	+9,000
.....	Realignment of Funding for the Organizational Clothing and Equipment Enterprise Environment not Properly Accounted for in Budget Documentation	.....	−35,000
122	LAND FORCES SYSTEMS READINESS	121,980	121,980
123	LAND FORCES DEPOT MAINTENANCE	380,789	380,789
131	BASE OPERATIONS SUPPORT	933,514	853,514
.....	Unjustified Growth for Information Management Systems	.....	−80,000
132	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	621,843	661,843
.....	Army National Guard Program Increase	.....	+40,000
133	MANAGEMENT AND OPERATIONAL HEADQUARTERS	540,738	549,626
.....	Transfer from Defense Health Program for Psychological Health—State Directors for the National Guard	.....	+8,888
.....	SUBTOTAL, BUDGET ACTIVITY 1	5,874,699	5,833,587
421	SERVICEWIDE TRANSPORTATION	17,771	17,771
431	ADMINISTRATION	183,781	151,463
.....	Pay and Benefits Mismatch Between Op-5 and Op-32	.....	−32,318
432	SERVICEWIDE COMMUNICATIONS	48,188	48,188
433	MANPOWER MANAGEMENT	8,020	8,020
434	RECRUITING AND ADVERTISING	440,245	440,245
.....	SUBTOTAL, BUDGET ACTIVITY 4	698,005	665,687
.....	UNDISTRIBUTED REDUCTION DUE TO HISTORIC UNDEREXECUTION	.....	−36,650
.....	FIVE PERCENT COST SAVINGS FOR INVESTMENT IN ENERGY AND UTILITIES PROJECTS THROUGH THE AMERICAN RECOVERY AND REINVESTMENT ACT	.....	−8,000
.....	TOTAL, OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD	6,572,704	6,454,624
	OPERATION AND MAINTENANCE, AIR NATIONAL GUARD		
011F	AIRCRAFT OPERATIONS	3,519,452	3,525,525
.....	Air Force Requested Transfer from OM,AFR for C-130s	.....	+2,017
.....	Air Force Requested Transfer from OM,AF for C-130s	.....	+4,056
011G	MISSION SUPPORT OPERATIONS	762,937	762,937
011M	DEPOT MAINTENANCE	598,779	605,602
.....	Air Force Requested Transfer from OM,AF for C-130s	.....	+6,823
011R	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	315,210	355,210
.....	Air National Guard Program Increase	.....	+40,000
011Z	BASE OPERATING SUPPORT	668,176	668,176
.....	SUBTOTAL, BUDGET ACTIVITY 1	5,864,554	5,917,450
042A	ADMINISTRATION	41,930	41,930
042J	RECRUITING AND ADVERTISING	34,659	34,659
.....	SUBTOTAL, BUDGET ACTIVITY 4	76,589	76,589
.....	UNDISTRIBUTED REDUCTION DUE TO HISTORIC UNDEREXECUTION	.....	−30,200
.....	TOTAL, OPERATION AND MAINTENANCE, AIR NATIONAL GUARD	5,941,143	5,963,839
	MISCELLANEOUS		
.....	OVERSEAS CONTINGENCY OPERATIONS TRANSFER ACCOUNT	5,000	0
.....	Unjustified Request	.....	−5,000
.....	U.S. COURT OF APPEALS FOR THE ARMED FORCES	14,068	14,068
.....	ENVIRONMENTAL RESTORATION, ARMY	444,581	464,581
.....	Program Increase	.....	+20,000
.....	ENVIRONMENTAL RESTORATION, NAVY	304,867	304,867
.....	ENVIRONMENTAL RESTORATION, AIR FORCE	502,653	502,653
.....	ENVIRONMENTAL RESTORATION, DEFENSE-WIDE	10,744	10,744
.....	ENVIRONMENTAL RESTORATION, FUDS	276,546	316,546
.....	Program Increase	.....	+40,000
.....	OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID	108,032	108,032
.....	COOPERATIVE THREAT REDUCTION PROGRAM	522,512	522,512
.....	ACQUISITION WORKFORCE DEVELOPMENT FUND	217,561	217,561
.....	TOTAL, OPERATION AND MAINTENANCE	167,878,542	165,560,124

P–1		Budget Request	Recommendation
	AIRCRAFT PROCUREMENT, ARMY		
3	AERIAL COMMON SENSOR (ACS) (MIP)	88,483	0
.....	Program Adjustment for Schedule Slip	.....	−88,483
4	MQ-1 UAV	459,310	434,310
.....	Contract Savings	.....	−25,000
5	RQ-11 (RAVEN)	20,152	20,152
6	BCT UNMANNED AERIAL VEH (UAVS) INCR 1	44,206	26,568
.....	Program Reduction	.....	−17,638
8	HELICOPTER, LIGHT UTILITY (LUH)	305,272	305,272
9	AH-64 APACHE BLOCK III	332,681	332,681
10	AH-64 APACHE BLOCK III (AP-CY)	161,150	161,150
11	UH-60 BLACKHAWK (MYP)	1,250,566	1,250,566
12	UH-60 BLACKHAWK (MYP) (AP-CY)	100,532	100,532
13	CH-47 HELICOPTER	1,101,293	1,101,293
14	CH-47 HELICOPTER (AP-CY)	57,756	57,756
15	HELICOPTER NEW TRAINING	9,383	0
.....	Unjustified Request	.....	−9,383
17	MQ-1 PAYLOAD—UAS	100,413	80,413
.....	Tactical SIGINT Payload Schedule Adjustment	.....	−20,000
18	MQ-1 WEAPONIZATION—UAS	14,729	14,729
19	GUARDRAIL MODS (MIP)	29,899	25,799
.....	Airborne Precision Geolocation	.....	−4,100
20	MULTI SENSOR AIRBORNE RECON (MIP)	16,981	16,981
21	AH-64 MODS	393,769	393,769
23	CH-47 CARGO HELICOPTER MODS	66,207	66,207
25	UTILITY/CARGO AIRPLANE MODS	13,716	13,716
26	AIRCRAFT LONG RANGE MODS	814	814
27	UTILITY HELICOPTER MODS	63,085	80,085
.....	UH-60 A to L conversions	.....	+17,000
28	KIOWA WARRIOR	94,400	42,300
.....	Cockpit and Sensor Upgrade Program Funding Ahead of Need	.....	−52,100
29	AIRBORNE AVIONICS	219,425	207,425
.....	Contract Savings	.....	−12,000
30	GATM ROLLUP	100,862	100,862

P–1		Budget Request	Recommendation
31	RQ-7 UAV MODS	505,015	2,515
.....	Funding Ahead of Need for Installation	.....	−5,000
.....	Transfer to Title IX	.....	−497,500
34	SPARE PARTS (AIR)	7,328	9,956
.....	Transfer from OP,A line 195 at Army request	.....	+2,628
35	AIRCRAFT SURVIVABILITY EQUIPMENT	24,478	24,478
36	ASE INFRARED COUNTER MEASURES	174,222	163,722
.....	Excess to Requirement	.....	−10,500
37	AVIONICS SUPPORT EQUIPMENT	4,885	4,885
38	COMMON GROUND EQUIPMENT	76,129	76,129
39	AIRCREW INTEGRATED SYSTEMS	52,423	52,423
40	AIR TRAFFIC CONTROL	82,844	82,844
41	INDUSTRIAL FACILITIES	1,567	1,567
42	LAUNCHER, 2.75 ROCKET	2,892	2,892
.....	TOTAL, AIRCRAFT PROCUREMENT, ARMY	5,976,867	5,254,791
	MISSILE PROCUREMENT, ARMY		
1	PATRIOT SYSTEM SUMMARY	480,247	613,847
.....	PAC-3 Launchers and Missiles—Army UFR	.....	+133,600
2	SURFACE-LAUNCHED AMRAAM SYS SUMMARY	116,732	102,732
.....	Program Reduction	.....	−14,000
4	HELLFIRE SYS SUMMARY	31,881	31,881
5	JAVELIN (AAWS-M) SYSTEM SUMMARY	163,929	163,929
6	TOW 2 SYSTEM SUMMARY	30,326	24,326
.....	Program Adjustment for Growth in Management and Administration Costs	.....	−6,000
7	TOW 2 SYSTEM SUMMARY (AP-CY)	48,355	0
.....	Excess to Requirement	.....	−48,355
8	BCT NON LINE OF SIGHT LAUNCH SYSTEM	350,574	0
.....	Program Termination	.....	−350,574
9	GUIDED MLRS ROCKET (GMLRS)	291,041	266,041
.....	Program Reduction	.....	−25,000
10	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	15,886	15,886
11	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	211,517	204,517
.....	Program Adjustment, Carriers Procured in fiscal year 2010	.....	−7,000
12	PATRIOT MODS	57,170	57,170
13	ITAS/TOW MODS	13,281	13,281
14	MLRS MODS	8,217	8,217
15	HIMARS MODIFICATIONS	39,371	39,371
16	HELLFIRE MODIFICATIONS	10	10
17	SPARES AND REPAIR PARTS	19,569	19,569
18	AIR DEFENSE TARGETS	3,613	3,613
19	ITEMS LESS THAN $5.0M (MISSILES)	1,208	1,208
20	PRODUCTION BASE SUPPORT	4,510	4,510
.....	TOTAL, MISSILE PROCUREMENT, ARMY	1,887,437	1,570,108
	PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY		
4	STRYKER VEHICLE	299,545	350,945
.....	Transfer from OP,A line 9	.....	+61,300
.....	Adjust Program Management Costs	.....	−9,900
9	STRYKER (MOD)	146,352	85,052
.....	Transfer to OP,A line 4	.....	−61,300
10	FIST VEHICLE (MOD)	31,083	31,083
11	BRADLEY PROGRAM (MOD)	215,133	204,133
.....	Program Reduction	.....	−11,000
12	HOWITZER, MED SP FT 155MM M109A6 (MOD)	105,277	5,277
.....	Program Adjustment for Schedule Slip	.....	−70,000
.....	Transfer to RDTE,A line 116 for Paladin PIM	.....	−30,000
13	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)	69,609	69,609
14	ARMORED BREACHER VEHICLE	77,930	77,930
15	M88 FOV MODS	9,157	9,157
16	JOINT ASSAULT BRIDGE	44,133	0
.....	Funded Ahead of Need	.....	−44,133
17	M1 ABRAMS TANK (MOD)	230,907	230,907
18	ABRAMS UPGRADE PROGRAM	183,000	183,000
19	PRODUCTION BASE SUPPORT (TCV-WTCV)	3,145	3,145
20	HOWITZER, LIGHT, TOWED, 105MM, M119	5,575	0
.....	Funds Excess to Requirement	.....	−5,575
21	M240 MEDIUM MACHINE GUN (7.62MM)	28,179	20,479
.....	Pricing Correction	.....	−7,700
22	MACHINE GUN, CAL .50 M2 ROLL	79,496	0
.....	Transfer to Title IX	.....	−79,496
23	LIGHTWEIGHT .50 CALIBER MACHINE GUN	18,941	18,941
25	MK-19 GRENADE MACHINE GUN (40MM)	4,465	4,465
26	MORTAR SYSTEMS	17,082	17,082
27	M107, CAL. 50, SNIPER RIFLE	235	235
28	XM320 GRENADE LAUNCHER MODULE (GLM)	16,282	16,282
29	M110 SEMI-AUTOMATIC SNIPER SYSTEM (SASS)	5,159	5,159
30	M4 CARBINE	20,180	20,180
31	SHOTGUN, MODULAR ACCESSORY SYSTEM (MASS)	7,153	7,153
33	HANDGUN	3,371	0
.....	Program Reduction	.....	−3,371
35	MK-19 GRENADE MACHINE GUN MODS	4,286	2,986
.....	Tactical Engagement Simulator Terminated	.....	−1,300
36	M4 CARBINE MODS	14,044	14,044
38	M249 SAW MACHINE GUN MODS	5,922	5,922
39	M240 MEDIUM MACHINE GUN MODS	15,852	15,852
40	M119 MODIFICATIONS	39,810	39,810
41	M16 RIFLE MODS	3,855	3,855
43	MODIFICATIONS LESS THAN $5.0M (WOCV-WTCV)	6,083	6,083
45	PRODUCTION BASE SUPPORT (WOCV-WTCV)	7,869	7,869
46	INDUSTRIAL PREPAREDNESS	409	409
47	SMALL ARMS EQUIPMENT (SOLDIER ENH PROG)	4,042	4,042
.....	TOTAL, PROCUREMENT OF W&TCV, ARMY	1,723,561	1,461,086
	PROCUREMENT OF AMMUNITION, ARMY		
1	CTG, 5.56MM, ALL TYPES	195,406	195,406
2	CTG, 7.62MM, ALL TYPES	79,622	79,622
3	CTG, HANDGUN, ALL TYPES	5,377	5,377
4	CTG, .50 CAL, ALL TYPES	160,712	160,712
6	CTG, 25MM, ALL TYPES	15,887	15,887
7	CTG, 30MM, ALL TYPES	95,222	95,222
8	CTG, 40MM, ALL TYPES	167,632	167,632
9	60MM MORTAR, ALL TYPES	14,340	14,340
10	81MM MORTAR, ALL TYPES	24,036	24,036
11	CTG, MORTAR, 120MM, ALL TYPES	96,335	67,735
.....	APMI Unit Cost Savings	.....	−28,600
12	CTG TANK 105MM: ALL TYPES	7,794	7,794
13	CTG, TANK, 120MM, ALL TYPES	114,798	114,798
14	CTG, ARTY, 75MM: ALL TYPES	7,329	7,329
15	CTG, ARTY, 105MM: ALL TYPES	76,658	76,658
16	CTG, ARTY, 155MM, ALL TYPES	45,752	45,752
17	PROJ 155MM EXTENDED RANGE XM982	62,114	30,700

P–1		Budget Request	Recommendation
.....	Exceeds Revised Requirement	.....	−31,414
18	MODULAR ARTILLERY CHARGE SYSTEM (MACS), ALL T	29,309	21,909
.....	Decrease to Reduce Backlog in MACS M232 Production	.....	−7,400
19	ARTILLERY FUZES, ALL TYPES	25,047	15,047
.....	Program Delay, Precision Guidance Kit	.....	−10,000
20	MINES, ALL TYPES	817	817
21	MINE, CLEARING CHARGE, ALL TYPES	8,000	8,000
22	ANTIPERSONNEL LANDMINE ALTERNATIVES	53,005	8,317
.....	FRD Slipped to fiscal year 2012	.....	−44,688
23	INTELLIGENT MUNITIONS SYSTEM (IMS), ALL TYPES	10,246	0
.....	Program Adjustment for Schedule Slip	.....	−10,246
24	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	43,873	43,873
25	ROCKET, HYDRA 70, ALL TYPES	120,628	120,628
26	DEMOLITION MUNITIONS, ALL TYPES	19,824	19,824
27	GRENADES, ALL TYPES	41,803	41,803
28	SIGNALS, ALL TYPES	39,472	39,472
29	SIMULATORS, ALL TYPES	11,389	11,389
30	AMMO COMPONENTS, ALL TYPES	17,499	17,499
31	NON-LETHAL AMMUNITION, ALL TYPES	5,266	5,266
32	CAD/PAD ALL TYPES	5,322	5,322
33	ITEMS LESS THAN $5 MILLION	9,768	9,768
34	AMMUNITION PECULIAR EQUIPMENT	12,721	12,721
35	FIRST DESTINATION TRANSPORTATION (AMMO)	11,786	11,786
36	CLOSEOUT LIABILITIES	100	100
37	PROVISION OF INDUSTRIAL FACILITIES	144,368	144,368
38	LAYAWAY OF INDUSTRIAL FACILITIES	9,504	9,504
39	MAINTENANCE OF INACTIVE FACILITIES	9,025	9,025
40	CONVENTIONAL MUNITIONS DEMILITARIZATION, ALL	178,367	178,367
41	ARMS INITIATIVE	3,261	3,261
.....	TOTAL, PROCUREMENT OF AMMUNITION, ARMY	1,979,414	1,847,066
	OTHER PROCUREMENT, ARMY		
1	TACTICAL TRAILERS/DOLLY SETS	25,560	0
.....	Army Requested Program Adjustment	.....	−25,560
2	SEMITRAILERS, FLATBED:	38,713	0
.....	Funded Ahead of Need	.....	−38,713
5	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	918,195	693,495
.....	Pricing Adjustment	.....	−224,700
6	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIPMENT	21,317	21,317
7	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	549,741	549,741
8	PALLETIZED LOAD SYS—EXTENDED SERVICE PGM	100,108	56,208
.....	Program Adjustment for Schedule Slip	.....	−43,900
9	ARMORED SECURITY VEHICLES (ASV)	114,478	114,478
10	MINE PROTECTION VEHICLE FAMILY	230,978	0
.....	Transfer to Title IX	.....	−230,978
12	TRUCK, TRACTOR, LINE HAUL, M915/M916	37,519	21,519
.....	Excess to Need	.....	−16,000
13	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV	173,565	173,565
15	MODIFICATION OF IN SVC EQUIP	349,256	0
.....	Funded Ahead of Need	.....	−56,300
.....	Transfer to Title IX	.....	−292,956
17	TOWING DEVICE—FIFTH WHEEL	234	234
18	AMC CRITICAL ITEMS, OPA1	746	746
19	HEAVY ARMORED SEDAN	1,875	0
.....	Slow Execution	.....	−1,875
20	PASSENGER CARRYING VEHICLES	3,323	1,323
.....	Slow Execution	.....	−2,000
21	NONTACTICAL VEHICLES, OTHER	19,586	19,586
23	JOINT COMBAT IDENTIFICATION MARKING SYSTEM	11,411	11,411
24	WIN-T—GROUND FORCES TACTICAL NETWORK	421,798	391,798
.....	Program Adjustment, Increment 2 Slow Execution	.....	−20,000
.....	Program Adjustment, Area Common User System Modernization Slow Execution	.....	−10,000
25	JCSE EQUIPMENT (USREDCOM)	4,690	4,690
26	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	115,744	115,744
27	SHF TERM	14,198	14,198
28	SAT TERM, EMUT (SPACE)	662	662
29	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE)	32,193	32,193
30	SMART-T (SPACE)	10,285	10,285
31	SCAMP (SPACE)	930	930
32	GLOBAL BRDCST SVC—GBS	4,586	4,586
33	MOD OF IN-SVC EQUIP (TAC SAT)	1,506	1,506
34	MOD-IN-SERVICE PROFILER	938	938
35	ARMY GLOBAL CMD & CONTROL SYS (AGCCS)	20,387	20,387
36	ARMY DATA DISTRIBUTION SYSTEM (DATA RADIO)	700	700
37	JOINT TACTICAL RADIO SYSTEM	209,568	159,468
.....	Program Reduction in Small Form Factor-C Radio	.....	−5,000
.....	Funded Ahead of Need	.....	−45,100
38	RADIO TERMINAL SET, MIDS LVT(2)	5,796	5,796
39	SINCGARS FAMILY	14,504	12,604
.....	Unjustified Growth	.....	−1,900
40	AMC CRITICAL ITEMS—OPA2	3,860	3,860
41	MULTI-PURPOSE INFORMATION OPERATIONS SYSTEMS	9,501	9,501
42	COMMS-ELEC EQUIP FIELDING	5,965	5,965
43	SPIDER APLA REMOTE CONTROL UNIT	26,358	6,758
.....	Army Requested Program Adjustment	.....	−19,600
44	INTELLIGENT MUNITIONS SYSTEM REMOTE CONTROL UNIT	6,603	0
.....	Funded Ahead of Need	.....	−6,603
45	SOLDIER ENHANCEMENT PROGRAM COMM AND ELECTRONICS	5,125	5,125
46	COMBAT SURVIVOR EVADER LOCATOR (CSEL)	2,397	2,397
47	RADIO, IMPROVED HF (COTS) FAMILY	9,983	9,983
48	MEDICAL COMM FOR CBT CASUALTY CARE (MC4)	23,606	23,606
49	CI AUTOMATION ARCHITECTURE (MIP)	1,465	1,465
50	TSEC—ARMY KEY MGT SYS (AKMS)	25,959	25,959
51	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	63,340	54,858
.....	Protected Information—Biometrics—Transfer to OP,A line 51x	.....	−8,482
51x	FAMILY OF BIOMETRICS	0	8,482
.....	Non-MIP Biometrics—Transfer from OP,A line 51	.....	+8,482
52	TERRESTRIAL TRANSMISSION	137	137
53	BASE SUPPORT COMMUNICATIONS	28,406	28,406
54	WW TECH CON IMP PROG (WWTCIP)	11,566	11,566
55	INFORMATION SYSTEMS	201,081	201,081
56	DEFENSE MESSAGE SYSTEM (DMS)	6,264	6,264
57	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	178,242	178,242
58	PENTAGON INFORMATION MGT AND TELECOM	10,427	10,427
64	JTT/CIBS-M (MIP)	3,321	3,321
65	PROPHET GROUND (MIP)	71,517	71,517
68	DIGITAL TOPOGRAPHIC SPT SYS (DTSS) (MIP)	441	441
70	DCGS-A (MIP)	137,424	0
.....	Transfer to Title IX	.....	−137,424
71	JOINT TACTICAL GROUND STATION (JTAGS)	9,279	9,279
72	TROJAN (MIP)	28,345	28,345
73	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	7,602	7,602
74	CI HUMINT AUTO REPRTING AND COLL(CHARCS)(MIP)	7,416	7,416

P–1		Budget Request	Recommendation
75	ITEMS LESS THAN $5.0M (MIP)	18,721	18,721
76	LIGHTWEIGHT COUNTER MORTAR RADAR	32,980	80,080
	Program Adjustment		+47,100
77	WARLOCK	24,127	16,127
	Excess to Need		−8,000
78	BCT UNATTENDED GROUND SENSOR	29,718	14,718
	Program Reduction		−15,000
79	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	1,394	1,394
80	CI MODERNIZATION (MIP)	1,263	1,263
81	FORWARD AREA AIR DEFENSE—GROUND BASED SENSOR	91,467	91,467
82	SENTINEL MODS	30,976	30,976
83	SENSE THROUGH THE WALL (STTW)	24,939	24,939
84	NIGHT VISION DEVICES	70,528	70,528
85	LONG RANGE ADVANCED SCOUT SURVEILLANCE SYS	255,641	230,641
	Excess to Need		−25,000
86	NIGHT VISION, THERMAL WPN SIGHT	248,899	248,899
87	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	8,520	8,520
89	COUNTER-ROCKET, ARTILLERY & MORTAR	2,088	2,088
91	ARTILLERY ACCURACY EQUIP	6,042	0
	Funded Ahead of Need		−6,042
94	PROFILER	4,408	4,408
95	MOD OF IN-SVC EQUIP (FIREFINDER RADARS)	2,843	2,843
96	FORCE XXI BATTLE CMD BRIGADE & BELOW (FBCB2)	39,786	39,786
97	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	147	147
98	LIGHTWEIGHT LASER DESIGNATOR/RANGEFINDER	65,970	65,970
99	COMPUTER BALLISTICS: LHMBC XM32	815	815
100	MORTAR FIRE CONTROL SYSTEM	16,475	16,475
101	COUNTERFIRE RADARS	275,867	0
	Transfer to Title IX		−275,867
102	ENHANCED SENSOR & MONITORING SYSTEM	2,062	2,062
103	TACTICAL OPERATIONS CENTERS	53,768	43,768
	Program Reduction		−10,000
104	FIRE SUPPORT C2 FAMILY	49,077	49,077
105	BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM	25,866	25,866
106	FAAD C2	42,511	32,511
	Program Reduction		−10,000
107	AIR & MSL DEFENSE PLANNING & CONTROL SYS	57,038	57,038
108	KNIGHT FAMILY	120,723	120,723
109	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	1,710	1,710
110	AUTOMATIC IDENTIFICATION TECHNOLOGY	10,858	10,858
111	TC AIMS II	10,457	10,457
113	TACTICAL INTERNET MANAGER	1,594	1,594
114	NETWORK MANAGEMENT INITIALIZATION AND SERVICE	18,492	18,492
115	MANEUVER CONTROL SYSTEM (MCS)	96,162	96,162
116	SINGLE ARMY LOGISTICS ENTERPRISE (SALE)	99,819	99,819
117	RECONNAISSANCE AND SURVEYING INSTRUMENT SET	15,466	15,466
119	GENERAL FUND ENTERPRISE BUSINESS SYSTEM	97,858	97,858
120	ARMY TRAINING MODERNIZATION	36,158	36,158
121	AUTOMATED DATA PROCESSING EQUIPMENT	203,864	203,864
122	CSS COMMUNICATIONS	39,811	39,811
123	RESERVE COMPONENT AUTOMATION SYS (RCAS)	39,360	39,360
124	ITEMS LESS THAN $5.0M (A/V)	663	663
125	ITEMS LESS THAN $5M (SURVEYING EQUIPMENT)	6,467	6,467
128	PRODUCTION BASE SUPPORT (C-E)	542	542
129	BCT NETWORK	176,543	136,543
	Program Reduction		−40,000
130	PROTECTIVE SYSTEMS	2,489	2,489
131	FAMILY OF NON-LETHAL EQUIPMENT (FNLE)	9,305	9,305
132	CBRN SOLDIER PROTECTION	180,351	180,351
133	SMOKE & OBSCURANT FAMILY: SOF (NON AAO ITEM)	831	831
134	TACTICAL BRIDGING	62,817	62,817
135	TACTICAL BRIDGE, FLOAT-RIBBON	105,837	105,837
136	HANDHELD STANDOFF MINEFIELD DETECTION SYS	43,871	43,871
137	GROUND STANDOFF MINE DETECTION SYSTEM	35,002	35,002
138	EXPLOSIVE ORDNANCE DISPOSAL EQUIPMENT	54,093	54,093
139	ITEMS LESS THAN $5M, COUNTERMINE EQUIPMENT	3,655	3,655
141	HEATERS AND ECU'S	20,610	20,610
143	SOLDIER ENHANCEMENT	5,416	5,416
146	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	7,813	7,813
147	GROUND SOLDIER SYSTEM	110,524	96,024
	Program Reduction		−14,500
148	MOUNTED SOLDIER SYSTEM	38,872	38,872
149	FORCE PROVIDER	41,539	41,539
150	FIELD FEEDING EQUIPMENT	23,826	23,826
151	CARGO AERIAL DELIVERY AND PERSONNEL PARACHUTE SYSTEM	69,496	69,496
152	MOBILE INTEGRATED REMAINS COLLECTION SYSTEM	26,532	26,532
153	ITEMS LESS THAN $5M (ENGINEER SUPPORT)	31,420	31,420
154	DISTRIBUTION SYSTEMS, PETROLEUM AND WATER	175,069	164,369
	Program Adjustment		−10,700
155	WATER PURIFICATION SYSTEMS	3,597	0
	Funded Ahead of Need		−3,597
156	COMBAT SUPPORT MEDICAL	30,365	30,365
157	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	159,285	139,985
	Unjustified Growth		−19,300
158	ITEMS LESS THAN $5.0M (MAINT EQ)	3,702	3,702
159	GRADER, ROAD MOTORIZED, HVY, 6X4 (CCE)	48,379	48,379
160	SKID STEER LOADER (SSL) FAMILY OF SYSTEM	17,498	17,498
161	SCRAPERS, EARTHMOVING	12,452	12,452
163	MISSION MODULES–ENGINEERING	62,111	54,111
	Unjustified Growth		−8,000
164	LOADERS	7,205	7,205
165	HYDRAULIC EXCAVATOR	8,458	8,458
166	TRACTOR, FULL TRACKED	64,032	64,032
167	PLANT, ASPHALT MIXING	10,783	10,783
168	HIGH MOBILITY ENGINEER EXCAVATOR (HMEE) FOS	64,959	60,959
	Unjustified Growth		−4,000
169	CONSTRUCTION EQUIPMENT ESP	11,063	11,063
170	ITEMS LESS THAN $5.0M (CONSTRUCTION EQUIP)	20,565	17,565
	Unjustified Growth		−3,000
171	JOINT HIGH SPEED VESSEL (JHSV)	202,764	202,764
172	HARBORMASTER COMMAND AND CONTROL CENTER(HCCC)	37,683	37,683
173	ITEMS LESS THAN $5.0M (FLOAT/RAIL)	8,052	8,052
174	GENERATORS AND ASSOCIATED EQUIPMENT	113,573	113,573
175	ROUGH TERRAIN CONTAINER HANDLER (RTCH)	29,460	29,460
176	FAMILY OF FORKLIFTS	12,936	12,936
177	ALL TERRAIN LIFTING ARMY SYSTEM	17,352	17,352
178	COMBAT TRAINING CENTERS SUPPORT	23,400	23,400
179	TRAINING DEVICES, NONSYSTEM	297,200	322,200
	Training Range Upgrades		+25,000
180	CLOSE COMBAT TACTICAL TRAINER	64,912	64,912
181	AVIATION COMBINED ARMS TACTICAL TRAINER	26,120	26,120
182	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	4,964	4,964
183	CALIBRATION SETS EQUIPMENT	38,778	38,778

P–1		Budget Request	Recommendation
184	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	104,472	104,472
185	TEST EQUIPMENT MODERNIZATION (TEMOD)	19,166	18,166
.....	Funded Ahead of Need	.....	−1,000
186	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	42,229	21,229
.....	Excess to Need	.....	−21,000
187	PHYSICAL SECURITY SYSTEMS (OPA3)	56,195	56,195
188	BASE LEVEL COMMERCIAL EQUIPMENT	1,873	1,873
189	MODIFICATION OF IN-SVC EQUIPMENT (OPA–3)	103,046	82,046
.....	Program Adjustment	.....	−21,000
190	PRODUCTION BASE SUPPORT (OTH)	2,233	2,233
192	SPECIAL EQUIPMENT FOR USER TESTING	44,483	44,483
193	AMC CRITICAL ITEMS OPA3	13,104	13,104
194	MA8975	3,894	3,894
195	BCT UNMANNED GROUND VEHICLE	20,046	20,046
196	BCT TRAINING/LOGISTICS/MANAGEMENT	61,581	31,581
.....	Program Reduction	.....	−30,000
197	INITIAL SPARES—C&E	38,707	36,079
.....	Transfer to AP,A line 34 at Army request	.....	−2,628
.....	CLASSIFIED PROGRAMS	2,560	2,560
xx	PROCUREMENT INNOVATION	0	15,000
.....	Procurement Innovation	.....	+15,000
.....	TOTAL, OTHER PROCUREMENT, ARMY	9,765,808	8,145,665
	AIRCRAFT PROCUREMENT, NAVY		
1	EA–18G	1,028,801	971,241
.....	Multi-year Procurement Savings	.....	−49,836
.....	Support Funding Carryover	.....	−7,724
2	EA–18G (AP–CY)	55,081	55,081
3	F/A–18E/F (FIGHTER) HORNET (MYP)	1,784,894	1,684,086
.....	Multi-year Procurement Savings	.....	−92,746
.....	Support Funding Carryover	.....	−8,062
4	F/A–18E/F (FIGHTER) HORNET (MYP) (AP–CY)	2,295	2,295
5	JOINT STRIKE FIGHTER	1,667,093	1,653,093
.....	Support Funding Carryover	.....	−14,000
6	JOINT STRIKE FIGHTER ADVANCE PROCUREMENT (CY)	219,895	219,895
7	JSF STOVL	2,289,816	555,716
.....	Support Funding Carryover	.....	−42,500
.....	Delete Two Aircraft	.....	−391,600
.....	Transfer Eight Aircraft to CTOL Variant	.....	−1,300,000
8	JSF STOVL (AP–CY)	286,326	286,326
9	V-22 (MEDIUM LIFT)	2,121,036	2,121,036
10	V-22 (MEDIUM LIFT) (AP–CY)	81,875	81,875
11	UH-1Y/AH–1Z	738,709	738,709
12	UH–1Y/AH–1Z (AP–CY)	69,360	58,560
.....	Unjustified Cost Growth	.....	−10,800
13	MH–60S (MYP)	478,591	478,591
14	MH–60S (MYP) (AP–CY)	70,080	66,280
.....	Unexecutable EOQ	.....	−3,800
15	MH-60R	897,933	897,933
16	MH–60R (AP–CY)	162,006	129,006
.....	Unexecutable EOQ	.....	−33,000
17	P–8A POSEIDON	1,824,437	1,820,560
.....	Operational Flight Trainer Cost Growth	.....	−2,155
.....	Weapons Tactics Trainer Cost Growth	.....	−1,722
18	P–8A POSEIDON (ADVANCED PROCUREMENT)	166,153	147,653
.....	Funded Ahead of Need	.....	−18,500
19	E–2C (EARLY WARNING) HAWKEYE (MYP)	819,184	819,184
20	E–2C (EARLY WARNING) HAWKEYE (MYP) (AP–CY)	118,619	118,619
21	C–40A	.....	74,100
.....	Add One Aircraft	.....	+74,100
22	JPATS	266,065	26,274
.....	Contract Delay	.....	−234,849
.....	Support Funding Carryover	.....	−4,942
26	MQ– UAV	47,484	43,984
.....	Support Funding Carryover	.....	−3,500
27	STUASLO UAV	23,912	0
.....	Program Delay	.....	−23,912
29	EA–6 SERIES	14,891	0
.....	Unjustified Request in Avionics and Structural Improvements OSIP	.....	−8,900
.....	ICAP III OSIP Unjustified Request	.....	−5,991
30	AEA SYSTEMS	33,772	29,972
.....	Low Band Transmitter Modification Kit Pricing	.....	−1,400
.....	ECO growth	.....	−2,400
31	AV–8 SERIES	19,386	19,386
32	F–18 SERIES	492,821	443,806
.....	ECP 904 Modification Kit Cost Growth	.....	−2,310
.....	ECP 583R2 Installation Equipment Kit Cost Growth	.....	−3,780
.....	ATFLIR Installation Equipment Kit Cost Growth	.....	−11,745
.....	Mission Planning/Unique Planning Component Growth	.....	−2,400
.....	OSIP 002-07 Excess ECO Funding	.....	−9,000
.....	ECP6279 Radar Modification Kits Ahead of Need	.....	−7,880
.....	OSIP 001-10 Integrated Logistics Support Growth	.....	−2,500
.....	Unjustified Cost Growth	.....	−9,400
33	H–46 SERIES	17,685	17,685
34	AH–1W SERIES	11,011	11,011
35	H-53 SERIES	25,871	25,871
36	SH-60 SERIES	67,779	67,779
37	H-1 SERIES	3,060	3,060
38	EP-3 SERIES	90,323	90,323
39	P-3 SERIES	221,982	186,982
.....	Unjustified Cost Growth	.....	−35,000
40	E-2 SERIES	47,046	67,046
.....	Reliability Enhancements for E-2C	.....	+20,000
41	TRAINER A/C SERIES	23,999	23,999
42	C-2A	16,020	16,020
43	C-130 SERIES	17,839	17,839
44	FEWSG	21,928	16,696
.....	AN/ALQ-167 Modification Kit Cost Growth	.....	−5,232
45	CARGO/TRANSPORT A/C SERIES	16,092	16,092
46	E-6 SERIES	149,164	121,194
.....	Block 1 Upgrade Training Kit Cost Growth	.....	−5,040
.....	Block 1 Upgrade OSIP Support Funding Growth	.....	−3,000
.....	SLEP Installation Delay	.....	−2,630
.....	Funded Ahead of Need	.....	−17,300
47	EXECUTIVE HELICOPTERS SERIES	43,443	43,443
48	SPECIAL PROJECT AIRCRAFT	14,679	14,679
49	T–45 SERIES	61,515	46,215
.....	Engine Surge OSIP Installation Funding Ahead of Need	.....	−500
.....	Engine Surge OSIP Contract Delay	.....	−2,800
.....	Required Avionics Modernization Program Modification Kit Cost Growth	.....	−3,900
.....	Synthetic Aperture Radar OSIP Contract Delay	.....	−8,100
50	POWER PLANT CHANGES	19,948	19,948
51	JPATS SERIES	1,831	1,831

P–1		Budget Request	Recommendation
52	AVIATION LIFE SUPPORT MODS	8,084	2,984
.....	Transfer to RDTE,N line 93 for Common Mobile Aircrew Restraint System	.....	−5,100
53	COMMON ECM EQUIPMENT	21,947	21,947
54	COMMON AVIONICS CHANGES	101,120	79,820
.....	CNS/ATM Installation Equipment Contract Savings	.....	−12,400
.....	CNS/ATM Installation Funding Ahead of Need	.....	−1,400
.....	Tactical Moving Map Capability Modifications Funding Ahead of Need	.....	−7,500
56	ID SYSTEMS	20,397	20,397
57	RQ-7 SERIES	18,121	18,121
58	V-22 (TILT/ROTOR ACFT) OSPREY	21,985	21,985
59	SPARES AND REPAIR PARTS	1,244,673	1,234,084
.....	JPATS Contract Delay	.....	−10,589
60	COMMON GROUND EQUIPMENT	322,063	322,063
61	AIRCRAFT INDUSTRIAL FACILITIES	17,998	17,998
62	WAR CONSUMABLES	25,248	25,248
63	OTHER PRODUCTION CHARGES	7,579	7,579
64	SPECIAL SUPPORT EQUIPMENT	45,916	45,916
65	FIRST DESTINATION TRANSPORTATION	1,752	1,752
.....	TOTAL, AIRCRAFT PROCUREMENT, NAVY	18,508,613	16,170,868
	WEAPONS PROCUREMENT, NAVY		
1	TRIDENT II MODS	1,106,911	1,106,911
2	MISSILE INDUSTRIAL FACILITIES	3,446	3,446
3	TOMAHAWK	300,178	288,278
.....	Production Engineering Support Growth	.....	−1,900
.....	Support Funding Carryover	.....	−10,000
4	AMRAAM	155,553	145,553
.....	Support Funding Carryover	.....	−10,000
5	SIDEWINDER	52,293	52,293
6	JSOW	131,141	129,641
.....	Support Funding Carryover	.....	−1,500
7	STANDARD MISSILE	295,922	248,222
.....	Support Funding Carryover	.....	−5,700
.....	Smooth Production Ramp - SM 6	.....	−42,000
8	RAM	74,976	68,046
.....	Contract Savings	.....	−1,930
.....	Program Rebaselined - Milestone C Slip for Block II	.....	−5,000
9	HELLFIRE	43,495	41,995
.....	Support Funding Carryover	.....	−1,500
10	AERIAL TARGETS	43,988	42,888
.....	ECM/Emitter Equipment Cost Growth	.....	−1,100
11	OTHER MISSILE SUPPORT	3,981	3,981
12	ESSM	48,152	45,515
.....	Support Funding Carryover	.....	−2,637
13	HARM MODS	53,543	52,191
.....	Support Funding Carryover	.....	−1,352
14	STANDARD MISSILES MODS	61,896	61,896
15	WEAPONS INDUSTRIAL FACILITIES	3,281	3,281
16	FLEET SATELLITE COMM FOLLOW-ON	505,734	505,734
18	ORDNANCE SUPPORT EQUIPMENT	52,152	52,152
19	ASW TARGETS	10,123	5,197
.....	Contract Delay	.....	−4,926
20	MK-46 TORPEDO MODS	42,144	42,144
21	MK-48 TORPEDO ADCAP MODS	43,559	29,859
.....	Contract Delay - Funds for 15 kits and NRE	.....	−13,700
22	QUICKSTRIKE MINE	6,090	6,090
23	TORPEDO SUPPORT EQUIPMENT	43,766	43,766
24	ASW RANGE SUPPORT	9,557	9,557
25	FIRST DESTINATION TRANSPORTATION	3,494	3,494
26	SMALL ARMS AND WEAPONS	14,316	14,316
27	CIWS MODS	41,408	29,022
.....	Block 1B Systems Ahead of Need	.....	−12,386
28	COAST GUARD WEAPONS	20,657	13,259
.....	CIWS Ahead of Need	.....	−5,698
.....	MK160 Ahead of Need	.....	−1,700
29	GUN MOUNT MODS	43,991	40,791
.....	Installation Funding Ahead of Need	.....	−3,200
30	LCS MODULE WEAPONS	9,808	0
.....	NLOS Program Termination	.....	−9,808
31	CRUISER MODERNIZATION WEAPONS	52,426	50,626
.....	Support Funding Carryover	.....	−1,800
32	AIRBORNE MINE NEUTRALIZATION SYSTEMS	23,007	23,007
35	SPARES AND REPAIR PARTS	58,806	58,806
.....	TOTAL, WEAPONS PROCUREMENT, NAVY	3,359,794	3,221,957
	PROCUREMENT OF AMMO, NAVY & MARINE CORPS		
1	GENERAL PURPOSE BOMBS	80,028	77,928
.....	Direct Attack Moving Target Capability Program Cost Growth	.....	−2,100
3	AIRBORNE ROCKETS, ALL TYPES	38,721	23,171
.....	MK 66 Rocket Motor (Mod 4) Unit Cost Efficiencies	.....	−6,000
.....	2.75 Launcher Unit Cost Efficiencies	.....	−9,550
4	MACHINE GUN AMMUNITION	21,003	21,003
5	PRACTICE BOMBS	33,666	31,666
.....	Support Funding Carryover	.....	−2,000
6	CARTRIDGES & CART ACTUATED DEVICES	53,667	52,167
.....	Program Execution Delays	.....	−1,500
7	AIR EXPENDABLE COUNTERMEASURES	59,626	59,626
8	JATOS	2,869	2,869
9	5 INCH/54 GUN AMMUNITION	34,492	33,492
.....	Product Improvement Growth	.....	−1,000
10	INTERMEDIATE CALIBER GUN AMMUNITION	37,234	37,234
11	OTHER SHIP GUN AMMUNITION	36,275	36,275
12	SMALL ARMS & LANDING PARTY AMMO	46,192	46,192
13	PYROTECHNIC AND DEMOLITION	11,310	10,079
.....	MK-62 Firing Device Contract Delay	.....	−1,231
14	AMMUNITION LESS THAN $5 MILLION	4,105	4,105
15	SMALL ARMS AMMUNITION	64,839	64,839
16	LINEAR CHARGES, ALL TYPES	15,329	15,329
17	40 MM, ALL TYPES	62,835	62,835
18	60MM, ALL TYPES	17,877	17,877
19	81MM, ALL TYPES	41,053	41,053
20	120MM, ALL TYPES	6,458	6,458
21	CTG 25MM, ALL TYPES	2,937	2,937
22	GRENADES, ALL TYPES	9,298	8,092
.....	Funded Ahead of Need for Scorpion	.....	−1,206
23	ROCKETS, ALL TYPES	13,995	13,995
24	ARTILLERY, ALL TYPES	70,423	67,546
.....	Decrease to Reduce Backlog in MACS M232 Production	.....	−2,877
25	DEMOLITION MUNITIONS, ALL TYPES	19,464	19,464
26	FUZE, ALL TYPES	18,032	18,032
27	NON LETHALS	3,009	3,009
28	AMMO MODERNIZATION	8,985	8,985

P–1		Budget Request	Recommendation
29	ITEMS LESS THAN $5 MILLION	4,269	4,269
.....	TOTAL, PROCUREMENT OF AMMO, NAVY & MARINE CORPS	817,991	790,527
	SHIPBUILDING & CONVERSION, NAVY		
1	CARRIER REPLACEMENT PROGRAM	1,731,256	1,721,969
.....	Consolidated Afloat Navy Enterprise System Increment 1		−2,600
.....	Surface Electronic Warfare Improvement		−4,900
.....	AN/UPX-29		−1,787
2	CARRIER REPLACEMENT PROGRAM (AP-CY)	908,313	908,313
3	VIRGINIA CLASS SUBMARINE	3,441,452	3,430,343
.....	Sonar System Hardware Cost Growth		−5,795
.....	Modular Mast Cost Growth		−1,430
.....	Propulsor Cost Growth		−3,884
4	VIRGINIA CLASS SUBMARINE (AP–CY)	1,691,236	1,691,236
5	CVN REFUELING OVERHAUL	1,255,799	1,248,999
.....	SSDS Program Management Excess		−1,800
.....	SSDS Software Growth		−2,000
.....	CEC Testing and Evaluation Excess		−3,000
6	CVN REFUELING OVERHAULS (AP-CY)	408,037	408,037
9	DDG 1000	186,312	77,512
.....	Volume Search Radar		−108,800
10	DDG-51	2,922,190	2,868,454
.....	MK-12 IFF Cost Growth		−4,986
.....	CIWS Block 1B Cost Growth		−2,256
.....	Exterior Communication System Cost Growth		−6,294
.....	Main Reduction Gear Systems Engineering Growth		−10,200
.....	Main Reduction Gear Contract Savings		−30,000
11	DDG-51 (AP-CY)	47,984	47,984
12	LITTORAL COMBAT SHIP	1,230,984	1,168,984
.....	Cost Savings		−62,000
13	LITTORAL COMBAT SHIP (AP-CY)	278,351	190,351
.....	Program Reduction		−88,000
16	LHA REPLACEMENT (AP-CY)	949,897	942,837
.....	C4ISR Cost Growth		−5,174
.....	Rolling Airframe Missile System Cost Growth		−1,886
18	INTRATHEATER CONNECTOR	180,703	180,703
19	OCEANOGRAPHIC SHIPS	88,561	88,561
20	OUTFITTING	306,640	295,570
.....	JHSV-1 Outfitting Funding Phasing		−3,426
.....	LPD-25 Outfitting Funding Phasing		−2,500
.....	DDG-1000 Post-Delivery Phasing		−1,757
.....	LPD-23 Post-Delivery Phasing		−3,387
21	SERVICE CRAFT	13,770	13,770
22	LCAC SLEP	83,035	83,035
.....	TOTAL, SHIPBUILDING & CONVERSION, NAVY	15,724,520	15,366,658
	OTHER PROCUREMENT, NAVY		
1	LM-2500 GAS TURBINE	12,137	10,525
.....	Turbine Digital Fuel Controls Cost Growth		−1,612
2	ALLISON 501K GAS TURBINE	14,923	14,923
4	OTHER NAVIGATION EQUIPMENT	23,167	23,167
5	SUB PERISCOPES & IMAGING EQUIP	85,619	73,559
.....	AN/BVS-1 Mast Tech Insertion Spares		−1,849
.....	ISIS Tech Insertion Kits Ahead of Need		−2,769
.....	Support Funding Carryover		−1,700
.....	Contractor Repair Funding Growth		−5,742
6	DDG MOD	296,691	289,691
.....	Multi-Mission BMD Capability Upgrade Kits Cost Growth		−1,000
.....	Engineering Services Unjustified Cost Growth		−6,000
7	FIREFIGHTING EQUIPMENT	11,974	9,304
.....	Self-Contained Breathing Apparatus Kits Excess to Requirements		−1,570
.....	Support Funding Carryover		−1,100
8	COMMAND AND CONTROL SWITCHBOARD	3,962	2,362
.....	Unjustified Request		−1,600
9	POLLUTION CONTROL EQUIPMENT	25,614	25,614
10	SUBMARINE SUPPORT EQUIPMENT	7,730	7,730
11	VIRGINIA CLASS SUPPORT EQUIPMENT	132,039	130,039
.....	Spare Main Propulsion Shaft Ahead of Need		−2,000
12	SUBMARINE BATTERIES	44,057	31,057
.....	Support Funding Carryover		−1,500
.....	Excess Installation Funding		−11,500
13	STRATEGIC PLATFORM SUPPORT EQUIP	22,811	22,811
14	DSSP EQUIPMENT	3,869	3,869
15	CG-MODERNIZATION	356,958	350,958
.....	Engineering Services Unjustified Cost Growth		−6,000
16	LCAC	9,142	2,642
.....	Personnel Transport Module Contract Delay		−6,500
18	UNDERWATER EOD PROGRAMS	15,908	15,908
19	ITEMS LESS THAN $5 MILLION	126,842	119,698
.....	LCS Waterjets Spares Ahead of Need		−5,296
.....	Voltage Regulators Ahead of Need		−1,848
20	CHEMICAL WARFARE DETECTORS	7,470	7,470
21	SUBMARINE LIFE SUPPORT SYSTEM	13,016	13,016
22	REACTOR POWER UNITS	438,503	438,503
23	REACTOR COMPONENTS	266,469	266,469
24	DIVING AND SALVAGE EQUIPMENT	10,227	10,227
25	STANDARD BOATS	27,725	49,225
.....	Range Support Craft		+21,500
26	OTHER SHIPS TRAINING EQUIPMENT	16,094	16,094
27	OPERATING FORCES IPE	49,856	91,476
.....	Program Increase - Shipyard Capital Investment Program		+41,620
28	NUCLEAR ALTERATIONS	116,829	116,829
29	LCS MODULES	82,951	41,369
.....	MCM Module Production Support Growth		−6,000
.....	Consulting Services Growth		−3,064
.....	Excess Remote Multi-Mission Vehicle Funding		−7,600
.....	Mission Package Computer Environment Units Ahead of Need		−2,268
.....	AN/AQS-20A—Ahead of Need		−22,650
30	LSD MIDLIFE	106,612	102,612
.....	60-ton Deck Crane Contract Delay		−1,000
.....	Boat Davit and Ballast Control System Installations Ahead of Need		−3,000
31	RADAR SUPPORT	12,030	7,000
.....	Periscope Detection Radar Installation Funding Ahead of Need		−3,500
.....	Excess Miscellaneous Funding		−1,530
32	SPQ-9B RADAR	8,887	5,687
.....	Excess Antenna Funding		−2,200
.....	Support Funding Carryover		−1,000
33	AN/SQQ-89 SURF ASW COMBAT SYSTEM	87,219	85,219
.....	Support Funding Carryover		−2,000
34	SSN ACOUSTICS	237,015	234,015

P–1		Budget Request	Recommendation
.....	Installation Costs Unjustified Growth	.....	−3,000
35	UNDERSEA WARFARE SUPPORT EQUIPMENT	29,641	27,241
.....	Common Data Link Modification Installation Funding Ahead of Need	.....	−2,400
36	SONAR SWITCHES AND TRANSDUCERS	14,056	13,056
.....	TR-317 Module Cost Growth	.....	−1,000
37	SUBMARINE ACOUSTIC WARFARE SYSTEM	20,739	18,539
.....	Next Generation Countermeasure Funding Ahead of Need	.....	−2,200
38	SSTD	2,206	0
.....	AN/SLQ-25D Ahead of Need	.....	−2,206
39	FIXED SURVEILLANCE SYSTEM	57,481	57,481
40	SURTASS	8,468	8,468
41	TACTICAL SUPPORT CENTER	18,586	18,586
42	AN/SLQ-32	49,677	23,257
.....	Support Funding Carryover	.....	−2,000
.....	Block 1B3 Incremental Funding	.....	−7,520
.....	Block 2 Incremental Funding	.....	−16,900
43	SHIPBOARD IW EXPLOIT	105,624	105,624
44	AUTOMATED IDENTIFICATION SYSTEM (AIS)	1,299	1,299
45	SUBMARINE SUPPORT EQUIPMENT PROG	71,558	70,108
.....	ESM Capability Insertion (CI-06) Kits Ahead of Need	.....	−1,450
46	COOPERATIVE ENGAGEMENT CAPABILITY	31,091	25,691
.....	Planar Antenna Funding Ahead of Need	.....	−5,400
47	TRUSTED INFORMATION SYSTEM (TIS)	338	338
48	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	33,358	33,358
49	ATDLS	2,273	2,273
50	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	8,920	8,920
51	MINESWEEPING SYSTEM REPLACEMENT	81,441	60,710
.....	Remote Minehunting System (RMS)	.....	−5,027
.....	Support Funding Carryover	.....	−2,272
.....	Expendable Mine Neutralization System Funding Ahead of Need	.....	−12,432
.....	Assessment and Identification of Mine Susceptibility Growth	.....	−1,000
52	SHALLOW WATER MCM	9,236	1,261
.....	Cobra Block 1 Contract Delay	.....	−7,975
53	NAVSTAR GPS RECEIVERS (SPACE)	9,319	9,319
54	ARMED FORCES RADIO AND TV	3,328	3,328
55	STRATEGIC PLATFORM SUPPORT EQUIP	4,248	4,248
56	OTHER TRAINING EQUIPMENT	29,061	27,761
.....	COTS Obsolescence Growth	.....	−1,300
57	MATCALS	16,747	14,747
.....	ASPARCS Cost Growth	.....	−2,000
58	SHIPBOARD AIR TRAFFIC CONTROL	7,658	7,658
59	AUTOMATIC CARRIER LANDING SYSTEM	15,169	10,782
.....	AN/SPN-46 Radar Modification Kits Ahead of Need	.....	−4,387
60	NATIONAL AIR SPACE SYSTEM	17,531	17,531
61	AIR STATION SUPPORT EQUIPMENT	6,851	6,851
62	MICROWAVE LANDING SYSTEM	8,551	8,551
63	ID SYSTEMS	29,572	23,122
.....	AN/URN-25 TACAN Upgrade Kits Ahead of Need	.....	−2,450
.....	Support Funding Carryover	.....	−4,000
64	TAC A/C MISSION PLANNING SYS (TAMPS)	9,098	7,798
.....	Support Funding Carryover	.....	−1,300
65	DEPLOYABLE JOINT COMMAND AND CONT	8,542	8,542
66	TADIX-B	6,909	2,944
.....	AN/USC-151 Upgrade Kit Ahead of Need	.....	−3,965
67	GCCS-M EQUIPMENT TACTICAL/MOBILE	9,832	9,832
68	DCGS-N	16,634	16,634
69	CANES	34,398	10,264
.....	Funded Ahead of Need	.....	−24,134
70	RADIAC	6,104	5,197
.....	Air Particulate Detector Contract Delay	.....	−907
71	CANES-INTELL	10,432	3,140
.....	Ahead of Need	.....	−7,292
72	GPETE	5,861	5,861
73	INTEG COMBAT SYSTEM TEST FACILITY	4,445	4,445
74	EMI CONTROL INSTRUMENTATION	4,737	4,737
75	ITEMS LESS THAN $5 MILLION	51,048	29,307
.....	SPS-73 Tech Refresh/Obsolescence Growth	.....	−741
.....	SPS-48 ECO and Support Cost Growth	.....	−3,000
.....	SPS-48 Upgrade Kits Ahead of Need	.....	−13,600
.....	Installation Funding Ahead of Need	.....	−4,400
78	SHIP COMMUNICATIONS AUTOMATION	260,551	230,174
.....	Support Funding Carryover	.....	−1,500
.....	ISNS Upgrade Kits Installation Funding Ahead of Need	.....	−9,000
.....	CENTRIXS Installation Funding Ahead of Need	.....	−1,425
.....	SCI Network Installation Funding Ahead of Need	.....	−2,100
.....	ADNS Units Ahead of Need	.....	−16,352
79	MARITIME DOMAIN AWARENESS (MDA)	9,250	7,650
.....	CENTRIXS Modification Kit Installation Funding Ahead of Need	.....	−1,600
80	COMMUNICATIONS ITEMS UNDER $5M	39,846	31,169
.....	Battle Force Tactical Network Ahead of Need	.....	−8,677
82	SUBMARINE COMMUNICATION EQUIPMENT	59,013	55,737
.....	Common Submarine Radio Room Modification Kit Cost Growth	.....	−1,029
.....	CSSR Seawolf Ahead of Need	.....	−2,247
83	SATELLITE COMMUNICATIONS SYSTEMS	28,665	28,665
84	NAVY MULTIBAND TERMINAL (NMT)	161,021	161,021
85	JCS COMMUNICATIONS EQUIPMENT	2,256	2,256
86	ELECTRICAL POWER SYSTEMS	1,309	1,309
87	NAVAL SHORE COMMUNICATIONS	3,422	3,422
88	INFO SYSTEMS SECURITY PROGRAM (ISSP)	120,529	114,357
.....	SV-21 Unit Cost Growth	.....	−1,672
.....	Support Funding Carryover	.....	−2,000
.....	CND Increment 2 Ahead of Need	.....	−2,500
89	CRYPTOLOGIC COMMUNICATIONS EQUIP	18,322	18,322
90	COAST GUARD EQUIPMENT	20,189	20,189
92	SONOBUOYS—ALL TYPES	87,846	83,846
.....	Support Funding Carryover	.....	−4,000
93	WEAPONS RANGE SUPPORT EQUIPMENT	51,742	59,700
.....	East Coast USWTR Support Funding Carryover	.....	−3,500
.....	East Coast USWTR Ahead of Need	.....	−8,542
.....	Training Range Upgrades	.....	+20,000
94	EXPEDITIONARY AIRFIELDS	8,429	8,429
95	AIRCRAFT REARMING EQUIPMENT	11,134	11,134
96	AIRCRAFT LAUNCH & RECOVERY EQUIPMENT	37,063	28,881
.....	Advanced Recovery Control and Aviation Data Management and Control Systems Cost Growth	.....	−1,782
.....	Support Funding Carryover	.....	−1,400
.....	Production Engineering Unjustified Cost Growth	.....	−5,000
97	METEOROLOGICAL EQUIPMENT	25,581	25,581
98	OTHER PHOTOGRAPHIC EQUIPMENT	1,573	1,573
99	AVIATION LIFE SUPPORT	40,696	24,796
.....	JHMCS Ahead of Need	.....	−15,900
100	AIRBORNE MINE COUNTERMEASURES	35,855	35,855
101	LAMPS MK III SHIPBOARD EQUIPMENT	20,662	16,382
.....	Units Ahead of Need	.....	−4,280

P–1		Budget Request	Recommendation
102	PORTABLE ELECTRONIC MAINTENANCE AIDS	12,812	10,612
	Production Support Growth		−2,200
103	OTHER AVIATION SUPPORT EQUIPMENT	12,018	12,018
104	NAVAL FIRES CONTROL SYSTEM	1,086	1,086
105	GUN FIRE CONTROL EQUIPMENT	8,076	8,076
106	NATO SEASPARROW	11,121	10,161
	ECP and Production Support Growth		−960
107	RAM GMLS	11,805	6,800
	GMLS Ordalts Contract Delay		−5,005
108	SHIP SELF DEFENSE SYSTEM	54,290	45,902
	Ship Self Defense System Modification Kits Ahead of Need		−8,388
109	AEGIS SUPPORT EQUIPMENT	162,307	82,307
	COTS Tech Refresh Growth		−3,000
	Ship Change Documentation Growth		−4,500
	Navy Requested Transfer to RDTE,DW line 84 for Ballistic Missile Defense		−72,500
110	TOMAHAWK SUPPORT EQUIPMENT	88,698	88,698
111	VERTICAL LAUNCH SYSTEMS	5,698	5,698
112	STRATEGIC MISSILE SYSTEMS EQUIP	184,034	159,034
	Fire Control Tech Refresh Growth		−5,000
	Contract Delays		−20,000
113	SSN COMBAT CONTROL SYSTEMS	88,004	77,390
	TI-04 Modification Contract Savings		−2,214
	Excess TI-04 and Out Modification Installation Funding		−8,400
114	SUBMARINE ASW SUPPORT EQUIPMENT	5,282	5,282
115	SURFACE ASW SUPPORT EQUIPMENT	8,323	8,323
116	ASW RANGE SUPPORT EQUIPMENT	7,121	7,121
117	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	58,288	58,288
118	ITEMS LESS THAN $5 MILLION	3,546	2,480
	Industrial Facilities Contract Delay		−1,066
119	ANTI-SHIP MISSILE DECOY SYSTEM	36,588	36,588
120	SURFACE TRAINING DEVICE MODS	7,337	7,337
121	SUBMARINE TRAINING DEVICE MODS	34,519	34,519
122	PASSENGER CARRYING VEHICLES	3,719	3,719
123	GENERAL PURPOSE TRUCKS	584	584
124	CONSTRUCTION & MAINTENANCE EQUIP	13,935	10,435
	Contract Delays		−3,500
125	FIRE FIGHTING EQUIPMENT	12,853	12,853
126	TACTICAL VEHICLES	31,741	25,241
	FMTV Contract Savings		−2,300
	Energy Initiative Unjustified Requirement		−4,200
127	AMPHIBIOUS EQUIPMENT	3,132	3,132
128	POLLUTION CONTROL EQUIPMENT	5,154	5,154
129	ITEMS UNDER $5 MILLION	24,770	24,770
130	PHYSICAL SECURITY VEHICLES	1,128	1,128
131	MATERIALS HANDLING EQUIPMENT	15,504	14,030
	General Purpose Forklift Cost Growth		−1,474
132	OTHER SUPPLY SUPPORT EQUIPMENT	6,655	6,655
133	FIRST DESTINATION TRANSPORTATION	6,315	6,315
134	SPECIAL PURPOSE SUPPLY SYSTEMS	66,549	66,549
135	TRAINING SUPPORT EQUIPMENT	11,429	11,429
137	COMMAND SUPPORT EQUIPMENT	47,306	37,840
	BUPERS Software Cost Growth		−2,500
	SPAWAR Hardware Items Cost Growth		−1,080
	ERP Kits Cost Growth		−900
	JFCOM National Small Unit Center		−3,075
	Future Pay and Personnel System Ahead of Need		−1,911
138	EDUCATION SUPPORT EQUIPMENT	2,067	2,067
139	MEDICAL SUPPORT EQUIPMENT	7,679	5,679
	Fleet Allowance List Outfitting Cost Growth		−2,000
141	NAVAL MIP SUPPORT EQUIPMENT	1,433	1,433
143	OPERATING FORCES SUPPORT EQUIPMENT	12,754	12,754
144	C4ISR EQUIPMENT	5,317	5,317
145	ENVIRONMENTAL SUPPORT EQUIPMENT	20,033	20,033
146	PHYSICAL SECURITY EQUIPMENT	154,805	141,475
	Shipboard Protection System Installation Costs Excess to Need		−5,500
	Shipboard Protection System Support Cost Growth		−6,000
	Biometrics Ahead of Need		−1,830
XX	PROCUREMENT INNOVATION		15,000
	Procurement Innovation		+15,000
147	ENTERPRISE INFORMATION TECHNOLOGY	377,353	159,653
	Navy Requested Transfer to OM, N AGSAG BSIT for NGEN		−217,700
149	SPARES AND REPAIR PARTS	215,906	215,906
	CLASSIFIED PROGRAMS	19,767	19,767
	TOTAL, OTHER PROCUREMENT, NAVY	6,450,208	5,804,963
	PROCUREMENT, MARINE CORPS		
1	AAV7A1 PIP	7,749	7,749
2	LAV PIP	41,277	41,277
4	EXPEDITIONARY FIRE SUPPORT SYSTEM	9,723	9,723
5	155MM LIGHTWEIGHT TOWED HOWITZER	10,356	10,356
6	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	22,230	22,230
7	WEAPONS AND COMBAT VEHICLES UNDER $5 MILLION	26,091	26,091
9	MODIFICATION KITS	40,916	30,559
	Unexecutable Program - M1A1 Survivability Kits		−10,357
10	WEAPONS ENHANCEMENT PROGRAM	13,115	13,115
11	GROUND BASED AIR DEFENSE	5,175	3,855
	Program Adjustment		−1,320
13	FOLLOW ON TO SMAW	21,570	21,570
14	ANTI-ARMOR WEAPONS SYSTEM—HEAVY (AAWS-H)	20,315	20,315
15	MODIFICATION KITS	3,798	3,798
16	COMBAT OPERATIONS CENTER	10,776	10,776
17	REPAIR AND TEST EQUIPMENT	25,636	25,636
18	COMBAT SUPPORT SYSTEM	32,877	32,877
20	ITEMS UNDER $5 MILLION (COMM & ELEC)	3,405	3,405
21	AIR OPERATIONS C2 SYSTEMS	67,568	67,568
22	RADAR SYSTEMS	860	860
23	FIRE SUPPORT SYSTEM	3,906	3,906
24	INTELLIGENCE SUPPORT EQUIPMENT	92,377	92,377
25	RQ–11 UAV	32,490	16,490
	Program Delay - Tier 2 UAS		−16,000
26	DCGS–MC	4,582	0
	DCGS–MC Program Delay		−4,582
28	COMMON COMPUTER RESOURCES	258,947	218,947
	Unjustified Request - MC Intranet		−40,000
29	COMMAND POST SYSTEMS	33,021	33,021
30	RADIO SYSTEMS	40,551	20,051
	Program Delay - JTRS handheld		−20,500
31	COMM SWITCHING & CONTROL SYSTEMS	32,279	22,279
	Execution Delay - WNS–T		−10,000
32	COMM & ELEC INFRASTRUCTURE SUPPORT	15,278	15,278
33	COMMERCIAL PASSENGER VEHICLES	1,157	1,157
34	COMMERCIAL CARGO VEHICLES	12,696	12,696
35	5/4T TRUCK HMMWV (MYP)	4,849	0

P–1		Budget Request	Recommendation
.....	Service Requested Reduction	.....	−4,849
36	MOTOR TRANSPORT MODIFICATIONS	5,253	5,253
37	MEDIUM TACTICAL VEHICLE REPLACEMENT	11,721	11,721
38	LOGISTICS VEHICLE SYSTEM REPLACEMENT	133,827	133,827
39	FAMILY OF TACTICAL TRAILERS	19,156	19,156
40	TRAILERS	8,075	8,075
41	ITEMS LESS THAN $5 MILLION	6,016	6,016
42	ENVIRONMENTAL CONTROL EQUIP ASSORT	5,110	5,110
43	BULK LIQUID EQUIPMENT	10,743	10,743
44	TACTICAL FUEL SYSTEMS	29,330	29,330
45	POWER EQUIPMENT ASSORTED	19,419	19,419
46	AMPHIBIOUS SUPPORT EQUIPMENT	11,718	11,718
47	EOD SYSTEMS	64,093	64,093
48	PHYSICAL SECURITY EQUIPMENT	16,419	16,419
49	GARRISON MOBILE ENGR EQUIP	10,976	10,976
50	MATERIAL HANDLING EQUIP	24,376	24,376
51	FIRST DESTINATION TRANSPORTATION	2,748	2,748
52	FIELD MEDICAL EQUIPMENT	6,722	6,722
53	TRAINING DEVICES	5,668	5,668
54	CONTAINER FAMILY	897	897
55	FAMILY OF CONSTRUCTION EQUIPMENT	18,261	18,261
57	BRIDGE BOATS	12,567	12,567
58	RAPID DEPLOYABLE KITCHEN	4,283	4,283
59	ITEMS LESS THAN $5 MILLION	7,572	7,572
60	SPARES AND REPAIR PARTS	13,524	13,524
	TOTAL, PROCUREMENT, MARINE CORPS	1,344,044	1,236,436
	AIRCRAFT PROCUREMENT, AIR FORCE		
1	F–35	3,729,242	4,064,442
.....	Air Force Requested Transfer from AP, AF line 43	.....	+29,700
.....	Production Support Carryover	.....	−60,000
.....	Delete Five Aircraft	.....	−608,500
.....	Transfer Eight Aircraft from STOVL Variant	.....	974,000
2	F–35 (AP–CY)	257,000	257,000
3	F–22A	158,039	158,039
5	C–17A (MYP)	14,283	48,683
.....	Air Force Requested Transfer from AP, AF line 88	.....	+114,400
.....	Slow Execution	.....	−80,000
6	C–130J	463,267	455,267
.....	Updated Pricing	.....	−8,000
7	C–130J ADVANCE PROCUREMENT (CY)	48,000	40,000
.....	Updated Pricing	.....	−8,000
8	HC–130J	349,300	307,800
.....	Updated Pricing	.....	−41,500
9	HC–130J (AP–CY)	10,000	10,000
10	MC–130J	467,465	415,465
.....	Updated Pricing	.....	−52,000
11	MC–130J (AP–CY)	60,000	60,000
14	JOINT CARGO AIRCRAFT	351,200	351,200
15	LIGHT MOBILITY AIRCRAFT	65,699	65,699
16	USAFA POWERED FLIGHT PROGRAM	4,099	4,099
18	COMM VERT LIFT SPT PLATFORM (UH–1N)	6,432	0
.....	Air Force Requested Transfer to RDTE, AF line 113	.....	−6,432
19	V–22 OSPREY	393,098	393,098
20	V–22 OSPREY (AP–CY)	13,621	13,621
24	CIVIL AIR PATROL A/C	2,424	2,424
25	HH–60M OPERATIONAL LOSS REPLACEMENT	104,447	104,447
27	STUASLO	3,253	3,253
28	TARGET DRONES	85,505	85,505
29	C–37A	52,000	52,000
30	RQ–4 UAV	649,629	503,029
.....	Air Force Requested Transfer to AP, AF line 31	.....	−25,600
.....	Unjustified Cost Increase, Sensors	.....	−11,000
.....	Unjustified Request, Spares	.....	−110,000
31	RQ–4 UAV (AP–CY)	90,200	72,300
.....	Air Force Requested Transfer from AP,AF line 30	.....	+25,600
.....	Air Force Adjustment	.....	−43,500
32	MC 130 IN BA 04	9,932	0
.....	Air Force Requested Transfer to AC–130 Recap Program	.....	−9,932
xx	AC–130 Recap	.....	9,932
.....	Air Force Requested Transfer from MC–130 program	.....	+9,932
34	MQ–9	863,595	318,131
.....	Spares	.....	−167,788
.....	Support Equipment - Forward Funding	.....	−42,000
.....	Production Support - Forward Funding	.....	−98,376
.....	Funded Ahead of Need	.....	−21,300
.....	Transfer 12 Aircraft to Title IX	.....	−216,000
35	B-2A	63,371	63,371
37	B-1B	200,090	200,090
38	B-52	69,074	21,074
.....	CONECT—Funded Ahead of Need	.....	−35,000
.....	Transfer to RDTE,AF line 117 for Internal Weapons Bay	.....	−13,000
39	A–10	165,361	187,361
.....	Program Increase—Helmet Mounting Cueing System	.....	+22,000
40	F-15	302,235	337,041
.....	C/D Flight Data Recorder—Early to Need	.....	−11,408
.....	E-model Flight Data Recorder—Early to Need	.....	−11,786
.....	Program Reduction	.....	−4,000
.....	AESA Radar for ANG F-15Cs	.....	+62,000
41	F-16	167,188	167,188
42	F-22A	492,199	437,739
.....	Unjustified Request	.....	−54,460
43	F-35 MODIFICATIONS	123,936	4,636
.....	Funded Ahead of Need	.....	−82,000
.....	Air Force Requested Transfer to AP,AF line 1	.....	−29,700
.....	Air Force Requested Transfer to RDTE,AF line 81 for Auto GCAS	.....	−7,600
44	C-5	740,369	37,252
.....	Block Upgrade—Ahead of Need	.....	−21,260
.....	Funded Ahead of Need	.....	−5,400
.....	Transfer C-5 RERP to New AP,AF Line	.....	−676,457
45	C-5 (AP-CY)	166,900	106,900
.....	Funded with fiscal year 2009 and 2010 funds	.....	−60,000
xx	C-5 RERP	.....	676,457
.....	Transfer C-5 RERP from AP,AF line 44	.....	+676,457
46	C-9C	10	0
.....	Program Terminated	.....	−10
47	C-17A	351,614	217,547
.....	OBIGGS Kits—Reduction of Four kits	.....	−13,800
.....	Extended Range Retrofits Kits—Reduction of One Kit	.....	−5,267
.....	Excess to Need	.....	−98,000
.....	Funded Ahead of Need	.....	−17,000
48	C-21	339	339
49	C-32A	12,113	12,113

P–1		Budget Request	Recommendation
50	C-37A	12,162	12,162
51	GLIDER MODS	120	120
52	T6	24,644	24,644
53	T-1	83	83
54	T-38	28,288	26,288
.....	Funded Ahead of Need	.....	−2,000
56	KC-10A (ATCA)	13,777	11,777
.....	Funded Ahead of Need	.....	−2,000
57	C-12	7,645	7,645
58	MC-12W	10,826	10,826
59	C-20 MODS	736	736
60	VC-25A MOD	13,175	13,175
61	C-40	10,697	10,697
62	C-130	257,339	296,939
.....	Air Force Requested Transfer from RDTE,AF line 220 for Avionics Upgrades to Special Mission Aircraft	.....	+65,000
.....	Excess to Need	.....	−25,400
63	C-130 MODS INTEL	3,963	3,963
64	C130J MODS	80,205	64,205
.....	Contract Slip—Crashworthy Seats	.....	−16,000
65	C-135	44,228	37,428
.....	Block 45 Contract Delay	.....	−8,400
.....	Low Cost Modifications	.....	+1,600
66	COMPASS CALL MODS	176,558	101,558
.....	EC-130 Program Full Funding Violation	.....	−75,000
67	DARP	105,540	105,540
68	E-3	195,163	195,163
69	E-4	37,526	37,526
70	E-8	188,504	6,397
.....	E-8 Reengining—Ahead of Need	.....	−120,407
.....	Engine Installs—Ahead of Need	.....	−5,000
.....	Funded Ahead of Need	.....	−56,700
71	H-1	2,457	2,457
72	H-60	11,630	41,930
.....	Funded Ahead of Need	.....	−1,700
.....	Simulators and Low Cost Modifications	.....	+32,000
73	RQ-4 UAV MODS	119,415	116,415
.....	Unjustified Cost Increase—ASIP sensors	.....	−3,000
74	HC/MC-130 MODIFICATIONS	1,944	1,944
75	OTHER AIRCRAFT	159,423	15,723
.....	Transfer FAB-T Funds to RDTE,AF line 180	.....	−119,700
.....	Delete FAB-T Funds—Early to Need	.....	−24,000
76	MQ-1 MODS	208,213	20,213
.....	Excess to Need	.....	−188,000
77	MQ-9 MODS	108,922	0
.....	Contract Delay—GCS	.....	−50,884
.....	Contract Delay—Reaper Retrofits	.....	−58,038
78	MQ-9 PAYLOAD—UAS	115,383	0
.....	Transfer to Title IX	.....	−115,383
79	CV-22 MODS	13,964	13,964
80	INITIAL SPARES/REPAIR PARTS	622,020	698,220
.....	Unjustified Request—Joint Stars Re-engining Spares	.....	−11,700
.....	Program Increase—F-22 Engine Spares	.....	+100,000
.....	Excess to Need	.....	−12,100
81	AIRCRAFT REPLACEMENT SUPPORT EQUIP	91,701	58,301
.....	Underexecution	.....	−20,000
.....	Funded Ahead of Need	.....	−13,400
82	B-1	6,791	6,791
83	B-2A	26,217	26,217
84	B-52	3,443	1,743
.....	Funded Ahead of Need	.....	−1,700
85	C-5	195	195
87	KC-10A (ATCA)	5,702	5,702
88	C-17A	153,347	20,947
.....	Air Force Requested Transfer to AP,AF line 5	.....	−114,400
.....	Unjustified Funding for Shutdown Activities	.....	−18,000
89	C-130	28,295	28,295
91	F-15 POST PRODUCTION SUPPORT	21,599	17,599
.....	Excess to Need	.....	−4,000
92	F-16 POST PRODUCTION SUPPORT	17,838	12,738
.....	Excess to Need	.....	−5,100
93	T-6	9,450	9,450
94	OTHER AIRCRAFT	53,953	53,953
96	INDUSTRIAL PREPAREDNESS	24,619	24,619
97	WAR CONSUMABLES	92,939	92,939
98	OTHER PRODUCTION CHARGES	1,079,742	912,372
.....	Funded Ahead of Need	.....	−6,732
.....	Transfer to Title IX	.....	−160,638
99	OTHER PRODUCTION CHARGES—MQ-1	37,500	37,500
104	DARP	19,117	19,117
.....	CLASSIFIED PROGRAMS	12,981	12,981
.....	TOTAL, AIRCRAFT PROCUREMENT, AIR FORCE	15,366,508	13,483,739
	MISSILE PROCUREMENT, AIR FORCE		
1	MISSILE REPLACEMENT EQ-BALLISTIC	60,647	60,647
2	JASSM	215,825	215,825
3	SIDEWINDER (AIM-9X)	64,523	64,523
4	AMRAAM	355,358	348,358
.....	Support Funding Carryover	.....	−7,000
5	PREDATOR HELLFIRE MISSILE	44,570	44,570
6	SMALL DIAMETER BOMB	134,884	119,884
.....	Accounting Error	.....	−15,000
7	INDUSTRIAL PREPAREDNESS/POLLUTION PREVENTION	833	833
8	ADVANCED CRUISE MISSILE	48	48
9	MM III MODIFICATIONS	123,378	133,178
.....	Air Force Requested Transfer from RDTE, AF line 175 for MEECN	.....	+9,800
10	AGM-65D MAVERICK	260	260
11	AGM-88A HARM	4,079	4,079
12	AIR LAUNCH CRUISE MISSILE	10,795	10,795
13	INITIAL SPARES/REPAIR PARTS	43,192	43,192
14	ADVANCED EHF	38,078	38,078
15	ADVANCED EHF (AP–CY)	208,520	208,520
16	WIDEBAND GAPFILLER SATELLITES	517,601	517,601
17	WIDEBAND GAPFILLER SATELLITES (AP–CY)	58,110	58,110
18	GPS III SPACE SEGMENT	122,490	122,490
19	SPACEBORNE EQUIP (COMSEC)	14,894	14,894
20	GLOBAL POSITIONING (SPACE)	64,609	64,609
23	DEF METEOROLOGICAL SAT PROG (SPACE)	88,719	88,719
24	EVOLVED EXPENDABLE LAUNCH VEH (SPACE)	1,153,976	1,153,976
26	SBIR HIGH (SPACE)	700,704	700,704
27	SBIR HIGH (SPACE) (AP–CY)	270,000	270,000
28	NATL POLAR-ORBITING OP ENV SATELLITE	26,308	0
.....	Program Termination—Early to Need	.....	−26,308
33	SPECIAL UPDATE PROGRAMS	247,584	247,584

P–1		Budget Request	Recommendation
.....	CLASSIFIED PROGRAMS	893,287	893,287
.....	TOTAL, MISSILE PROCUREMENT, AIR FORCE	5,463,272	5,424,764
	PROCUREMENT OF AMMUNITION, AIR FORCE		
1	ROCKETS	19,106	19,106
2	CARTRIDGES	141,049	141,049
3	PRACTICE BOMBS	34,094	23,442
.....	BDU–56A/B CDI Program Delay	.....	−10,652
4	GENERAL PURPOSE BOMBS	183,845	183,845
5	JOINT DIRECT ATTACK MUNITION	104,642	179,361
.....	Additional JDAM for War Reserve Stockpile	.....	+74,719
6	CAD/PAD	37,016	37,016
7	EXPLOSIVE ORDINANCE DISPOSAL (EOD)	3,383	3,383
8	SPARES AND REPAIR PARTS	1,000	1,000
9	MODIFICATIONS	1,112	1,112
10	ITEMS LESS THAN $5,000,000	5,015	5,015
11	FLARES	72,758	72,758
12	FUZES	57,337	57,337
13	SMALL ARMS	7,063	7,063
	TOTAL, PROCUREMENT OF AMMUNITION, AIR FORCE	667,420	731,487
	OTHER PROCUREMENT, AIR FORCE		
1	PASSENGER CARRYING VEHICLE	29,207	29,207
2	FAMILY MEDIUM TACTICAL VEHICLE	45,618	37,618
	Contract Savings	.....	−8,000
3	CAP VEHICLES	902	902
4	ITEMS LESS THAN $5M (CARGO)	31,773	31,773
5	SECURITY AND TACTICAL VEHICLES	52,867	48,867
	Up-Armored HMMWV Unjustified Cost Growth	.....	−4,000
6	ITEMS LESS THAN $5M	18,358	18,358
7	FIRE FIGHTING/CRASH RESCUE VEHICLES	26,924	26,924
9	ITEMS LESS THAT $5,000,000	14,501	14,501
10	RUNWAY SNOW REMOVAL & CLEANING EQUIP	25,404	25,404
11	ITEMS LESS THAN $5M	54,570	54,570
13	COMSEC EQUIPMENT	216,381	180,381
	Unjustified Growth	.....	−36,000
14	MODIFICATIONS (COMSEC)	1,582	0
	Undefined Requirement	.....	−1,582
15	INTELLIGENCE TRAINING EQUIPMENT	2,634	2,634
16	INTELLIGENCE COMM EQUIP	30,685	30,685
17	TRAFFIC CONTROL/LANDING	6,517	6,517
18	NATIONAL AIRSPACE SYSTEM	112,056	88,940
	Site Activation Ahead of Need	.....	−23,116
19	THEATER AIR CONTROL SYS IMPRO	55,326	55,326
20	WEATHER OBSERVATION FORECAST	21,018	18,045
	OS-21 Contract Delays	.....	−2,973
21	STRATEGIC COMMAND AND CONTROL	28,164	28,164
22	CHEYENNE MOUNTAIN COMPLEX	18,416	15,716
	Contract Delays	.....	−2,700
23	TAC SIGINT SPT	377	377
25	GENERAL INFORMATION TECHNOLOGY	74,285	74,285
26	AF GLOBAL COMMAND & CONTROL SYSTEM	9,210	9,210
27	MOBILITY COMMAND AND CONTROL	8,688	7,388
	Contract Delays	.....	−1,300
28	AIR FORCE PHYSICAL SECURITY SYSTEM	99,281	99,281
29	COMBAT TRAINING RANGES	29,637	49,637
	Training Range Enhancements	.....	+20,000
30	C3 COUNTERMEASURES	11,112	11,112
31	GCSS-AF FOS	53,349	31,335
	ECSS Ahead of Need	.....	−20,914
	CMOS Excess to Need	.....	−1,100
32	THEATER BATTLE MGT C2 SYS	20,525	20,525
33	AIR OPERATIONS CENTER (AOC)	58,284	38,534
	Technical Refresh Unjustified Growth	.....	−15,000
	Recurring Events Unjustified Growth	.....	−4,750
34	INFORMATION TRANSPORT SYSTEMS	101,993	56,993
	Unjustified Growth	.....	−45,000
35	BASE INFORMATION INFRASTRUCTURE	193,830	113,830
	Unjustified Growth	.....	−80,000
36	AFNET	151,643	91,643
	Unjustified Growth	.....	−60,000
37	VOICE SYSTEMS	25,399	15,399
	Unjustified Growth	.....	−10,000
38	USCENTCOM	36,020	36,020
39	SPACE BASED IR SENSOR PROG SPACE	24,804	24,804
40	NAVSTAR GPS SPACE	5,279	5,279
41	NUDET DETECTION SYS (NDS) SPACE	5,926	5,926
42	AF SATELLITE CONTROL NETWORK SPACE	60,383	60,383
43	SPACELIFT RANGE SYSTEM SPACE	91,004	91,004
44	MILSATCOM SPACE	221,545	190,717
	FAB-T Early to Need	.....	−7,538
	AFWET Modernization Enterprise Terminal Ahead of Need	.....	−23,290
45	SPACE MODS SPACE	18,384	18,384
46	COUNTERSPACE SYSTEM	18,801	18,801
47	TACTICAL C-E EQUIPMENT	268,140	242,995
	JTC Training and Rehearsal System Ahead of Need	.....	−25,145
48	COMBAT SURVIVOR EVADER LOCATER	34,925	34,925
49	RADIO EQUIPMENT	14,541	7,041
	Contract Delays	.....	−7,500
50	CCTV/AUDIOVISUAL EQUIPMENT	11,613	11,613
51	BASE COMM INFRASTRUCTURE	108,308	108,308
52	COMM ELECT MODS	74,356	68,538
	ILS Ahead of Need	.....	−2,300
	BMEWS Ahead of Need	.....	−2,000
	OS-21 Contract Delays	.....	−1,518
53	NIGHT VISION GOGGLES	20,873	14,573
	Night Vision Cueing and Display Contract Delays	.....	−6,300
54	ITEMS LESS THAN $5,000,000 (SAFETY)	14,292	14,292
55	MECHANIZED MATERIAL HANDLING	12,853	12,853
56	BASE PROCURED EQUIPMENT	4,788	4,788
57	CONTINGENCY OPERATIONS	28,390	27,190
	Rapid Airfield Damage Assessment System Ahead of Need	.....	−1,200
58	PRODUCTIVITY CAPITAL INVESTMENT	1,879	1,879
59	MOBILITY EQUIPMENT	38,558	38,558
60	ITEMS LESS THAN $5M (BASE SUPPORT)	4,989	4,989
62	DARP RC135	23,296	23,296
63	DISTRIBUTED GROUND SYSTEMS	271,015	264,015
	Program Reduction	.....	−7,000
65	SPECIAL UPDATE PROGRAM	489,680	439,680
	Classified Adjustment	.....	−50,000
66	DEFENSE SPACE RECONNAISSANCE PROGRAM	32,668	32,668
XX	PROCUREMENT INNOVATION	.....	15,000

P–1		Budget Request	Recommendation
	Procurement Innovation		+15,000
70	SPARES AND REPAIR PARTS	19,046	19,046
	CLASSIFIED PROGRAMS	14,258,508	14,396,445
	Classified Adjustment		+137,937
	TOTAL, OTHER PROCUREMENT, AIR FORCE	17,845,380	17,568,091
	PROCUREMENT, DEFENSE-WIDE		
1	MAJOR EQUIPMENT, BTA	4,000	4,000
2	MAJOR EQUIPMENT, DCCA, ITEMS LESS THAN $5M	1,477	1,477
3	MAJOR EQUIPMENT, DCMA	2,052	2,052
4	MAJOR EQUIPMENT, DHRA, PERSONNEL ADMINISTRATION	32,263	32,263
17	INFORMATION SYSTEMS SECURITY	14,625	14,625
18	GLOBAL COMMAND AND CONTROL SYS	5,275	5,275
19	GLOBAL COMBAT SUPPORT SYSTEM	2,803	2,803
20	TELEPORT PROGRAM	78,227	78,227
21	ITEMS LESS THAN $5M	153,288	153,288
22	NET CENTRIC ENTERPRISE SERVICES (NCES)	4,391	4,391
23	DEFENSE INFORMATION SYSTEMS NETWORK	86,206	86,206
24	PUBLIC KEY INFRASTRUCTURE	1,710	1,710
27	CYBER SECURITY INITIATIVE	22,493	22,493
28	MAJOR EQUIPMENT, DLA	4,846	4,846
29	COST	10,478	10,478
30	MAJOR EQUIPMENT, DODEA, AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	1,451	1,451
31	VEHICLES	50	50
32	OTHER MAJOR EQUIPMENT	12,007	12,007
34	TERMINAL HIGH ALTITUDE AREA DEFENSE FIELDING	858,870	586,870
	Production Delay Due to Investigation of Failed Safety Component		−272,000
35	AEGIS FIELDING	94,080	94,080
35A	ISRAELI COOPERATIVE PROGRAMS	0	205,000
	Iron Dome Program		+205,000
45	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	2,546	2,546
50	MAJOR EQUIPMENT, OSD	124,050	124,050
51	MAJOR EQUIPMENT, INTELLIGENCE	20,138	20,138
53	MAJOR EQUIPMENT, TJS	11,526	11,526
54	MAJOR EQUIPMENT, WHS	27,179	27,179
55	SOF ROTARY WING UPGRADES AND SUSTAINMENT	79,840	79,840
55A	MH-47G	0	100,449
	SOCOM Requested Transfer from P,DW line 56		+100,449
56	MH-47 SERVICE LIFE EXTENSION PROGRAM	107,934	7,485
	SOCOM Requested Transfer to P,DW line 55A		−100,449
57	MH-60 SOF MODERNIZATION PROGRAM	179,375	137,875
	SOCOM Requested Transfer to RDTE,DW line 268		−25,100
	Quantity Reduction Due to Program Delay		−16,400
58	NON-STANDARD AVIATION	179,949	58,681
	Medium NSAV—Transfer to Title IX		−121,268
60	SOF TANKER RECAPITALIZATION	19,996	4,996
	Contract Delays		−15,000
61	SOF U-28	404	404
62	RQ-11 UAV	2,090	2,090
63	CV-22 SOF MODIFICATION	124,035	124,035
64	MQ-1 UAV	1,948	1,948
65	MQ-9 UAV	1,965	1,965
66	STUASLO	12,148	12,148
67	C-130 MODIFICATIONS	22,500	9,261
	Low Cost Modifications—Execution		−7,039
	Aircrew Situational Awareness System		−6,200
68	AIRCRAFT SUPPORT	489	489
69X	PROCUREMENT INNOVATION	0	15,000
	Procurement Innovation		+15,000
70	MK VIII MOD 1—SEAL DELIVERY VEH	823	823
71	SOF ORDNANCE REPLENISHMENT	79,608	79,608
72	SOF ORDNANCE ACQUISITION	24,215	24,215
73	COMM EQUIPMENT & ELECTRONICS	58,390	44,390
	SOF Deployable Node Delays Due to Protests		−14,000
74	SOF INTELLIGENCE SYSTEMS	75,892	81,092
	Program Increase—Unfunded Requirement		+5,200
75	SMALL ARMS & WEAPONS	30,094	30,094
76	DCGS-SOF	5,225	5,225
77	MARITIME EQUIPMENT MODS	206	206
79	SOF COMBATANT CRAFT SYSTEMS	11,706	8,306
	Unvalidated Requirement—Large SFA Craft		−3,400
80	SPARES AND REPAIR PARTS	977	977
81	TACTICAL VEHICLES	30,965	33,365
	Program Increase—AFSOC Unfunded Requirement		+2,400
82	MISSION TRAINING AND PREPARATIONS SYSTEMS	28,354	18,354
	MH-60M Simulator Modernization Program		−10,000
83	COMBAT MISSION REQUIREMENTS	20,000	20,000
84	MILCON COLLATERAL EQUIPMENT	102,556	102,556
88	SOF AUTOMATION SYSTEMS	52,353	52,353
89	SOF GLOBAL VIDEO SURVEILLANCE ACTIVITIES	9,714	9,714
90	SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE	30,900	30,900
91	SOF SOLDIER PROTECTION AND SURVIVAL SYSTEMS	221	5,661
	Program Increase—Unfunded Requirement		+5,440
92	SOF VISUAL AUGMENTATION, LASERS AND SENSOR SYSTEM	18,626	18,626
93	SOF TACTICAL RADIO SYSTEMS	35,234	37,554
	Program Increase—Unfunded Requirement		+2,320
94	SOF MARITIME EQUIPMENT	804	804
96	MISCELLANEOUS EQUIPMENT	7,774	7,774
97	SOF OPERATIONAL ENHANCEMENTS	269,182	263,182
	Program Increase—HSAC Unfunded Requirement		+4,000
	Program Adjustment		−10,000
98	PSYOP EQUIPMENT	25,266	25,266
99	INSTALLATION FORCE PROTECTION	90,635	90,635
100	INDIVIDUAL PROTECTION	74,686	74,686
101	DECONTAMINATION	21,570	21,570
102	JOINT BIOLOGICAL DEFENSE PROGRAM	19,389	10,389
	Reduction for Anthrax Vaccine Purchased by HHS		−9,000
103	COLLECTIVE PROTECTION	27,542	27,542
104	CONTAMINATION AVOIDANCE	136,114	136,114
	CLASSIFIED PROGRAMS	682,643	681,643
	Classified Adjustment		−1,000
	TOTAL, PROCUREMENT, DEFENSE-WIDE	4,280,368	4,009,321
	DEFENSE PRODUCTION ACT		
	GALLIUM NITRIDE X-BAND MONOLITHIC MICROWAVE INTEGRATED CIRCUITS	2,000	2,000
	GALLIUM NITRIDE RADAR AND ELECTRONIC WARFARE MONOLITHIC MICROWAVE INTEGRATED CIRCUITS	8,579	8,579
	GALLIUM NITRIDE ADVANCED ELECTRONIC WARFARE MONOLITHIC MICROWAVE INTEGRATED CIRCUITS	2,000	2,000
	BERYLLIUM SUPPLY INDUSTRIAL BASE	6,897	6,897
	SPACE	770	770
	NATIONAL SECURITY SPACE INDUSTRIAL AND SUPPLY BASE RISK MITIGATION PROGRAM	8,500	10,900
	Program Increase		+2,400

P–1		Budget Request	Recommendation
.....	ALTERNATIVE ENERGY FROM ORGANIC SOURCES	.....	3,200
.....	TOTAL, DEFENSE PRODUCTION ACT	28,746	34,346
.....	TOTAL, PROCUREMENT	111,189,951	102,121,873

R–1		Budget Request	Recommendation
	RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY		
1	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	21,780	21,780
2	DEFENSE RESEARCH SCIENCES	195,845	195,845
3	UNIVERSITY RESEARCH INITIATIVES	91,161	87,561
	V72—Transfer to D55	.....	−3,300
	D55—Transfer from V72	.....	+3,300
	V72—Non-Department of Defense funding	.....	−3,600
4	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	98,087	98,087
5	MATERIALS TECHNOLOGY	29,882	29,882
6	SENSORS AND ELECTRONIC SURVIVABILITY	48,929	48,929
7	TRACTOR HIP	14,624	14,624
8	AVIATION TECHNOLOGY	43,476	43,476
9	ELECTRONIC WARFARE TECHNOLOGY	17,330	17,330
10	MISSILE TECHNOLOGY	49,525	49,525
11	ADVANCED WEAPONS TECHNOLOGY	18,190	18,190
12	ADVANCED CONCEPTS AND SIMULATION	20,582	20,582
13	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY	64,740	64,740
14	BALLISTICS TECHNOLOGY	60,342	60,342
15	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY	5,324	10,924
.....	Emerging Chemical Agent Threat	.....	+5,600
16	JOINT SERVICE SMALL ARMS PROGRAM	7,893	7,893
17	WEAPONS AND MUNITIONS TECHNOLOGY	42,645	42,645
18	ELECTRONICS AND ELECTRONIC DEVICES	60,859	60,859
19	NIGHT VISION TECHNOLOGY	40,228	40,228
20	COUNTERMINE SYSTEMS	19,118	19,118
21	HUMAN FACTORS ENGINEERING TECHNOLOGY	21,042	21,042
22	ENVIRONMENTAL QUALITY TECHNOLOGY	18,364	22,364
	Research, Development and Engineering Command	.....	+4,000
23	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY	25,573	25,573
24	COMPUTER AND SOFTWARE TECHNOLOGY	6,768	6,768
25	MILITARY ENGINEERING TECHNOLOGY	79,189	75,184
	Joint Integrated Base Defense Program Office transfer to line 60 at request of the Army	.....	−4,005
26	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	22,198	22,198
27	WARFIGHTER TECHNOLOGY	27,746	27,746
28	MEDICAL TECHNOLOGY	96,797	96,797
29	WARFIGHTER ADVANCED TECHNOLOGY	37,364	37,364
30	MEDICAL ADVANCED TECHNOLOGY	71,510	115,510
	Peer-Reviewed Neurotoxin Exposure Treatment Parkinsons Research Program	.....	+20,000
	Neurofibromatosis Research	.....	+16,000
	Military Burn Trauma Research Program	.....	+8,000
31	AVIATION ADVANCED TECHNOLOGY	57,454	57,454
32	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY	64,438	64,438
33	COMBAT VEHICLE AND AUTOMOTIVE ADV TECHNOLOGY	89,499	125,819
	Alternative Energy	.....	+36,320
34	COMMAND, CONTROL, COMMUNICATIONS ADV TECH	8,102	8,102
35	MANPOWER, PERSONNEL AND TRAINING ADV TECH	7,921	7,921
36	ELECTRONIC WARFARE ADVANCED TECHNOLOGY	50,359	50,359
37	TRACTOR HIKE	8,015	8,015
38	NEXT GENERATION TRAINING & SIMULATION SYSTEMS	15,334	15,334
39	TRACTOR ROSE	12,309	12,309
41	MILITARY HIV RESEARCH	6,688	26,688
	HIV Research	.....	+20,000
42	COMBATING TERRORISM, TECHNOLOGY DEVELOPMENT	10,550	10,550
43	ELECTRONIC WARFARE TECHNOLOGY	18,350	18,350
44	MISSILE AND ROCKET ADVANCED TECHNOLOGY	84,553	79,053
	P 704 excessive growth without strategy	.....	−5,500
45	TRACTOR CAGE	9,986	9,986
46	LANDMINE WARFARE AND BARRIER ADVANCED TECH	26,953	26,953
47	JOINT SERVICE SMALL ARMS PROGRAM	9,151	9,151
48	NIGHT VISION ADVANCED TECHNOLOGY	39,912	39,912
49	ENVIRONMENTAL QUALITY TECHNOLOGY DEMO	15,878	15,878
50	MILITARY ENGINEERING ADVANCED TECHNOLOGY	27,393	24,393
	Program reduction	.....	−3,000
51	ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECHNOLOGY	24,873	24,873
53	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION	11,455	11,455
54	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION (SPACE)	27,551	27,551
56	LANDMINE WARFARE AND BARRIER—ADV DEV	15,596	15,596
57	SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ADV DEV	2,425	2,425
58	TANK AND MEDIUM CALIBER AMMUNITION	42,183	37,183
	AKE 120mm cartridge EMD Phase II contract award delay	.....	−5,000
59	ADVANCED TANK ARMAMENT SYSTEM (ATAS)	136,302	207,702
	S-MOD milestone B delay	.....	−57,000
	Stryker DVH	.....	+128,400
60	SOLDIER SUPPORT AND SURVIVABILITY	18,556	8,239
	Joint Integrated Base Defense Program Office—Transfer from line 25 at request of the Army	.....	+4,005
	REF funded in Title IX	.....	−14,322
61	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—AD	17,962	12,162
	Unsustained growth	.....	−5,800
62	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	0	5,159
	CSP—Transfer from line 177 at request of the Army	.....	+5,159
63	ENVIRONMENTAL QUALITY TECHNOLOGY	4,695	4,695
64	WARFIGHTER INFORMATION NETWORK-TACTICAL	190,903	190,903
65	NATO RESEARCH AND DEVELOPMENT	5,060	5,060
66	AVIATION—ADV DEV	8,355	8,355
67	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV	80,490	65,315
.....	JLTV EMD contract award delay	.....	−15,175
68	COMBAT SERVICE SUPPORT CONTROL SYSTEM EVALUATION	14,290	14,290
69	MEDICAL SYSTEMS—ADV DEV	28,132	28,132
70	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT	48,323	48,323
71	INTEGRATED BROADCAST SERVICE	970	970
72	ENDURANCE UAVS	93,000	93,000
73	AIRCRAFT AVIONICS	89,210	74,210
.....	SOSCOE Apache Block III integration change in requirements	.....	−15,000
74	ARMED, DEPLOYABLE OH-58D	72,550	72,550
75	ELECTRONIC WARFARE DEVELOPMENT	172,269	149,755
.....	CIRCM test and evaluation funds requested ahead of need	.....	−22,514
76	JOINT TACTICAL RADIO	784	784
77	ALL SOURCE ANALYSIS SYSTEM	22,574	18,074
.....	EMD contract award delay	.....	−4,500
78	TRACTOR CAGE	23,194	23,194
79	INFANTRY SUPPORT WEAPONS	80,337	70,337
.....	S62— Milestone B delay	.....	−10,000
80	MEDIUM TACTICAL VEHICLES	3,710	3,710

R–1		Budget Request	Recommendation
81	SMOKE, OBSCURANT AND TARGET DEFEATING SYS—SDD	5,335	5,335
82	JAVELIN	9,999	0
	Lack of acquisition strategy		−9,999
83	FAMILY OF HEAVY TACTICAL VEHICLES	3,519	3,519
84	AIR TRAFFIC CONTROL	9,892	9,892
85	LIGHT TACTICAL WHEELED VEHICLES	1,990	1,990
86	NON-LINE OF SIGHT LAUNCH SYSTEM	81,247	0
	Program termination		−81,247
89	FCS SYSTEMS OF SYSTEMS ENGR & PROGRAM MGMT	568,711	498,711
	Program reduction		−70,000
90	FCS RECONNAISSANCE (UAV) PLATFORMS	50,304	50,304
91	FCS UNMANNED GROUND VEHICLES	249,948	200,000
	Program reduction		−49,948
92	FCS UNATTENDED GROUND SENSORS	7,515	7,515
93	FCS SUSTAINMENT & TRAINING R&D	610,389	610,389
95	NIGHT VISION SYSTEMS—SDD	52,549	52,549
96	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	2,118	2,118
97	NON-SYSTEM TRAINING DEVICES—SDD	27,756	27,756
98	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE	34,209	34,209
99	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	30,291	30,291
100	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	14,041	14,041
101	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—SDD	15,547	15,547
103	COMBINED ARMS TACTICAL TRAINER (CATT) CORE	27,670	27,670
105	WEAPONS AND MUNITIONS—SDD	24,345	15,345
	PGK Increment II EMD delay		−9,000
106	LOGISTICS AND ENGINEER EQUIPMENT—SDD	41,039	41,039
107	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—SDD	90,736	75,736
	JBC-P unsustained growth		−15,000
108	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT	34,474	34,474
109	LANDMINE WARFARE/BARRIER—SDD	95,577	49,577
	Project 016—Scorpion acceleration funded in prior approval reprogramming		−16,000
	Project 415—ASTAMIDS/GSTAMIDS lack of acquisition strategy		−30,000
110	ARTILLERY MUNITIONS	26,371	26,371
111	COMBAT IDENTIFICATION	29,884	3,000
	Unexecutable request		−26,884
112	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE	60,970	60,970
113	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)	13,576	13,576
114	FIREFINDER	24,736	24,736
115	SOLDIER SYSTEMS—WARRIOR DEM/VAL	20,886	20,886
116	ARTILLERY SYSTEMS	53,624	103,624
	Program Increase		+20,000
	Transfer from WTCV A line 12 for Paladin PIM		+30,000
117	PATRIOT/MEADS COMBINED AGGREGATE PROGRAM	467,139	467,139
118	NUCLEAR ARMS CONTROL MONITORING SENSOR NETWORK	7,276	7,276
119	INFORMATION TECHNOLOGY DEVELOPMENT	23,957	23,957
120	ARMY INTEGRATED MILITARY HUMAN RESOURCES SYSTEM (A–IMH)	100,500	60,500
	Excessive growth without acquisition strategy		−40,000
121	JOINT AIR-TO-GROUND MISSILE (JAGM)	130,340	130,340
122	SLAMRAAM	23,700	23,700
123	PAC-2/MSE MISSILE	62,500	62,500
124	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD)	251,124	251,124
125	MANNED GROUND VEHICLE	934,366	461,100
	Program adjustment		−473,266
126	AERIAL COMMON SENSOR	211,500	211,500
127	TROJAN—RH12	3,697	3,697
128	ELECTRONIC WARFARE DEVELOPMENT	21,571	13,571
	EW5—Unsustained growth		−8,000
129	THREAT SIMULATOR DEVELOPMENT	26,158	26,158
130	TARGET SYSTEMS DEVELOPMENT	8,614	8,614
131	MAJOR T&E INVESTMENT	42,102	42,102
132	RAND ARROYO CENTER	20,492	20,492
133	ARMY KWAJALEIN ATOLL	163,788	163,788
134	CONCEPTS EXPERIMENTATION PROGRAM	17,704	17,704
136	ARMY TEST RANGES AND FACILITIES	393,937	412,257
	Army Test Range Infrastructure unfunded requirement		+18,320
137	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	59,040	67,760
	Test and Evaluation Instrumentation unfunded requirement		+8,720
138	SURVIVABILITY/LETHALITY ANALYSIS	41,812	43,412
	Test and Evaluation Instrumentation unfunded requirement		+1,600
139	DOD HIGH ENERGY LASER TEST FACILITY	4,710	4,710
140	AIRCRAFT CERTIFICATION	5,055	5,055
141	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES	7,185	7,185
142	MATERIEL SYSTEMS ANALYSIS	18,078	19,278
	Test and Evaluation Instrumentation unfunded requirement		+1,200
143	EXPLOITATION OF FOREIGN ITEMS	5,460	5,460
144	SUPPORT OF OPERATIONAL TESTING	68,191	68,191
145	ARMY EVALUATION CENTER	61,450	64,090
	Test and Evaluation Instrumentation unfunded requirement		+2,640
146	SIMULATION & MODELING FOR ACQ, RQTS, & TNG (SMART)	3,926	3,926
147	PROGRAMWIDE ACTIVITIES	73,685	73,685
148	TECHNICAL INFORMATION ACTIVITIES	48,309	48,309
149	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	53,338	44,042
	Project 862—155mm HE projectile underfunded new start		−9,296
150	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT	3,195	3,195
151	MANAGEMENT HEADQUARTERS (RESEARCH AND DEVELOPMENT)	16,154	16,154
153	MLRS PRODUCT IMPROVEMENT PROGRAM	51,619	25,619
	GMLRS AW EMD contract award delay		−26,000
154	AEROSTAT JOINT PROJECT OFFICE	372,493	372,493
155	INTELLIGENCE SUPPORT TO CYBER (ISC) MIP	2,360	2,360
156	ADV FIELD ARTILLERY TACTICAL DATA SYSTEM	24,622	24,622
157	COMBAT VEHICLE IMPROVEMENT PROGRAMS	204,481	204,481
158	MANEUVER CONTROL SYSTEM	25,540	25,540
159	AIRCRAFT MODS/PRODUCT IMPROVEMENT PROGRAMS	134,999	124,856
	P430—Chinook RW crashworthy seating previously fully funded		−10,143
160	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROG	710	710
161	DIGITIZATION	6,329	6,329
162	FORCE XXI BATTLE COMMAND, BRIGADE AND BELOW (FBCB2)	3,935	3,935
163	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	24,280	24,280
165	TRACTOR CARD	14,870	14,870
167	JOINT TACTICAL GROUND SYSTEM	12,403	12,403
168	JOINT HIGH SPEED VESSEL (JHSV)	3,153	3,153
171	INFORMATION SYSTEMS SECURITY PROGRAM	54,784	11,905
	Protected Information—Biometrics—Transfer to line 171x		−42,879
171x	FAMILY OF BIOMETRICS	0	42,879
	Protected Information—Biometrics—Transfer from line 171		+42,879
172	GLOBAL COMBAT SUPPORT SYSTEM	125,569	125,569
173	SATCOM GROUND ENVIRONMENT (SPACE)	33,694	33,694
174	WWMCCS/GLOBAL COMMAND AND CONTROL SYS	13,024	13,024
177	TACTICAL UNMANNED AERIAL VEHICLES	54,300	49,141
	CSP—Transfer of HD IR funds to line 62 at request of the Army for execution		−5,159
178	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	103,002	103,002
179	MQ–1 SKY WARRIOR A UAV	123,156	123,156
180	RQ–11 UAV	1,599	1,599

R–1		Budget Request	Recommendation
181	RQ–7 UAV	7,805	7,805
183	BIOMETRICS ENABLED INTELLIGENCE	14,114	2,114
.....	Protected Information—Biometrics	.....	−12,000
185	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	61,098	61,098
xx	RESEARCH AND DEVELOPMENT INNOVATION	0	105,000
.....	Research and Development Innovation	.....	+105,000
.....	CLASSIFIED PROGRAMS	4,447	4,447
.....	TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, ARMY	10,333,392	9,710,998
	RESEARCH, DEVELOPMENT, TEST & EVALUATION, NAVY		
1	UNIVERSITY RESEARCH INITIATIVES	108,679	108,679
2	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	17,979	17,979
3	DEFENSE RESEARCH SCIENCES	429,767	429,767
4	POWER PROJECTION APPLIED RESEARCH	98,150	98,150
5	FORCE PROTECTION APPLIED RESEARCH	107,448	147,448
.....	Alternative Energy	.....	+40,000
6	MARINE CORPS LANDING FORCE TECHNOLOGY	43,776	43,776
8	COMMON PICTURE APPLIED RESEARCH	70,168	70,168
9	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	113,724	113,724
10	RF SYSTEMS APPLIED RESEARCH	83,902	83,902
11	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	49,491	49,491
12	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	6,002	6,002
13	UNDERSEA WARFARE APPLIED RESEARCH	69,186	69,186
14	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	36,833	36,833
15	POWER PROJECTION ADVANCED TECHNOLOGY	117,908	117,908
16	FORCE PROTECTION ADVANCED TECHNOLOGY	61,877	61,877
17	COMMON PICTURE ADVANCED TECHNOLOGY	96,720	96,720
18	WARFIGHTER SUSTAINMENT ADVANCED TECHNOLOGY	98,261	98,261
19	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	82,143	82,143
20	MARINE CORPS ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	115,089	115,089
21	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT	11,131	11,131
22	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	18,076	55,336
.....	C.W Bill Young Bone Marrow Donor Recruitment and Research Program	.....	+31,500
.....	Program Increase—Tactical Athlete Program	.....	+5,760
23	UNDERSEA WARFARE ADVANCED TECHNOLOGY	49,276	53,276
.....	Program Increase—ASW Research	.....	+4,000
24	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS	53,177	53,177
25	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY	21,941	21,941
XX	RESEARCH AND DEVELOPMENT INNOVATION	0	105,000
.....	Research and Development Innovation	.....	+105,000
26	AIR/OCEAN TACTICAL APPLICATIONS	123,331	118,331
.....	JMAPS program delay	.....	−5,000
27	AVIATION SURVIVABILITY	9,480	9,480
28	DEPLOYABLE JOINT COMMAND AND CONTROL	4,275	4,275
29	ASW SYSTEMS DEVELOPMENT	8,249	8,249
30	TACTICAL AIRBORNE RECONNAISSANCE	6,452	6,452
31	ADVANCED COMBAT SYSTEMS TECHNOLOGY	1,658	1,658
32	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	81,347	79,247
.....	Unmanned Surface Sweep System program delay	.....	−2,100
33	SURFACE SHIP TORPEDO DEFENSE	57,796	50,796
.....	Milestone B delay	.....	−7,000
34	CARRIER SYSTEMS DEVELOPMENT	93,830	91,830
.....	Navy requested transfer to line 49 for Automatic Test and Re-Test	.....	−2,000
35	SHIPBOARD SYSTEM COMPONENT DEVELOPMENT	51	51
36	PILOT FISH	81,784	81,784
37	RETRACT LARCH	142,858	142,858
38	RETRACT JUNIPER	134,497	134,497
39	RADIOLOGICAL CONTROL	1,358	1,358
40	SURFACE ASW	21,673	21,673
41	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	608,566	559,266
.....	Execution delays	.....	−49,300
42	SUBMARINE TACTICAL WARFARE SYSTEMS	5,590	5,590
43	SHIP CONCEPT ADVANCED DESIGN	17,883	17,883
44	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	1,796	1,796
45	ADVANCED NUCLEAR POWER SYSTEMS	366,509	366,509
46	ADVANCED SURFACE MACHINERY SYSTEMS	5,459	5,459
47	CHALK EAGLE	447,804	447,804
48	LITTORAL COMBAT SHIP (LCS)	226,288	189,588
.....	LCS–2 post shakedown availability delay	.....	−15,800
.....	LCS–1 post shakedown availability planning funding excess	.....	−500
.....	NLOS missile termination	.....	−15,400
.....	Program Increase—Mine Warfare Testing Disruption	.....	+4,000
.....	Navy requested transfer to line 49 for Automatic Test and Re-Test	.....	−2,000
.....	Program Increase—Small Business Technology Insertion (Mine Warfare Modules)	.....	+8,000
.....	Savings from accelerated DT	.....	−15,000
49	COMBAT SYSTEM INTEGRATION	24,344	34,344
.....	Navy requested transfer from lines 34, 48, 107, 122 and 136 for Automatic Test and Re-Test	.....	+10,000
50	CONVENTIONAL MUNITIONS	5,388	5,388
51	MARINE CORPS ASSAULT VEHICLES	242,765	222,765
.....	Expeditionary Fighting Vehicle	.....	−165,000
.....	Termination Liability, or SDD if certified by the Secretary	.....	+145,000
52	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	40,505	28,505
.....	JLTV EMD contract award delay	.....	−12,000
53	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	25,873	25,873
54	COOPERATIVE ENGAGEMENT	52,282	52,282
55	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	13,560	13,560
56	ENVIRONMENTAL PROTECTION	20,207	20,207
57	NAVY ENERGY PROGRAM	30,403	34,403
.....	Program Increase—Alternative Energy from Organic Sources	.....	+4,000
58	FACILITIES IMPROVEMENT	3,746	3,746
59	CHALK CORAL	71,920	71,920
60	NAVY LOGISTIC PRODUCTIVITY	4,139	4,139
61	RETRACT MAPLE	219,463	219,463
62	LINK PLUMERIA	58,030	58,030
63	RETRACT ELM	183,187	183,187
64	SHIP SELF DEFENSE	4,385	4,385
65	LINK EVERGREEN	41,433	41,433
66	SPECIAL PROCESSES	36,457	36,457
67	NATO RESEARCH AND DEVELOPMENT	9,196	9,196
68	LAND ATTACK TECHNOLOGY	905	905
69	NONLETHAL WEAPONS	43,272	43,272
70	JOINT PRECISION APPROACH AND LANDING SYSTEMS	159,151	159,151
73	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS	.....	8,000
.....	Directed Energy Development and Test	.....	+8,000
74	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES	51,693	51,693
75	JOINT COUNTER RADIO CONTROLLED IED ELECTRONIC WARFARE	56,542	50,242
.....	Program delay	.....	−6,300
76	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	25,121	25,121
77	SPACE & ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINE	34,793	34,793
78	ASW SYSTEMS DEVELOPMENT—MIP	2,161	2,161
79	SUBMARINE TACTICAL WARFARE SYSTEMS—MIP	4,253	4,253
80	ELECTRONIC WARFARE DEVELOPMENT—MIP	663	663

R–1		Budget Request	Recommendation
81	OTHER HELO DEVELOPMENT	44,329	44,329
82	AV–8B AIRCRAFT—ENG DEV	22,867	22,867
83	STANDARDS DEVELOPMENT	45,667	45,667
84	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	55,792	55,792
85	AIR/OCEAN EQUIPMENT ENGINEERING	5,735	5,735
86	P–3 MODERNIZATION PROGRAM	3,574	3,574
87	WARFARE SUPPORT SYSTEM	3,733	3,733
88	TACTICAL COMMAND SYSTEM	89,955	87,955
.....	Systems engineering growth	.....	−2,000
89	ADVANCED HAWKEYE	171,132	171,132
90	H-1 UPGRADES	60,498	60,498
91	ACOUSTIC SEARCH SENSORS	64,834	64,834
92	V-22A	46,070	44,425
.....	Fuel forward funded in fiscal year 2010 supplemental	.....	−1,645
93	AIR CREW SYSTEMS DEVELOPMENT	8,689	11,189
.....	Transfer from AP,N line 52 for Common Mobile Aircrew Restraint System	.....	+2,500
94	EA–18	22,042	21,773
.....	Fuel forward funded in fiscal year 2010 supplemental	.....	−269
95	ELECTRONIC WARFARE DEVELOPMENT	80,819	80,819
96	VH-71A EXECUTIVE HELO DEVELOPMENT	159,785	159,785
97	NEXT GENERATION JAMMER (NGJ)	120,602	90,602
.....	Technology development contract delay	.....	−30,000
98	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY)	687,723	627,723
.....	Airborne Maritime Fixed unjustified increase	.....	−60,000
100	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	193,933	193,933
101	LPD-17 CLASS SYSTEMS INTEGRATION	1,373	1,373
102	SMALL DIAMETER BOMB (SDB)	44,091	24,091
.....	Program delay	.....	−20,000
103	STANDARD MISSILE IMPROVEMENTS	96,186	96,186
104	AIRBORNE MCM	45,885	45,885
105	NAVAL INTEGRATED FIRE CONTROL-COUNTER AIR SYSTEMS ENG	21,517	21,517
106	ADVANCED ABOVE WATER SENSORS	274,371	274,371
107	SSN-688 AND TRIDENT MODERNIZATION	118,897	112,197
.....	Navy requested transfer to line 49 for Automatic Test and Re-Test	.....	−2,000
.....	Communications at Speed and Depth	.....	−4,700
108	AIR CONTROL	5,665	5,665
109	SHIPBOARD AVIATION SYSTEMS	70,117	70,117
110	COMBAT INFORMATION CENTER CONVERSION	5,044	5,044
111	NEW DESIGN SSN	155,489	171,489
.....	Program Increase—Small Business Technology Insertion	.....	+16,000
112	SUBMARINE TACTICAL WARFARE SYSTEM	50,537	50,537
113	SHIP CONTRACT DESIGN/LIVE FIRE T&E	153,686	166,686
.....	Full Ship Shock Trial Alternative transfer from line 136	.....	+13,000
114	NAVY TACTICAL COMPUTER RESOURCES	4,443	4,443
115	MINE DEVELOPMENT	5,455	5,455
116	LIGHTWEIGHT TORPEDO DEVELOPMENT	25,282	25,282
117	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	10,489	10,489
118	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS	10,759	10,759
119	JOINT STANDOFF WEAPON SYSTEMS	12,567	12,567
120	SHIP SELF DEFENSE (DETECT & CONTROL)	45,930	45,930
121	SHIP SELF DEFENSE (ENGAGE: HARD KILL)	5,860	5,860
122	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	84,525	82,525
.....	Navy requested transfer to line 49 for Automatic Test and Re-Test	.....	−2,000
123	INTELLIGENCE ENGINEERING	6,820	6,820
124	MEDICAL DEVELOPMENT	12,337	29,137
.....	Wound Care Research	.....	+10,400
.....	Military Dental Research	.....	+6,400
125	NAVIGATION/ID SYSTEM	66,636	66,636
126	JOINT STRIKE FIGHTER (JSF)—EMD	667,916	613,864
.....	Block IV capabilities funding ahead of need	.....	−29,052
.....	Underexecution of test program	.....	−25,000
127	JOINT STRIKE FIGHTER (JSF)	707,791	676,806
.....	Block IV capabilities funding ahead of need	.....	−29,000
.....	Fuel forward funded in fiscal year 2010 supplemental	.....	−1,985
128	INFORMATION TECHNOLOGY DEVELOPMENT	22,783	22,783
129	INFORMATION TECHNOLOGY DEVELOPMENT	28,280	28,280
130	NAVY INTEGRATED MILITARY HUMAN RESOURCES SYSTEM	27,444	15,444
.....	Reduction to pre-development activities	.....	−12,000
131	CH-53K	577,435	577,435
133	JOINT AIR-TO-GROUND MISSILE (JAGM)	100,846	100,846
134	MULTI-MISSION MARITIME AIRCRAFT (MMA)	929,240	941,240
.....	Program Increase—Small Business Technology Insertion	.....	+12,000
136	DDG-1000	549,241	534,241
.....	Navy requested transfer to line 49 for Automatic Test and Re-Test	.....	−2,000
.....	Full Ship Shock Trial Alternative transfer to line 113	.....	−13,000
137	TACTICAL COMMAND SYSTEM—MIP	1,318	1,318
138	SSN-688 AND TRIDENT MODERNIZATION—MIP	1,415	1,415
139	TACTICAL CRYPTOLOGIC SYSTEMS	17,019	12,387
.....	Execution delays	.....	−4,632
140	THREAT SIMULATOR DEVELOPMENT	18,755	18,755
141	TARGET SYSTEMS DEVELOPMENT	66,066	66,066
142	MAJOR T&E INVESTMENT	37,522	37,522
143	STUDIES AND ANALYSIS SUPPORT—NAVY	8,149	8,149
144	CENTER FOR NAVAL ANALYSES	49,165	49,165
146	TECHNICAL INFORMATION SERVICES	662	662
147	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	58,329	58,329
148	STRATEGIC TECHNICAL SUPPORT	3,451	3,451
149	RDT&E SCIENCE AND TECHNOLOGY MANAGEMENT	72,094	72,094
150	RDT&E SHIP AND AIRCRAFT SUPPORT	95,332	93,871
.....	Fuel forward funded in fiscal year 2010 supplemental	.....	−1,461
151	TEST AND EVALUATION SUPPORT	376,418	376,418
152	OPERATIONAL TEST AND EVALUATION CAPABILITY	15,746	15,746
153	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	4,013	4,013
154	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	19,700	19,700
155	MARINE CORPS PROGRAM WIDE SUPPORT	17,721	17,721
156	TACTICAL CRYPTOLOGIC ACTIVITIES	1,859	1,859
157	SERVICE SUPPORT TO JFCOM, JNTC	4,260	4,260
161	UNMANNED COMBAT AIR VEHICLE (UCAV) ADVANCED COMPONENT	266,368	266,368
162	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	81,184	71,184
.....	Conventional Trident Modification	.....	−10,000
163	SSBN SECURITY TECHNOLOGY PROGRAM	34,997	34,997
164	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	6,815	6,815
165	NAVY STRATEGIC COMMUNICATIONS	10,331	10,331
166	RAPID TECHNOLOGY TRANSITION (RTT)	35,120	35,120
167	F/A–18 SQUADRONS	148,438	148,438
168	E-2 SQUADRONS	19,011	19,011
169	FLEET TELECOMMUNICATIONS (TACTICAL)	26,894	26,894
170	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)	10,587	10,587
171	INTEGRATED SURVEILLANCE SYSTEM	23,464	23,464
172	AMPHIBIOUS TACTICAL SUPPORT UNITS	4,357	4,357
173	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	50,750	50,750
174	CRYPTOLOGIC DIRECT SUPPORT	1,519	1,519
175	ELECTRONIC WARFARE (EW) READINESS SUPPORT	39,398	39,398

R–1		Budget Request	Recommendation
176	HARM IMPROVEMENT	14,207	12,207
	Systems engineering growth		−2,000
177	TACTICAL DATA LINKS	28,854	28,854
178	SURFACE ASW COMBAT SYSTEM INTEGRATION	32,877	36,877
	Program Increase—Small Business Technology Insertion		+4,000
179	MK-48 ADCAP	26,234	34,234
	Program Increase—Small Business Technology Insertion		+8,000
180	AVIATION IMPROVEMENTS	133,611	100,890
	F-135 engine ahead of need		−27,000
	Multi-purpose bomb rack program delay		−5,721
181	NAVY SCIENCE ASSISTANCE PROGRAM	3,535	3,535
182	OPERATIONAL NUCLEAR POWER SYSTEMS	74,229	74,229
183	MARINE CORPS COMMUNICATIONS SYSTEMS	245,298	232,898
	Joint Cooperative Target Identification—Ground		−12,400
184	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS	100,424	76,424
	Marine personnel carrier program delay		−20,000
	LAV-AT contract delay		−4,000
185	MARINE CORPS COMBAT SERVICES SUPPORT	19,466	19,466
186	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP)	20,316	20,316
187	TACTICAL AIM MISSILES	912	912
188	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	2,633	2,633
189	JOINT HIGH SPEED VESSEL (JHSV)	3,586	3,586
194	SATELLITE COMMUNICATIONS (SPACE)	422,268	422,268
195	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES	63,563	44,563
	Increment 1 transition contract delay		−19,000
196	INFORMATION SYSTEMS SECURITY PROGRAM	25,934	25,934
199	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES—MIP	8,375	8,375
201	COBRA JUDY	36,527	36,527
202	NAVY METEOROLOGICAL AND OCEAN SENSORS—SPACE (METOC)	63,878	63,878
203	JOINT MILITARY INTELLIGENCE PROGRAMS	4,435	4,435
204	TACTICAL UNMANNED AERIAL VEHICLES	35,212	18,912
	Marinized UAS		−16,300
206	AIRBORNE RECONNAISSANCE SYSTEMS		50,200
	Program increase		+5,200
	EP–3/SPA systems development		+45,000
207	MANNED RECONNAISSANCE SYSTEMS	19,263	19,263
208	DISTRIBUTED COMMON GROUND SYSTEMS/SURFACE SYSTEMS	8,377	8,377
209	DISTRIBUTED COMMON GROUND SYSTEMS/SURFACE SYSTEMS	16,665	16,665
210	RQ–4 UAV	529,250	529,250
211	MQ–8 UAV	10,665	10,665
212	RQ–11 UAV	512	512
213	RQ–7 UAV	934	934
214	SMALL (LEVEL 0) TACTICAL UAS (STUASL0)	26,209	26,209
215	SMALL (LEVEL 0) TACTICAL UAS (STUASL0)	18,098	12,710
	STUAS Lite termination		−5,388
218	MODELING AND SIMULATION SUPPORT	8,158	8,158
219	DEPOT MAINTENANCE (NON–IF)	18,649	18,649
220	AVIONICS COMPONENT IMPROVEMENT PROGRAM	3,250	3,250
221	INDUSTRIAL PREPAREDNESS	46,173	46,173
	CLASSIFIED PROGRAMS	1,284,901	1,499,901
	Classified adjustment		+215,000
	TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, NAVY	17,693,496	17,736,303
	RESEARCH, DEVELOPMENT, TEST & EVALUATION, AIR FORCE		
1	DEFENSE RESEARCH SCIENCES	350,978	350,978
2	UNIVERSITY RESEARCH INITIATIVES	136,297	136,297
3	HIGH ENERGY LASER RESEARCH INITIATIVES	13,198	13,198
4	MATERIALS	137,273	137,273
5	AEROSPACE VEHICLE TECHNOLOGIES	144,699	144,699
6	HUMAN EFFECTIVENESS APPLIED RESEARCH	87,452	87,452
7	AEROSPACE PROPULSION	207,049	204,049
	Unjustified program growth		−3,000
8	AEROSPACE SENSORS	157,497	159,897
	Program Increase—Materials for Structures, Propulsion, and Subsystems		+2,400
9	SPACE TECHNOLOGY	111,857	111,857
10	CONVENTIONAL MUNITIONS	61,330	61,330
11	DIRECTED ENERGY TECHNOLOGY	103,596	122,396
	Re-alignment of funding for ground optical imaging research and technology		+18,800
13	DOMINANT INFORMATION SCIENCES AND METHODS	117,283	115,783
	Transfer to line 11		−1,500
14	HIGH ENERGY LASER RESEARCH	53,384	53,384
15	ADVANCED MATERIALS FOR WEAPON SYSTEMS	33,414	40,414
	Transfer to line 11		−1,000
	Metals Affordability Initiative		+8,000
16	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)	2,935	2,935
17	ADVANCED AEROSPACE SENSORS	44,677	44,677
18	AEROSPACE TECHNOLOGY DEV/DEMO	53,588	52,588
	Transfer to line 11		−1,000
19	AEROSPACE PROPULSION AND POWER TECHNOLOGY	136,135	134,135
	Transfer to line 11		−2,000
21	ELECTRONIC COMBAT TECHNOLOGY	16,992	16,992
22	ADVANCED SPACECRAFT TECHNOLOGY	83,705	80,115
	Transfer to line 11		−3,590
23	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	5,899	5,899
24	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT	24,814	24,814
25	CONVENTIONAL WEAPONS TECHNOLOGY	15,755	15,755
26	ADVANCED WEAPONS TECHNOLOGY	17,461	17,461
27	MANUFACTURING TECHNOLOGY PROGRAM	39,701	47,701
	Program Increase—Best Industrial Process for Department of Defense Depots		+8,000
28	BATTLESPACE KNOWLEDGE DEVELOPMENT & DEMONSTRATION	32,382	32,382
30	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM	1,847	1,847
XX	RESEARCH AND DEVELOPMENT INNOVATION	0	105,000
	Research and Development Innovation		+105,000
31	INTELLIGENCE ADVANCED DEVELOPMENT	5,019	5,019
32	PHYSICAL SECURITY EQUIPMENT	3,576	1,000
	Unjustified program request		−2,576
33	GPS III—OPERATIONAL CONTROL SEGMENT	0	356,867
	Operational Control Segment (OCX)—Transfer from line 212		+356,867
34	ADVANCED EHF MILSATCOM (SPACE)	351,817	394,817
	Program Increase—Capabilities Insertion Program		+43,000
35	POLAR MILSATCOM (SPACE)	164,232	164,232
36	SPACE CONTROL TECHNOLOGY	45,012	45,012
37	COMBAT IDENTIFICATION TECHNOLOGY	26,172	36,172
	Program Increase—Automatic Dependent Surveillance—Broadcast		+10,000
38	NATO RESEARCH AND DEVELOPMENT	4,372	4,372
39	INTERNATIONAL SPACE COOPERATIVE R&D	635	635
40	SPACE PROTECTION PROGRAM (SPP)	8,349	8,349
42	INTEGRATED BROADCAST SERVICE	20,580	20,580
43	INTERCONTINENTAL BALLISTIC MISSILE	66,745	66,745
44	WIDEBAND GAPFILLER SYSTEM RDT&E (SPACE)	36,123	79,123
	Program Increase—Capabilities Insertion Program		+43,000
45	POLLUTION PREVENTION (DEM/VAL)	2,534	2,534
46	JOINT PRECISION APPROACH AND LANDING SYSTEMS	13,952	13,952

R–1		Budget Request	Recommendation
47	NEXT GENERATION BOMBER	198,957	198,957
48	BATTLE MGMT COM & CTRL SENSOR DEVELOPMENT	0	12,000
.....	Program Increase—GMTI Radar Development	.....	+12,000
49	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM	22,389	22,389
50	JOINT DUAL ROLE AIR DOMINANCE MISSILE	9,799	9,799
51	REQUIREMENTS ANALYSIS AND MATURATION	34,339	34,339
52	NEXT-GENERATION MILSATCOM TECHNOLOGY DEVELOPMENT	0	20,000
.....	Program Increase—Acquisition Planning and Studies	.....	+20,000
53	GROUND ATTACK WEAPONS FUZE DEVELOPMENT	32,513	22,513
.....	Program delay	.....	−10,000
54	ALTERNATIVE FUELS	24,064	24,064
55	AUTOMATED AIR-TO-AIR REFUELING	85	85
56	OPERATIONALLY RESPONSIVE SPACE	93,978	125,978
.....	Program Increase—Responsive Launch Capabilities	.....	+32,000
57	TECH TRANSITION PROGRAM	12,260	12,260
58	NATIONAL POLAR-ORBITING OPERATIONAL ENVIRONMENTAL SAT	325,505	100,000
.....	Program Reduction	.....	−225,505
58A	DEFENSE WEATHER SATELLITE SYSTEM (DWSS)	.....	75,000
.....	DWSS-only for defense sensor development	.....	+75,000
59	GLOBAL BROADCAST SERVICE (GBS)	18,171	18,171
60	NUCLEAR WEAPONS SUPPORT	60,545	60,545
62	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	8,066	8,066
64	ELECTRONIC WARFARE DEVELOPMENT	89,966	89,966
65	JOINT TACTICAL RADIO	631	631
66	TACTICAL DATA NETWORKS ENTERPRISE	102,941	102,941
67	PHYSICAL SECURITY EQUIPMENT	50	50
68	SMALL DIAMETER BOMB (SDB)	153,505	100,505
.....	SDB II—Contract Award Delay	.....	−53,000
69	COUNTERSPACE SYSTEMS	40,276	40,276
70	SPACE SITUATION AWARENESS SYSTEMS	426,525	350,425
.....	SBSS Follow On	.....	−45,100
.....	Space Fence	.....	−35,000
.....	Integration of Missile Defense Agency radar systems into Space Surveillance Network	.....	+4,000
71	AIRBORNE ELECTRONIC ATTACK	25,937	25,937
72	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD	530,047	530,047
74	ARMAMENT/ORDNANCE DEVELOPMENT	6,693	6,693
75	SUBMUNITIONS	1,622	1,622
76	AGILE COMBAT SUPPORT	37,987	37,987
77	LIFE SUPPORT SYSTEMS	10,650	10,650
78	COMBAT TRAINING RANGES	36,905	36,905
79	INTEGRATED COMMAND & CONTROL APPLICATIONS (IC2A)	10	10
80	INTELLIGENCE EQUIPMENT	1,364	1,364
81	JOINT STRIKE FIGHTER (JSF)	883,773	1,051,210
.....	Air Force requested transfer from line 135	.....	+159,837
.....	Air Force requested transfer for Auto GCAS from AP,AF line 43	.....	+7,600
82	INTERCONTINENTAL BALLISTIC MISSILE	71,843	71,843
83	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)	30,245	55,245
.....	Program Increase—EELV Common Upper Stage	.....	+25,000
85	NEXT GENERATION AERIAL REFUELING AIRCRAFT	863,875	0
.....	Transfer to Tanker Transfer Fund	.....	−863,875
86	CSAR HH-60 RECAPITALIZATION	12,584	0
.....	Program Termination	.....	−12,584
86A	HH-60 RDT&E	0	1,934
.....	Terrain and Traffic Avoidance Systems—Transfer from line 86	.....	+1,934
88	HC/MC-130 RECAP RDT&E	15,536	15,536
91	SINGLE INTEGRATED AIR PICTURE (SIAP)	1,832	0
.....	Program termination	.....	−1,832
92	FULL COMBAT MISSION TRAINING	57,393	57,393
94	JOINT CARGO AIRCRAFT (JCA)	26,407	26,407
95	CV-22	18,270	18,270
96	AIRBORNE SENIOR LEADER C3 (SLC3S)	15,826	7,826
.....	Contract award delay for SLC3S-A Communications Program (SCP)	.....	−8,000
97	THREAT SIMULATOR DEVELOPMENT	21,245	21,245
98	MAJOR T&E INVESTMENT	61,587	61,587
99	RAND PROJECT AIR FORCE	26,752	26,752
101	INITIAL OPERATIONAL TEST & EVALUATION	20,665	20,665
102	TEST AND EVALUATION SUPPORT	759,868	759,868
103	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	23,551	23,551
104	SPACE TEST PROGRAM (STP)	47,623	47,623
105	FACILITIES RESTORATION & MODERNIZATION—TEST & EVAL	46,327	46,327
106	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT	27,579	27,579
107	MULTI-SERVICE SYSTEMS ENGINEERING INITIATIVE	18,901	18,901
108	ACQUISITION AND MANAGEMENT SUPPORT	24,968	24,968
109	GENERAL SKILL TRAINING	1,544	1,544
111	INTERNATIONAL ACTIVITIES	3,764	3,764
113	COMMON VERTICAL LIFT SUPPORT PLATFORM	0	4,000
.....	Air Force requested transfer from AP,AF line 18	.....	+4,000
114	AIR FORCE INTEGRATED MILITARY HUMAN RESOURCES SYSTEM	43,300	23,300
.....	Funding ahead of need	.....	−20,000
115	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	42,255	42,255
117	B-52 SQUADRONS	146,096	140,896
.....	EHF Request—early to need	.....	−24,700
.....	Program Increase to continue advanced targeting pod integration	.....	+6,500
.....	Air Force requested transfer from AP,AF line 38 for Internal Weapons Bay	.....	+13,000
118	AIR-LAUNCHED CRUISE MISSILE (ALCM)	3,631	3,631
119	B-1B SQUADRONS	33,234	33,234
120	B-2 SQUADRONS	260,466	276,466
.....	Program Increase—Mixed Loads and Other Capabilities	.....	+16,000
121	STRAT WAR PLANNING SYSTEM—USSTRATCOM	28,441	28,441
122	NIGHT FIST—USSTRATCOM	5,359	5,359
125	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION	23,732	23,732
126	STRATEGIC AEROSPACE INTELLIGENCE SYSTEM ACTIVITIES	15	15
127	WARFIGHTER RAPID ACQUISITION PROCESS (WRAP) RAPID TRAN	10,580	10,580
128	MQ-9 UAV	125,427	125,427
129	MULTI-PLATFORM ELECTRONIC WARFARE EQUIPMENT	15,574	15,574
130	A-10 SQUADRONS	5,661	5,661
131	F-16 SQUADRONS	129,103	129,103
132	F-15E SQUADRONS	222,677	207,677
.....	Contract award delays	.....	−15,000
133	MANNED DESTRUCTIVE SUPPRESSION	12,937	12,937
134	F-22 SQUADRONS	576,330	511,330
.....	Modernization program	.....	−100,000
.....	MADL—Transfer from line 155	.....	+35,000
135	F-35 SQUADRONS	217,561	0
.....	Block 4 Development	.....	−57,724
.....	Air Force requested transfer to line 81	.....	−159,837
136	TACTICAL AIM MISSILES	6,040	6,040
137	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	62,922	62,922
138	JOINT HELMET MOUNTED CUEING SYSTEM (JHMCS)	2,407	2,407
139	COMBAT RESCUE AND RECOVERY	944	944
140	COMBAT RESCUE—PARARESCUE	2,921	2,921
141	AF TENCAP	11,648	11,648
142	PRECISION ATTACK SYSTEMS PROCUREMENT	3,017	3,017

R–1		Budget Request	Recommendation
143	COMPASS CALL	20,652	20,652
144	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	147,396	120,626
.....	F-135 Component Improvement Program—premature request	.....	−26,770
146	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	20,000	20,000
147	AIR AND SPACE OPERATIONS CENTER (AOC)	93,102	93,102
148	CONTROL AND REPORTING CENTER (CRC)	58,313	58,313
149	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	239,755	229,755
.....	Contract award and schedule delays for Block 40/45 EMD and DRAGON	.....	−10,000
151	ADVANCED COMMUNICATIONS SYSTEMS	67,532	67,532
153	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	3,310	3,310
154	THEATER BATTLE MANAGEMENT (TBM) C4I	15,170	15,170
155	FIGHTER TACTICAL DATA LINK	85,492	23,992
.....	MADL—Transfer to line 134	.....	−61,500
157	C2ISR TACTICAL DATA LINK	1,584	1,584
158	COMMAND AND CONTROL (C2) CONSTELLATION	24,229	24,229
159	JOINT SURVEILLANCE AND TARGET ATTACK RADAR SYSTEM	168,917	168,917
160	SEEK EAGLE	19,263	19,263
161	USAF MODELING AND SIMULATION	21,638	21,638
162	WARGAMING AND SIMULATION CENTERS	6,020	6,020
163	DISTRIBUTED TRAINING AND EXERCISES	2,863	2,863
164	MISSION PLANNING SYSTEMS	79,112	79,112
165	INFORMATION WARFARE SUPPORT	2,294	2,294
166	CYBER COMMAND ACTIVITIES	1,117	1,117
173	SPACE SUPERIORITY INTELLIGENCE	10,006	10,006
174	E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	12,532	12,532
175	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK	78,784	68,984
.....	MMPU Production—Air Force requested transfer to MP,AF line 9	.....	−9,800
176	INFORMATION SYSTEMS SECURITY PROGRAM	140,017	140,017
177	GLOBAL COMBAT SUPPORT SYSTEM	3,393	3,393
178	GLOBAL COMMAND AND CONTROL SYSTEM	3,055	5,212
.....	Air Force requested transfer from line 179	.....	+2,157
179	JOINT COMMAND AND CONTROL PROGRAM (JC2)	2,157	0
.....	Air Force requested transfer to line 178	.....	−2,157
180	MILSATCOM TERMINALS	186,582	306,282
.....	FAB-T—Air Force requested transfer from AP,AF line 75	.....	+119,700
182	AIRBORNE SIGINT ENTERPRISE	149,268	144,268
.....	Program execution	.....	−5,000
185	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	5,708	5,708
186	CYBER SECURITY INITIATIVE	2,030	2,030
187	DOD CYBER CRIME CENTER	279	279
188	SATELLITE CONTROL NETWORK (SPACE)	21,667	21,667
189	WEATHER SERVICE	32,373	32,373
190	AIR TRAFFIC CONTROL, APPROACH, & LANDING SYSTEM (ATC)	33,268	33,268
191	AERIAL TARGETS	63,573	58,573
.....	Program execution	.....	−5,000
194	SECURITY AND INVESTIGATIVE ACTIVITIES	469	469
196	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	40	40
198	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT)	165,936	165,936
199	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL)	34,471	34,471
201	SPACE AND MISSILE TEST AND EVALUATION CENTER	4,572	4,572
202	SPACE WARFARE CENTER	2,929	2,929
203	SPACELIFT RANGE SYSTEM (SPACE)	9,933	9,933
204	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS	1,254	1,254
206	AIRBORNE RECONNAISSANCE SYSTEMS	168,963	90,263
.....	Wide Area Airborne Surveillance Program of Record—ahead of need	.....	−78,700
207	MANNED RECONNAISSANCE SYSTEMS	15,337	15,337
208	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	93,398	85,898
.....	Program Reduction	.....	−7,500
209	PREDATOR UAV (JMIP)	28,913	23,913
.....	Program execution	.....	−5,000
210	RQ-4 UAV	251,318	220,318
.....	Execution adjustment	.....	−31,000
211	NETWORK-CENTRIC COLLABORATIVE TARGET (TIARA)	7,267	7,267
212	GPS III SPACE SEGMENT	828,171	446,304
.....	Operational Control Segment (OCX)—Transfer to line 33	.....	−381,867
213	JSPOC MISSION SYSTEM	132,706	109,506
.....	JSPOC Mission System	.....	−28,000
.....	Karnac	.....	+4,800
214	INTELLIGENCE SUPPORT TO INFORMATION WARFARE	5,512	5,512
215	NUDET DETECTION SYSTEM (SPACE)	72,199	72,199
216	NATIONAL SECURITY SPACE OFFICE	10,630	0
.....	Program termination—Funding transferred to Executive Agent for Space, OM,AF	.....	−10,630
217	SPACE SITUATION AWARENESS OPERATIONS	43,838	43,838
218	INFORMATION OPS TECHNOLOGY INTEGRATION & TOOL DEVELOP	21,912	21,912
219	SHARED EARLY WARNING (SEW)	2,952	2,952
220	C-130 AIRLIFT SQUADRON	113,107	43,472
.....	Air Force requested transfer to AP,AF line 61	.....	−69,635
221	C-5 AIRLIFT SQUADRONS	58,990	58,990
222	C-17 AIRCRAFT	177,212	162,212
.....	Contract award delays	.....	−15,000
223	C-130J PROGRAM	26,770	26,770
224	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	17,227	17,227
225	KC-135S	20,453	20,453
226	KC-10S	56,669	41,669
.....	Milestone B slip	.....	−15,000
227	OPERATIONAL SUPPORT AIRLIFT	4,988	4,988
228	C-STOL AIRCRAFT	1,283	1,283
230	SPECIAL TACTICS/COMBAT CONTROL	7,345	7,345
231	DEPOT MAINTENANCE (NON-IF)	1,514	1,514
234	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	227,614	227,614
235	SUPPORT SYSTEMS DEVELOPMENT	6,141	38,141
.....	Alternative energy research and integration	.....	+32,000
235A	AIR FORCE RECRUITING INFORMATION SUPPORT SYSTEM	0	5,100
.....	Air Force Recruiting Information Support System—Air Force requested transfer from OM,AF	.....	+5,100
236	OTHER FLIGHT TRAINING	667	667
237	JOINT NATIONAL TRAINING CENTER	9	9
239	OTHER PERSONNEL ACTIVITIES	116	116
240	JOINT PERSONNEL RECOVERY AGENCY	6,107	6,107
242	CIVILIAN COMPENSATION PROGRAM	7,811	7,811
243	PERSONNEL ADMINISTRATION	11,179	11,179
244	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT	49,816	49,816
.....	CLASSIFIED PROGRAMS	12,406,781	12,915,571
.....	Classified Adjustment	.....	+508,790
.....	TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, AIR FORCE	27,247,302	26,517,405
	RESEARCH, DEVELOPMENT, TEST & EVALUATION, DEFENSE-WIDE		
1	DTRA UNIVERSITY STRATEGIC PARTNERSHIP BASIC RESEARCH	47,412	47,412
2	DEFENSE RESEARCH SCIENCES	328,195	295,695
.....	Excessive growth	.....	−32,500
5	NATIONAL DEFENSE EDUCATION PROGRAM	109,911	94,311
.....	Unexecutable growth	.....	−15,600
6	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	49,508	49,508
7	INSENSITIVE MUNITIONS—EXPLORATORY DEVELOPMENT	22,448	20,448

R–1		Budget Request	Recommendation
.....	Excessive growth	.....	−2,000
8	HISTORICALLY BLACK COLLEGES & UNIV (HBCU) SCIENCE	15,067	23,067
.....	Program Increase	.....	+8,000
9	LINCOLN LABORATORY RESEARCH PROGRAM	32,830	32,830
10	INFORMATION AND COMMUNICATIONS TECHNOLOGY	281,262	253,262
.....	DISCOVER contract award delays	.....	−10,000
.....	Extreme Computing contract award delays	.....	−18,000
11	COGNITIVE COMPUTING SYSTEMS	90,143	90,143
12	MACHINE INTELLIGENCE	44,682	44,682
13	BIOLOGICAL WARFARE DEFENSE	32,692	32,692
14	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	169,287	174,287
.....	TMTI BA 5 unexecutable funding transferred back to S&T at request of the Department	.....	+5,000
15	JOINT DATA MANAGEMENT ADVANCED DEVELOPMENT	3,261	0
.....	Duplicate effort	.....	−3,261
16	CYBER SECURITY RESEARCH	10,000	5,000
.....	Lack of authorization	.....	−5,000
17	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) APP	9,499	7,999
.....	Excessive growth	.....	−1,500
18	TACTICAL TECHNOLOGY	224,378	224,378
19	MATERIALS AND BIOLOGICAL TECHNOLOGY	312,586	307,586
.....	Unsustained growth	.....	−5,000
20	ELECTRONICS TECHNOLOGY	286,936	266,936
.....	Excessive growth	.....	−20,000
21	WEAPONS OF MASS DESTRUCTION DEFEAT TECHNOLOGIES	212,742	212,742
22	SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT	26,545	36,745
.....	Program Increase—Unfunded Requirement	.....	+15,200
.....	Unexecutable growth	.....	−5,000
24	JOINT MUNITIONS ADVANCED TECH INSENSITIVE MUNITIONS AD	20,556	15,556
.....	Unjustified growth	.....	−5,000
25	SO/LIC ADVANCED DEVELOPMENT	44,423	44,423
26	COMBATING TERRORISM TECHNOLOGY SUPPORT	85,299	85,299
27	COUNTERPROLIFERATION INITIATIVES—PROLIF PREV & DEFEAT	295,163	295,163
28	BALLISTIC MISSILE DEFENSE TECHNOLOGY	132,220	92,220
.....	SM-3 Block IIB Development transfer to line 84, AEGIS BMD	.....	−40,000
29	JOINT ADVANCED CONCEPTS	6,808	6,808
30	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	22,700	22,700
31	AGILE TRANSPO FOR THE 21ST CENTURY (AT21)—THEATER CA	750	750
32	ADVANCED AEROSPACE SYSTEMS	303,078	241,378
.....	ArcLight	.....	−5,000
.....	ISIS lack of transition partner	.....	−21,700
.....	MoTr program delays	.....	−15,000
.....	Vulture program descope and delays	.....	−20,000
33	SPACE PROGRAMS AND TECHNOLOGY	98,130	98,130
34	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT	177,113	222,713
.....	TMTI BA 5 unexecutable funding transferred back to S&T at request of the Department	.....	+45,600
35	JOINT ELECTRONIC ADVANCED TECHNOLOGY	8,386	8,386
36	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	206,917	191,917
.....	Unjustified growth	.....	−15,000
37	NETWORKED COMMUNICATIONS CAPABILITIES	30,035	25,035
.....	Unjustified growth	.....	−5,000
38	JOINT DATA MANAGEMENT RESEARCH	6,289	4,289
.....	Excessive growth	.....	−2,000
39	BIOMETRICS SCIENCE AND TECHNOLOGY	11,416	11,416
40	CYBER SECURITY ADVANCED RESEARCH	10,000	5,000
.....	Lack of authorization	.....	−5,000
41	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) ADV	11,510	10,510
.....	Excessive growth	.....	−1,000
42	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROG	18,916	42,916
.....	Industrial Base Innovation Fund	.....	+24,000
43	JOINT ROBOTICS PROGRAM/AUTONOMOUS SYSTEMS	9,943	9,943
44	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	20,542	20,542
45	DEPLOYMENT AND DISTRIBUTION ENTERPRISE TECHNOLOGY	29,109	29,109
46	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	68,021	64,021
.....	Unexecutable growth	.....	−4,000
47	MICROELECTRONIC TECHNOLOGY DEVELOPMENT AND SUPPORT	26,878	26,878
48	JOINT WARFIGHTING PROGRAM	10,966	10,966
49	ADVANCED ELECTRONICS TECHNOLOGIES	197,098	197,098
52	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	200,986	240,986
.....	Program adjustment	.....	+40,000
53	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	219,809	219,809
54	CLASSIFIED DARPA PROGRAMS	167,008	150,308
.....	Poor justification materials	.....	−16,700
55	NETWORK-CENTRIC WARFARE TECHNOLOGY	234,985	227,985
.....	Unsustained growth	.....	−7,000
56	SENSOR TECHNOLOGY	205,032	205,032
58	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT	13,986	13,986
59	SOFTWARE ENGINEERING INSTITUTE	30,910	30,910
61	QUICK REACTION SPECIAL PROJECTS	78,244	58,244
.....	Excessive growth	.....	−13,000
.....	P826—Excess to Quick Reaction Fund requirements	.....	−7,000
62	JOINT EXPERIMENTATION	111,946	91,946
.....	Excessive growth	.....	−20,000
63	MODELING AND SIMULATION MANAGEMENT OFFICE	38,140	33,140
.....	Unexecutable growth	.....	−5,000
64	DIRECTED ENERGY RESEARCH	98,688	123,688
.....	Program Increase	.....	+25,000
65	TEST & EVALUATION SCIENCE & TECHNOLOGY	97,642	97,642
66	TECHNOLOGY TRANSFER	23,310	17,310
.....	Unjustified growth	.....	−6,000
67	SPECIAL OPERATIONS ADVANCED TECHNOLOGY DEVELOPMENT	30,806	38,806
.....	SOF ACTD Programs	.....	+8,000
68	AVIATION ENGINEERING ANALYSIS	4,234	4,234
69	SOF INFORMATION & BROADCAST SYSTEMS ADVANCED TECHNOLOG	4,942	4,942
69X	INNOVATIVE RESEARCH	0	124,200
.....	Program adjustment	.....	+124,200
70	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT	32,132	32,132
71	RETRACT LARCH	21,592	21,592
72	JOINT ROBOTICS PROGRAM	9,878	9,878
73	ADVANCE SENSOR APPLICATIONS PROGRAM	18,060	18,060
74	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM	30,419	30,419
75	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT	436,482	431,482
.....	Funding no longer required for transition to Reagan Test Site	.....	−5,000
76	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT	1,346,181	1,311,181
.....	Excess Award Fee and Test and Integration Delays	.....	−35,000
78	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	277,062	271,062
.....	Improved Nerve Agent Treatment System—slow obligation rate in fiscal year 2010	.....	−5,000
.....	Lightweight Chemical/Biological Ensemble execution delays	.....	−1,000
79	BALLISTIC MISSILE DEFENSE SENSORS	454,859	392,159
.....	Transfer to line 88 for Concurrent Test, Training and Operations	.....	−35,900
.....	Transfer to line 88 for TPY-2 C2BMC Fielding	.....	−13,000
.....	Transfer to line 88 for BMDS Radars Communications Sustainment (TPY-2)	.....	−13,800
81	BALLISTIC MISSILE DEFENSE TEST & TARGETS	1,113,425	1,008,525
.....	Transfer to lines 82 and 88	.....	−94,900

R–1		Budget Request	Recommendation
.....	Funding no longer required for move to Reagan Test Site	.....	−5,000
.....	Program Growth in Program Operations Systems Engineering and Systems Management	.....	−5,000
82	BALLISTIC MISSILE DEFENSE ENABLING PROGRAMS	402,769	406,269
.....	Transfer from line 81	.....	+43,500
.....	Excessive contractor support, advisory services and program growth	.....	−40,000
83	SPECIAL PROGRAMS—MDA	270,189	245,189
.....	Transfer to higher priority near-term MDA procurement programs	.....	−25,000
84	AEGIS BMD	1,467,278	1,569,278
.....	Program growth	.....	−12,000
.....	Navy requested transfer from OP,N line 109	.....	+72,500
.....	Aegis BMD Ships—Navy requested transfer from OM,N line 1B5B	.....	+1,500
.....	SM-3 Block IIB Development—transfer from line 28	.....	+40,000
85	SPACE SURVEILLANCE & TRACKING SYSTEM	112,678	112,678
87	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS	10,942	10,942
88	BALLISTIC MISSILE DEFENSE C2BMC	342,625	456,725
.....	Transfer from line 81 for Concurrent Test, Training and Operations	.....	+51,400
.....	Transfer from line 79 for Concurrent Test, Training and Operations	.....	+35,900
.....	Transfer from line 79 for TPY-2 C2BMC Fielding	.....	+13,000
.....	Transfer from line 79 for BMDS Radar Communications Sustainement (TPY-2)	.....	+13,800
90	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT	68,726	58,726
.....	Duplication of effort with MDA core programs	.....	−10,000
91	CENTER (MDIOC)	86,198	86,198
92	REGARDING TRENCH	7,529	7,529
93	SEA BASED X-BAND RADAR (SBX)	153,056	153,056
98	ISRAELI COOPERATIVE PROGRAMS	121,735	209,935
.....	David's Sling Weapons Program	.....	+38,000
.....	Arrow System Improvement Program (ASIP)	.....	+42,000
.....	Arrow 3 Upper Tier Interceptor Program	.....	+8,200
99	HUMANITARIAN DEMINING	14,735	14,735
100	COALITION WARFARE	13,786	13,786
101	DEPARTMENT OF DEFENSE CORROSION PROGRAM	4,802	39,502
.....	Department of Defense Corrosion Prevention and Control Program	.....	+34,700
102	DOD UNMANNED AIRCRAFT SYSTEM (UAS) COMMON DEVELOPMENT	49,292	49,292
104	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) RES	7,459	7,459
105	JOINT SYSTEMS INTEGRATION COMMAND (JSIC)	19,413	19,413
106	JOINT FIRES INTEGRATION & INTEROPERABILITY TEAM	16,637	16,637
107	LAND-BASED SM-3 (LBSM3)	281,378	281,378
108	AEGIS SM-3 BLOCK IIA CO-DEVELOPMENT	318,800	318,800
109	PRECISION TRACKING SPACE SYSTEM RDT&E	66,969	36,969
.....	Transfer to higher priority near-term MDA procurement programs	.....	−30,000
110	AIRBORNE INFRARED (ABIR)	111,671	76,671
.....	Transfer to higher priority near-term MDA procurement programs	.....	−35,000
111	REDUCTION OF TOTAL OWNERSHIP COST	20,310	20,310
112	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM	4,027	4,027
113	DEFENSE ACQUISITION CHALLENGE PROGRAM (DACP)	24,344	24,344
114	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT	7,973	7,973
115	PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT	239,861	239,861
116	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	407,162	300,562
.....	Plague Vaccine—slow obligation rate in fiscal year 2010	.....	−5,000
.....	TMTI BA 5 unexecutable funding transferred back to S&T at request of the Department	.....	−65,600
.....	Bioscavenger Increment II schedule delays	.....	−12,000
.....	Decontamination Family of Systems schedule delays	.....	−9,000
.....	Next Generation Chemical Standoff Detection schedule delays	.....	−9,000
.....	SSI NBCRS growth without acquisition strategy	.....	−6,000
117	JOINT ROBOTICS PROGRAM	4,155	4,155
118	ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO)	49,364	23,695
.....	Technology Initiatives Investment Fund	.....	−25,669
119	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	20,954	20,954
120	WEAPONS OF MASS DESTRUCTION DEFEAT CAPABILITIES	7,307	7,307
121	INFORMATION TECHNOLOGY DEVELOPMENT	11,937	11,937
122	DEFENSE INTEGRATED MILITARY HUMAN RESOURCES SYSTEM	11,800	11,800
123	BUSINESS TRANSFORMATION AGENCY R&D ACTIVITIES	184,131	181,166
.....	VIPS Increment II contract award in fiscal year 2012	.....	−2,965
124	HOMELAND PERSONNEL SECURITY INITIATIVE	391	391
125	OUSD(C) IT DEVELOPMENT INITIATIVES	5,000	5,000
126	TRUSTED FOUNDRY	35,512	35,512
128	GLOBAL COMBAT SUPPORT SYSTEM	17,842	17,842
130	WOUNDED ILL AND INJURED SENIOR OVERSIGHT COMMITTEE	1,590	1,590
132	DEFENSE READINESS REPORTING SYSTEM (DRRS)	5,113	5,113
133	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	8,052	8,052
134	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT	162,286	162,286
135	ASSESSMENTS AND EVALUATIONS	2,500	2,500
136	THERMAL VICAR	8,851	8,851
137	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC)	10,287	10,287
138	TECHNICAL STUDIES, SUPPORT AND ANALYSIS	49,282	49,282
139	USD(A&T)—CRITICAL TECHNOLOGY SUPPORT	4,743	4,743
140	FOREIGN MATERIAL ACQUISITION AND EXPLOITATION	95,520	95,520
141	JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION	94,577	94,577
142	CLASSIFIED PROGRAM USD(P)	0	106,000
.....	Classified Program USD(P)	.....	+106,000
143	FOREIGN COMPARATIVE TESTING	32,755	27,755
.....	Unjustified growth	.....	−5,000
144	SYSTEMS ENGINEERING	29,824	37,024
.....	Sustainment of fiscal year 2010 level	.....	+7,200
145	NUCLEAR MATTERS—PHYSICAL SECURITY	6,264	6,264
146	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION	15,091	15,091
147	GENERAL SUPPORT TO USD (INTELLIGENCE)	6,227	6,227
147X	DEFENSE-WIDE ELECTRONIC PROCUREMENT	0	12,000
.....	Program Increase—contract management services program	.....	+12,000
148	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	120,995	120,995
155	SMALL BUSINESS INNOVATION RESEARCH/CHALLENGE ADMINISTR	2,189	2,189
156	DEFENSE TECHNOLOGY ANALYSIS	13,858	11,158
.....	P796—Technical Grand Challenge Program	.....	−2,700
157	FORCE TRANSFORMATION DIRECTORATE	19,701	19,701
158	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	61,054	58,554
.....	Excessive growth	.....	−2,500
159	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING & EVALUATION	64,737	64,737
160	DEVELOPMENT TEST AND EVALUATION	18,688	25,888
.....	Sustainment of fiscal year 2010 level	.....	+7,200
161	DARPA AGENCY RELOCATION	11,000	11,000
162	MANAGEMENT HEADQUARTERS (RESEARCH & DEVELOPMENT)	56,257	56,257
163	BUDGET AND PROGRAM ASSESSMENTS	6,099	6,099
164	AVIATION SAFETY TECHNOLOGIES	10,900	10,900
165	JOINT STAFF ANALYTICAL SUPPORT	23,081	8,081
.....	Growth without acquisition strategy	.....	−15,000
168	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES	31,500	31,500
169	INFORMATION TECHNOLOGY RAPID ACQUISITION	5,135	5,135
170	CYBER SECURITY INITIATIVE	10,000	10,000
171	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO)	21,272	21,272
173	WARFIGHTING AND INTELLIGENCE-RELATED SUPPORT	845	845
174	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION	92,253	48,688
.....	P 754—Initiatives funded by Services	.....	−33,315
.....	P 764—NPSUE funding without program	.....	−10,250

R–1		Budget Request	Recommendation
175	PENTAGON RESERVATION	20,482	20,482
176	MANAGEMENT HEADQUARTERS—MDA	29,754	29,754
177	IT SOFTWARE DEV INITIATIVES	278	278
.....	CLASSIFIED PROGRAMS	61,577	61,577
178	DEFENSE INFORMATION SYSTEM FOR SECURITY (DISS)	5,522	1,000
.....	Unjustified program	.....	−4,522
179	REGIONAL INTERNATIONAL OUTREACH & PARTNERSHIP FOR PEACE	2,139	2,139
180	OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SYSTEM	290	290
181	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT)	6,634	6,634
183	JOINT INTEGRATION AND INTEROPERABILITY	44,139	44,139
185	CLASSIFIED PROGRAMS	2,288	2,288
186	C4I INTEROPERABILITY	74,023	74,023
188	JOINT/ALLIED COALITION INFORMATION SHARING	9,379	9,379
195	NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT	467	467
196	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION	16,629	36,629
.....	Cyber Security Pilot Programs	.....	+20,000
197	LONG HAUL COMMUNICATIONS (DCS)	9,130	9,130
198	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK	9,529	9,529
199	PUBLIC KEY INFRASTRUCTURE (PKI)	8,881	8,881
200	KEY MANAGEMENT INFRASTRUCTURE (KMI)	45,941	45,941
201	INFORMATION SYSTEMS SECURITY PROGRAM	14,077	14,077
202	INFORMATION SYSTEMS SECURITY PROGRAM	388,827	388,827
205	C4I FOR THE WARRIOR	2,261	2,261
206	GLOBAL COMMAND AND CONTROL SYSTEM	26,247	25,047
.....	Fiscal year 2012 testing	.....	−1,200
207	JOINT SPECTRUM CENTER	20,991	20,991
208	NET-CENTRIC ENTERPRISE SERVICES (NCES)	3,366	3,366
209	JOINT MILITARY DECEPTION INITIATIVE	1,161	1,161
210	TELEPORT PROGRAM	6,880	6,880
211	SPECIAL APPLICATIONS FOR CONTINGENCIES	16,272	16,272
214	CYBER SECURITY INITIATIVE	501	501
216	CYBER SECURITY INITIATIVE	2,251	2,251
217	CYBER SECURITY INITIATIVE	10,486	10,486
221	POLICY R&D PROGRAMS	9,136	9,136
223	NET CENTRICITY	29,831	14,831
.....	Unjustified growth	.....	−15,000
227	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	1,290	1,290
230	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	3,513	3,513
232	MQ-1 PREDATOR A UAV	98	98
234	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM	2,988	2,988
235	INT'L INTELLIGENCE TECHNOLOGY ASSESSMENT, ADVANCEMENT	1,416	1,416
245	INDUSTRIAL PREPAREDNESS	21,798	21,798
246	LOGISTICS SUPPORT ACTIVITIES	2,813	2,813
247	MANAGEMENT HEADQUARTERS (JCS)	2,807	2,807
249	NATO AGS	93,885	93,885
250	MQ-9 UAV	98	98
252	SPECIAL OPERATIONS AVIATION SYSTEMS ADVANCED DEVELOPMENT	68,691	68,691
253	SPECIAL OPERATIONS TACTICAL SYSTEMS DEVELOPMENT	1,582	1,582
254	SPECIAL OPERATIONS INTELLIGENCE SYSTEMS DEVELOPMENT	23,879	25,479
.....	Program Increase—Unfunded Requirement	.....	+1,600
255	SOF OPERATIONAL ENHANCEMENTS	62,592	63,692
.....	Program Increase—Unfunded Requirement	.....	+4,000
.....	Program termination	.....	−2,900
256	SPECIAL OPERATIONS CV-22 DEVELOPMENT	14,406	14,406
257	JOINT MULTI-MISSION SUBMERSIBLE	14,924	0
.....	SOCOM requested transfer to line 269	.....	−14,924
259	MISSION TRAINING AND PREPARATION SYSTEMS (MTPS)	2,915	2,915
261	MC130J SOF TANKER RECAPITALIZATION	7,624	7,624
262	SOF COMMUNICATIONS EQUIPMENT AND ELECTRONICS SYSTEMS	1,922	922
.....	Execution delays	.....	−1,000
263	SOF TACTICAL RADIO SYSTEMS	2,347	2,347
264	SOF WEAPONS SYSTEMS	479	479
265	SOF SOLDIER PROTECTION AND SURVIVAL SYSTEMS	593	593
267	SOF TACTICAL VEHICLES	1,994	994
.....	Change in requirements	.....	−1,000
268	SOF ROTARY WING AVIATION	14,473	33,715
.....	SOCOM requested transfer from P,DW line 57	.....	+19,242
269	SOF UNDERWATER SYSTEMS	13,986	28,910
.....	SOCOM requested transfer from line 257	.....	+14,924
270	SOF SURFACE CRAFT	2,933	18,933
.....	Program Increase—CCM Unfunded Requirement	.....	+16,000
271	SOF PSYOP	4,193	4,193
272	SOF GLOBAL VIDEO SURVEILLANCE ACTIVITIES	5,135	5,135
273	SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE	9,167	9,167
.....	CLASSIFIED PROGRAMS	3,832,019	4,011,571
.....	Classified adjustment	.....	+179,552
.....	TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, DEFENSE-WIDE	20,661,600	20,797,412
	OPERATIONAL TEST & EVALUATION, DEFENSE		
1	OPERATIONAL TEST AND EVALUATION	59,430	59,430
2	LIVE FIRE TEST AND EVALUATION	12,899	12,899
3	OPERATIONAL TEST ACTIVITIES AND ANALYSES	122,581	122,581
.....	TOTAL, OPERATIONAL TEST & EVALUATION, DEFENSE	194,910	194,910
.....	TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION	76,130,700	74,957,028

P–1		Budget Request	Recommendation
	NATIONAL DEFENSE SEALIFT FUND		
	STRATEGIC SHIP ACQUISITION	411,202	911,202
	Additional Mobile Landing Platform	.....	+500,000
	DoD MOBILIZATION ASSETS	158,647	158,647
	STRATEGIC SEALIFT SUPPORT	4,875	4,875
	SEALIFT RESEARCH AND DEVELOPMENT	28,012	28,012
	READY RESERVE FORCE OPERATIONS AND MAINTENANCE	332,130	332,130
	MARITIME ADMINISTRATION SHIP FINANCING GUARANTEE PROGRAM	.....	40,000
	TOTAL, NATIONAL DEFENSE SEALIFT FUND	934,866	1,474,866
	DEFENSE HEALTH PROGRAM		
	OPERATION AND MAINTENANCE	29,915,277	29,671,764
---	IN-HOUSE CARE	7,781,877	7,791,077
---	Army Substance Abuse Program—Transfer to OM,A line 131	2,800	−2,800
---	Pain Management Task Force	---	+12,000
---	PRIVATE SECTOR CARE	16,034,745	15,673,745
---	TRICARE Underexecution	---	−236,000
---	Global Deployment of the Force medical research funding—DOD requested transfer to maintain full funding for the program	---	−125,000
---	CONSOLIDATED HEALTH CARE	2,122,483	2,085,770
---	Army Substance Abuse Program—Transfer to OM,A line 131	27,825	−27,825
---	Psychological Health—State Directors for the National Guard—Transfer to OM,ARNG line 133	---	−8,888

P–1		Budget Request	Recommendation
---	INFORMATION MANAGEMENT/IT	1,452,330	1,452,330
---	MANAGEMENT HEADQUARTERS	293,698	288,698
---	MHS Strategic Communications efficiencies	---	−5,000
---	EDUCATION AND TRAINING	632,534	632,534
---	BASE OPERATIONS AND COMMUNICATIONS	1,597,610	1,747,610
---	Medical Facilities Sustainment, Restoration and Modernization	---	+150,000
	PROCUREMENT	519,921	534,921
---	Procurement of Medical Equipment and IO&T - Navy	---	+15,000
	RESEARCH AND DEVELOPMENT	499,913	1,175,513
---	ALS	---	+8,000
---	Armed Forces Institute of Regenerative Medicine	---	+4,800
---	Autism Research	---	+6,400
---	Bone Marrow Failure Disease Research Program	---	+4,000
---	Duchenne Muscular Dystrophy	---	+4,000
---	Global HIV/AIDS Prevention	---	+10,000
---	Traumatic Brain Injury and Psychological Health	---	+100,000
---	Global Deployment of the Force medical research funding—Department of Defense requested transfer to maintain full funding for the program	---	+125,000
---	Gulf War Illness Peer-Reviewed Research Program	---	+8,000
---	Multiple Sclerosis	---	+4,800
---	Peer-Reviewed Alzheimer Research	---	+15,000
---	Peer-Reviewed Breast Cancer Research Program	---	+150,000
---	Peer-Reviewed Cancer Research Program	---	+16,000
---	Peer-Reviewed Lung Cancer Research Program	---	+12,800
---	Peer-Reviewed Orthopedic Research Program	---	+24,000
---	Peer-Reviewed Ovarian Cancer Research Program	---	+20,000
---	Peer Reviewed Vision research in conjunction with the DoD Vision Center of Excellence	---	+4,000
---	Peer-Reviewed Prostate Cancer Research Program	---	+80,000
---	Peer-Reviewed Spinal Cord Research Program	---	+12,000
---	Research in Alcohol and Substance Use Disorders	---	+5,200
---	SBIR to the core funded RDT&E	---	+1,200
---	Tuberous Sclerosis Complex (TSC)	---	+6,400
---	Pain Management Task Force Research	---	+4,000
---	Peer Reviewed Medical Research Program	---	+50,000
---	TOTAL, DEFENSE HEALTH PROGRAM	30,935,111	31,382,198
	CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE		
---	---	---	---
---	OPERATION AND MAINTENANCE	1,067,364	1,067,364
---	PROCUREMENT	7,132	7,132
---	RESEARCH, DEVELOPMENT, TEST AND EVALUATION	392,811	392,811
---	TOTAL, CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE	1,467,307	1,467,307
	DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE		
PC1293	Supplies and Materials (non-fund)—NSA	---	−1,000
PC1329	Other Intra-Governmental Purchases—Navy	---	−2,500
PC6501	Other Intra-Governmental Purchases—OSD	---	−2,000
PC9206	Other Intra-Governmental Purchases—OSD	---	−4,000
PC9205	EUCOM Counternarcotics Operations Support excessive growth	---	−3,000
PC1293	International crime and narcotics analytic tools excessive growth	---	−1,000
PC2360	EUCOM Tactical Analysis Team Support unauthorized new Start	---	−1,500
---	FFRDC cost growth and CN indicated no need	---	−11,394
---	National Guard Counter-Drug Program—State Plans	---	+50,000
---	Young Marines—Drug Demand Reduction	---	+2,000
---	TOTAL, DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	1,131,351	1,156,957
	JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND		
---	---	---	---
4	STAFF AND INFRASTRUCTURE	215,868	0
---	Transfer to Title IX	---	−215,868
---	TOTAL, JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND	215,868	0
	OFFICE OF THE INSPECTOR GENERAL		
---	OPERATION AND MAINTENANCE	282,354	305,794
---	Program Increase	---	+23,440
---	PROCUREMENT	1,000	1,000
---	TOTAL, OFFICE OF THE INSPECTOR GENERAL	283,354	306,794
---	---	---	---
---	TOTAL, OTHER DEPARTMENT OF DEFENSE PROGRAMS	34,032,991	34,313,256
	MILITARY PERSONNEL, ARMY		
---	BA–1: PAY AND ALLOWANCES OF OFFICERS	---	---
---	BASIC PAY	1,237,779	1,237,779
---	RETIRED PAY ACCRUAL	313,278	313,278
---	BASIC ALLOWANCE FOR HOUSING	349,839	349,839
---	BASIC ALLOWANCE FOR SUBSISTENCE	44,752	44,752
---	INCENTIVE PAYS	2,835	2,835
---	SPECIAL PAYS	159,261	159,261
---	ALLOWANCES	56,632	56,632
---	SEPARATION PAY	1,303	1,303
---	SOCIAL SECURITY TAX	94,650	94,650
---	TOTAL, BA–1	2,260,329	2,260,329
---	BA–2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL	---	---
---	BASIC PAY	2,708,271	2,708,271
---	RETIRED PAY ACCRUAL	693,325	693,325
---	BASIC ALLOWANCE FOR HOUSING	1,113,877	1,113,877
---	INCENTIVE PAYS	6,714	6,714
---	SPECIAL PAYS	574,120	574,120
---	ALLOWANCES	241,921	241,921
---	SEPARATION PAY	26,276	26,276
---	SOCIAL SECURITY TAX	207,174	207,174
---	TOTAL, BA–2	5,571,678	5,571,678
---	BA–4: SUBSISTENCE OF ENLISTED PERSONNEL	---	---
---	BASIC ALLOWANCE FOR SUBSISTENCE	329,046	329,046
---	SUBSISTENCE-IN-KIND	1,871,805	1,871,805
---	TOTAL, BA–4	2,200,851	2,200,851
---	BA–5: PERMANENT CHANGE OF STATION TRAVEL	---	---
---	ACCESSION TRAVEL	45,512	45,512
---	OPERATIONAL TRAVEL	107,025	107,025
---	ROTATIONAL TRAVEL	45,514	45,514
---	TOTAL, BA–5	198,051	198,051
---	BA–6: OTHER MILITARY PERSONNEL COSTS	---	---
---	INTEREST ON UNIFORMED SERVICES SAVINGS	16,102	16,102
---	DEATH GRATUITIES	66,220	66,220
---	UNEMPLOYMENT BENEFITS	192,223	192,223
---	RESERVE INCOME REPLACEMENT PROGRAM	1,895	1,895
---	SGLI EXTRA HAZARD PAYMENTS	171,060	171,060
---	TOTAL, BA–6	447,500	447,500
---	UNDISTRIBUTED ADJUSTMENT	---	789,624
---	Undistributed Transfer from Title I	---	+789,624

P–1		Budget Request	Recommendation
---	TOTAL, MILITARY PERSONNEL, ARMY	10,678,409	11,468,033
	MILITARY PERSONNEL, NAVY		
---	BA–1: PAY AND ALLOWANCES OF OFFICERS	---	---
---	BASIC PAY	213,340	213,340
---	RETIRED PAY ACCRUAL	59,067	59,067
---	BASIC ALLOWANCE FOR HOUSING	67,023	67,023
---	BASIC ALLOWANCE FOR SUBSISTENCE	7,315	7,315
---	INCENTIVE PAYS	1,543	1,543
---	SPECIAL PAYS	16,667	16,667
---	ALLOWANCES	16,754	16,754
---	SEPARATION PAY	14	14
---	SOCIAL SECURITY TAX	16,320	16,320
---	TOTAL, BA–1	398,043	398,043
---	---	---	---
---	BA–2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL	---	---
---	BASIC PAY	262,656	262,656
---	RETIRED PAY ACCRUAL	74,338	74,338
---	BASIC ALLOWANCE FOR HOUSING	121,913	121,913
---	INCENTIVE PAYS	325	325
---	SPECIAL PAYS	80,007	80,007
---	ALLOWANCES	27,692	27,692
---	SEPARATION PAY	3,535	3,535
---	SOCIAL SECURITY TAX	20,093	20,093
---	TOTAL, BA–2	590,559	590,559
---	BA–4: SUBSISTENCE OF ENLISTED PERSONNEL	---	---
---	BASIC ALLOWANCE FOR SUBSISTENCE	28,639	28,639
---	SUBSISTENCE-IN-KIND	14,546	14,546
---	TOTAL, BA–4	43,185	43,185
---	BA–5: PERMANENT CHANGE OF STATION TRAVEL	---	---
---	ACCESSION TRAVEL	5,214	5,214
---	OPERATIONAL TRAVEL	23,903	23,903
---	ROTATIONAL TRAVEL	30,110	30,110
---	SEPARATION TRAVEL	3,132	3,132
---	TOTAL, BA–5	62,359	62,359
---	BA–6: OTHER MILITARY PERSONNEL COSTS	---	---
---	DEATH GRATUITIES	3,800	3,800
---	UNEMPLOYMENT BENEFITS	29,662	29,662
---	SGLI EXTRA HAZARD PAYMENTS	51,111	51,111
---	TOTAL, BA–6	84,573	84,573
---	UNDISTRIBUTED ADJUSTMENT	---	130,000
---	Higher than Budgeted Mobilization Levels	---	+110,000
---	Increased Deployment Levels	---	+20,000
---	TOTAL, MILITARY PERSONNEL, NAVY	1,178,719	1,308,719
	MILITARY PERSONNEL, MARINE CORPS		
---	---	---	---
---	BA–1: PAY AND ALLOWANCES OF OFFICERS	---	---
---	BASIC PAY	40,079	40,079
---	RETIRED PAY ACCRUAL	13,308	13,308
---	BASIC ALLOWANCE FOR HOUSING	18,565	18,565
---	BASIC ALLOWANCE FOR SUBSISTENCE	1,760	1,760
---	SPECIAL PAYS	10,747	10,747
---	ALLOWANCES	4,805	4,805
---	SOCIAL SECURITY TAX	4,176	4,176
---	TOTAL, BA–1	93,440	93,440
---	BA–2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL	---	---
---	BASIC PAY	190,013	190,013
---	RETIRED PAY ACCRUAL	43,090	43,090
---	BASIC ALLOWANCE FOR HOUSING	45,977	45,977
---	SPECIAL PAYS	95,395	95,395
---	ALLOWANCES	40,431	40,431
---	SEPARATION PAY	3,017	3,017
---	SOCIAL SECURITY TAX	13,435	13,435
---	TOTAL, BA–2	431,358	431,358
---	BA–4: SUBSISTENCE OF ENLISTED PERSONNEL	---	---
---	BASIC ALLOWANCE FOR SUBSISTENCE	21,420	21,420
---	TOTAL, BA–4	21,420	21,420
---	---	---	---
---	BA–5: PERMANENT CHANGE OF STATION TRAVEL	---	---
---	ACCESSION TRAVEL	3,270	3,270
---	TOTAL, BA–5	3,270	3,270
---	BA–6: OTHER MILITARY PERSONNEL COSTS	---	---
---	DEATH GRATUITIES	27,000	27,000
---	UNEMPLOYMENT BENEFITS	19,942	19,942
---	SGLI EXTRA HAZARD PAYMENTS	48,345	48,345
---	TOTAL, BA–6	95,287	95,287
---	UNDISTRIBUTED ADJUSTMENT	---	88,145
---	Over Budgeted End Strength	---	+88,145
---	TOTAL, MILITARY PERSONNEL, MARINE CORPS	644,775	732,920
	MILITARY PERSONNEL, AIR FORCE		
---	BA–1: PAY AND ALLOWANCES OF OFFICERS	---	---
---	BASIC PAY	188,334	188,334
---	RETIRED PAY ACCRUAL	45,953	45,953
---	BASIC ALLOWANCE FOR HOUSING	58,889	58,889
---	BASIC ALLOWANCE FOR SUBSISTENCE	7,320	7,320
---	SPECIAL PAYS	13,613	13,613
---	ALLOWANCES	5,760	5,760
---	SOCIAL SECURITY TAX	14,408	14,408
---	TOTAL, BA–1	334,277	334,277
---	BA–2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL	---	---
---	PERSONNEL	---	---
---	BASIC PAY	472,896	472,896
---	RETIRED PAY ACCRUAL	115,387	115,387
---	BASIC ALLOWANCE FOR HOUSING	177,545	177,545
---	SPECIAL PAYS	49,964	49,964
---	ALLOWANCES	16,254	16,254
---	SOCIAL SECURITY TAX	36,177	36,177
---	TOTAL, BA–2	868,223	868,223
---	BA–4: SUBSISTENCE OF ENLISTED PERSONNEL	---	---
---	BASIC ALLOWANCE FOR SUBSISTENCE	39,090	39,090
---	SUBSISTENCE-IN-KIND	61,805	61,805
---	TOTAL, BA–4	100,895	100,895
---	BA–5: PERMANENT CHANGE OF STATION TRAVEL	---	---
---	OPERATIONAL TRAVEL	5,957	5,957
---	TOTAL, BA–5	5,957	5,957
---	BA–6: OTHER MILITARY PERSONNEL COSTS	---	---
---	DEATH GRATUITIES	2,000	2,000
---	UNEMPLOYMENT BENEFITS	27,978	27,978
---	SGLI EXTRA HAZARD PAYMENTS	67,057	67,057
---	TOTAL, BA–6	97,035	97,035

P–1		Budget Request	Recommendation
---	UNDISTRIBUTED ADJUSTMENT	---	654,055
---	Higher than Budgeted Mobilization Levels	---	+378,000
---	Over Budgeted End Strength	---	+276,055
---	TOTAL, MILITARY PERSONNEL, AIR FORCE	1,406,387	2,060,442
	RESERVE PERSONNEL, ARMY		
---	BA–1: UNIT AND INDIVIDUAL TRAINING	---	---
---	PAY GROUP A TRAINING (15 DAYS and DRILLS 24/48)	104,230	104,230
---	SCHOOL TRAINING	9,886	9,886
---	SPECIAL TRAINING	153,915	153,915
---	TOTAL, BA–1	268,031	268,031
---	TOTAL, RESERVE PERSONNEL, ARMY	268,031	268,031
	RESERVE PERSONNEL, NAVY		
---	BA–1: UNIT AND INDIVIDUAL TRAINING	---	---
---	SCHOOL TRAINING	7,019	7,019
---	SPECIAL TRAINING	38,683	38,683
---	ADMINISTRATION AND SUPPORT	3,210	3,210
---	TOTAL, BA–1	48,912	48,912
---	TOTAL, RESERVE PERSONNEL, NAVY	48,912	48,912
	RESERVE PERSONNEL, MARINE CORPS		
---	BA–1: UNIT AND INDIVIDUAL TRAINING	---	---
---	SCHOOL TRAINING	5,467	5,467
---	SPECIAL TRAINING	24,797	24,797
---	ADMINISTRATION AND SUPPORT	373	373
---	TOTAL, BA–1	30,637	30,637
---	UNDISTRIBUTED ADJUSTMENT	---	14,800
---	Over Budgeted End Strength	---	+14,800
---	TOTAL, RESERVE PERSONNEL, MARINE CORPS	30,637	45,437
	RESERVE PERSONNEL, AIR FORCE		
---	BA–1: UNIT AND INDIVIDUAL TRAINING	---	---
---	SPECIAL TRAINING	27,002	27,002
---	TOTAL, BA–1	27,002	27,002
---	TOTAL, RESERVE PERSONNEL, AIR FORCE	27,002	27,002
	NATIONAL GUARD PERSONNEL, ARMY		
---	BA–1: UNIT AND INDIVIDUAL TRAINING	---	---
---	PAY GROUP A TRAINING (15 DAYS and DRILLS 24/48)	231,547	231,547
---	SPECIAL TRAINING	550,090	550,090
---	ADMINISTRATION AND SUPPORT	46,485	46,485
---	TOTAL, BA–1	828,122	828,122
---	---	---	---
---	UNDISTRIBUTED ADJUSTMENT	---	24,900
---	Support to Southwest Border	---	+24,900
---	---	---	---
---	TOTAL, NATIONAL GUARD PERSONNEL, ARMY	828,122	853,022
	NATIONAL GUARD PERSONNEL, AIR FORCE		
---	---	---	---
---	BA–1: UNIT AND INDIVIDUAL TRAINING	---	---
---	SPECIAL TRAINING	21,060	11,060
---	Excess to Need	---	−10,000
---	TOTAL, BA–1	21,060	11,060
---	UNDISTRIBUTED ADJUSTMENT	---	5,800
---	Support to Southwest Border	---	+5,800
---	TOTAL, NATIONAL GUARD PERSONNEL, AIR FORCE	21,060	16,860
---	TOTAL, MILITARY PERSONNEL	15,132,054	16,829,378

O–1		Budget Request	Recommendation
	OPERATION AND MAINTENANCE, ARMY		
131	BASE OPERATIONS SUPPORT	0	1,000,000
.....	Increased Peacetime Base Operations Support Costs to Redeployment of Soldiers from Iraq	---	+1,000,000
135	ADDITIONAL ACTIVITIES	47,638,208	44,608,615
.....	Reduced Deployment Level	---	−2,500,000
.....	Transfer to SAG 421 for Subsistence Transportation Costs	---	−1,013,000
.....	Transfer from Overseas Contingency Operations Transfer Fund for Detainee Operations	---	+80,000
.....	Transfer from JIEDDO—Synchronization and Integration WTI Cell	---	+3,200
.....	Transfer from JIEDDO—Thermal Station (National IED Exploitation Facility (NIEF))	---	+13,000
.....	Transfer from JIEDDO—Beachcomber	---	+3,000
.....	Transfer from JIEDDO—Counter Bomber	---	+1,500
.....	Transfer from JIEDDO—CREW-SSM Universal Test Set	---	+3,000
.....	Transfer from JIEDDO—Subtle Magnetic Anomaly Detection Network Systems	---	+1,000
.....	Transfer from JIEDDO—Technical Collection Training Program	---	+16,400
.....	Transfer from Title II—Chemical Defense Equipment Sustainment	---	+8,579
.....	Transfer from Title II—MRAP Vehicle Sustainment at Combat Training Centers	---	+6,420
.....	Transfer from Title II—Body Armor Sustainment	---	+71,660
.....	Transfer from Title II—Rapid Equipping Force Readiness	---	+9,294
.....	Transfer from Title II—Fixed Wing Life Cycle Contract Support	---	+21,171
.....	Transfer from Title II—Overseas Security Guards	---	+200,000
.....	Transfer from Title II—Senior Leader Initiative—Comprehensive Soldier Fitness Program	---	+30,000
.....	Transfer from Title II—Survivability and Maneuverability Training	---	+15,183
136	COMMANDERS EMERGENCY RESPONSE PROGRAM	1,300,000	500,000
.....	Program reduction	---	−400,000
.....	Transfer to Afghanistan Infrastructure Fund	---	−400,000

M–1		Budget Request	Recommendation
137	RESET	7,840,211	6,261,568
.....	Army-Identified Excess Reset Requirement	---	−1,578,643
411	SECURITY PROGRAMS	2,358,865	2,364,265
.....	Transfer from JIEDDO—Air Vigilance	---	+5,400
421	SERVICEWIDE TRANSPORTATION	3,465,334	4,478,334
.....	Transfer from SAG 135 for Subsistence Transportation Costs	---	+1,013,000
.....	TOTAL, OPERATION AND MAINTENANCE, ARMY	62,602,618	59,212,782
	OPERATION AND MAINTENANCE, NAVY		
1A1A	MISSION AND OTHER FLIGHT OPERATIONS	1,839,918	1,839,918
1A2A	FLEET AIR TRAINING	3,453	3,453

M–1		Budget Request	Recommendation
1A3A	AVIATION TECHNICAL DATA & ENGINEERING SVCS	1,400	1,400
1A4A	AIR OPERATIONS AND SAFETY SUPPORT	26,837	26,837
1A4N	AIR SYSTEMS SUPPORT	44,567	44,567
1A5A	AIRCRAFT DEPOT MAINTENANCE	233,114	281,114
.....	Aircraft Depot Maintenance Increase	---	+48,000
1B1B	MISSION AND OTHER SHIP OPERATIONS	1,151,465	1,151,465
1B2B	SHIP OPERATIONS SUPPORT & TRAINING	27,472	27,472
1B4B	SHIP DEPOT MAINTENANCE	1,266,556	1,290,556
.....	Ship Depot Maintenance Increase	---	+24,000
1C1C	COMBAT COMMUNICATIONS	38,468	38,468
1C4C	WARFARE TACTICS	82,801	32,801
.....	Navy Identified Excess to Requirement for CENTCOM Operations	---	−50,000
1C5C	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	24,855	24,855
1C6C	COMBAT SUPPORT FORCES	2,737,727	2,930,528
.....	Transfer from Title II—Naval Expeditionary Combat Command Increases	---	+192,801
1C7C	EQUIPMENT MAINTENANCE	3,677	3,677
1CCH	COMBATANT COMMANDERS CORE OPERATIONS	7,000	7,000
1CCM	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	7,455	7,455
1D3D	IN-SERVICE WEAPONS SYSTEMS SUPPORT	99,118	100,118
.....	Transfer from JIEDDO—CREW-SSM Universal Test Set	---	+1,000
1D4D	WEAPONS MAINTENANCE	82,519	82,519
1D7D	OTHER WEAPON SYSTEMS SUPPORT	16,938	16,938
BSIT	ENTERPRISE INFORMATION	10,350	0
.....	ONE-NET Baseline Budget Requirement	---	−10,350
BSM1	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	28,250	49,250
.....	Continuing Operations at Guantanamo Bay—Transfer from Overseas Contingency Operations Transfer Fund	---	+21,000
BSS1	BASE OPERATING SUPPORT	381,749	436,249
.....	Continuing Operations at Guantanamo Bay—Transfer from Overseas Contingency Operations Transfer Fund	---	+4,000
.....	Transfer from JIEDDO—Counter Bomber	---	+500
.....	Transfer from Title II—Regional/Emergency Operations Center	---	+50,000
2A1F	SHIP PREPOSITIONING AND SURGE	27,300	27,300
2C1H	FLEET HOSPITAL PROGRAM	4,400	4,400
2C3H	COAST GUARD SUPPORT	254,461	0
.....	Transfer to Department of Homeland Security	---	−254,461
3B1K	SPECIALIZED SKILL TRAINING	81,454	84,454
.....	Transfer from Title II—NAVSEA VSSS/EOD Training	---	+3,000
3B4K	TRAINING SUPPORT	5,400	0
.....	Training Support Baseline Budget Requirement	---	−5,400
4A1M	ADMINISTRATION	4,265	4,265
4A2M	EXTERNAL RELATIONS	467	467
4A3M	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	450	450
4A4M	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	11,214	11,214
4A5M	OTHER PERSONNEL SUPPORT	2,706	2,706
4A6M	SERVICEWIDE COMMUNICATIONS	28,671	28,671
4B1N	SERVICEWIDE TRANSPORTATION	300,868	300,868
4B3N	ACQUISITION AND PROGRAM MANAGEMENT	6,091	6,091
4B7N	SPACE AND ELECTRONIC WARFARE SYSTEMS	2,153	2,153
4C1P	NAVAL INVESTIGATIVE SERVICE	78,464	78,464
9999	OTHER PROGRAMS	22,581	22,581
.....	TOTAL, OPERATION AND MAINTENANCE, NAVY	8,946,634	8,970,724
	OPERATION AND MAINTENANCE, MARINE CORPS		
1A1A	OPERATIONAL FORCES	2,448,572	2,317,572
	Excess to Requirement for Cargo UAS		−90,400
	Transfer to RDTE,N for Cargo UAS		−36,000
	Transfer to OP,N for AM–2 Matting		−4,600
1A2A	FIELD LOGISTICS	514,748	517,248
	Transfer from JIEDDO—Counter Bomber		+1,000
	Transfer from JIEDDO—CREW-SSM Universal Test Set		+1,000
	Transfer from JIEDDO—Subtle Magnetic Anomaly Detection Network Systems		+500
1A3A	DEPOT MAINTENANCE	523,250	523,250
1B1B	MARITIME PREPOSITIONING	7,808	7,808
BSS1	BASE OPERATING SUPPORT	55,301	55,301
3B4D	TRAINING SUPPORT	223,071	223,071
4A3G	SERVICEWIDE TRANSPORTATION	360,000	360,000
4A4G	ADMINISTRATION	3,772	3,772
	TOTAL, OPERATION AND MAINTENANCE, MARINE CORPS	4,136,522	4,008,022
	OPERATION AND MAINTENANCE, AIR FORCE		
011A	PRIMARY COMBAT FORCES	1,896,647	1,896,647
011C	COMBAT ENHANCEMENT FORCES	1,954,759	1,954,759
011D	AIR OPERATIONS TRAINING	113,948	113,948
011M	DEPOT MAINTENANCE	297,623	399,983
	Weapons System Sustainment		+102,360
011R	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	704,463	504,463
	Unjustified Growth from fiscal year 2010 Baseline		−200,000
011Z	BASE OPERATING SUPPORT	1,780,052	1,780,052
012A	GLOBAL C3I AND EARLY WARNING	128,632	128,632
012C	OTHER COMBAT OPS SPT PROGRAMS	397,894	397,894
013A	LAUNCH FACILITIES	28,975	28,975
013C	SPACE CONTROL SYSTEMS	34,091	34,091
015A	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	127,861	127,861
021A	AIRLIFT OPERATIONS	4,403,800	4,403,800
021D	MOBILIZATION PREPAREDNESS	240,394	240,394
021M	DEPOT MAINTENANCE	217,023	217,023
021R	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	20,360	20,360
021Z	BASE SUPPORT	57,362	57,362
031R	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	1,948	1,948
031Z	BASE SUPPORT	6,088	6,088
032A	SPECIALIZED SKILL TRAINING	45,893	45,893
032B	FLIGHT TRAINING	20,277	20,277
032C	PROFESSIONAL DEVELOPMENT EDUCATION	1,500	1,500
032D	TRAINING SUPPORT	1,820	1,820
041A	LOGISTICS OPERATIONS	292,030	292,030
041R	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	10,500	10,500
041Z	BASE SUPPORT	31,985	31,985
042A	ADMINISTRATION	5,438	5,438
042B	SERVICEWIDE COMMUNICATIONS	247,149	247,149
042G	OTHER SERVICEWIDE ACTIVITIES	113,082	113,082
043A	SECURITY PROGRAMS	305,689	305,689
	REDUCED DEPLOYMENT LEVELS		−400,000
	TOTAL, OPERATION AND MAINTENANCE, AIR FORCE	13,487,283	12,989,643
	OPERATION AND MAINTENCE, DEFENSE-WIDE		
1PL1	JOINT CHIEFS OF STAFF	20,500	20,500
1PL2	SPECIAL OPERATIONS COMMAND	3,012,026	2,903,126
	Information Operations		−49,400
	Leased Aircraft—Unjustified Request		−65,500
.....	Transfer from JIEDDO—Wolfhound II		+6,000
ES18	DEFENSE MEDIA ACTIVITY	14,799	14,799
4GT6	DEFENSE CONTRACT AUDIT AGENCY	27,000	27,000
4GT9	DEFENSE INFORMATION SYSTEMS AGENCY	136,316	144,316

M–1		Budget Request	Recommendation
	Increase Afghanistan FOB Fiber Connectivity		+8,000
4GTJ	DEFENSE CONTRACT MANAGEMENT AGENCY	74,862	74,862
4GTA	DEFENSE LEGAL SERVICES AGENCY	120,469	116,969
	Overstatement of Habeas Corpus Civilian Personnel Pricing		−3,500
4GTJ	DEFENSE DEPENDENTS EDUCATION	485,769	501,769
	Additional Funding for Outreach and Reintegration Services Under the Yellow Ribbon Reintegration Program		+16,000
4GTD	DEFENSE SECURITY COOPERATION AGENCY	2,000,000	2,000,000
4GTI	DEFENSE THREAT REDUCTION AGENCY	1,218	1,218
4GTN	OFFICE OF THE SECRETARY OF DEFENSE	188,099	173,099
	Knowledge Management		−15,000
9999	OTHER PROGRAMS	3,345,300	3,299,332
	Classified Adjustments		−49,168
	Transfer from JIEDDO—Synchronization and Integration WTI Cell		+3,200
	TOTAL, OPERATION AND MAINTENANCE, DEFENSE-WIDE	9,426,358	9,276,990
	OPERATION AND MAINTENANCE, ARMY RESERVE		
135	ADDITIONAL ACTIVITIES	286,950	206,784
	Army Reserve Identified Excess to Requirement		−80,166
	TOTAL, OPERATION AND MAINTENANCE, ARMY RESERVE	286,950	206,784
	OPERATION AND MAINTENANCE, NAVY RESERVE		
1A1A	MISSION AND OTHER FLIGHT OPERATIONS	49,089	49,089
1A3A	INTERMEDIATE MAINTENANCE	400	400
1A5A	AIRCRAFT DEPOT MAINTENANCE	17,760	17,760
1B1B	MISSION AND OTHER SHIP OPERATIONS	9,395	9,395
1B4B	SHIP DEPOT MAINTENANCE	497	497
1C1C	COMBAT COMMUNICATIONS	3,185	3,185
1C6C	COMBAT SUPPORT FORCES	12,169	12,169
4A4M	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	1,064	1,064
	TOTAL, OPERATION AND MAINTENANCE, NAVY RESERVE	93,559	93,559
	OPERATION AND MAINTENANCE, MARINE CORPS RESERVE		
1A1A	OPERATING FORCES	23,571	23,571
BSS1	BASE OPERATING SUPPORT	6,114	6,114
	TOTAL, OPERATION AND MAINTENANCE, MARINE CORPS RESERVE	29,685	29,685
	OPERATION AND MAINTENANCE, AIR FORCE RESERVE		
011M	DEPOT MAINTENANCE	116,924	191,124
	Weapons System Sustainment		+74,200
011Z	BASE OPERATING SUPPORT	12,683	12,683
	TOTAL, OPERATION AND MAINTENANCE, AIR FORCE RESERVE	129,607	203,807
	OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD		
135	ADDITIONAL ACTIVITIES	544,349	497,849
	Distance Learning—Transfer to Baseline OM,ARNG SAG 121		−9,000
	Air OPTEMPO Duplicate Request		−44,000
	Support to Southwest Border		+6,500
	TOTAL, OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD	544,349	497,849
	OPERATION AND MAINTENANCE, AIR NATIONAL GUARD		
011F	AIRCRAFT OPERATIONS	152,896	152,896
011G	MISSION SUPPORT OPERATIONS	57,800	59,400
.....	Support to Southwest Border	---	+1,600
011M	DEPOT MAINTENANCE	140,127	205,687
.....	Weapons System Sustainment	---	+65,560
.....	TOTAL, OPERATION AND MAINTENANCE, AIR NATIONAL GUARD	350,823	417,983
	OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND		
.....	OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND	1,551,781	0
.....	Transfer to OM,A SAG 135	---	−80,000
.....	Transfer to OM,N SAGs BSS1 and BSM1	---	−25,000
.....	Unjustified Program Change	---	−1,446,781
.....	TOTAL, OVERSEAS CONTINGENCY OPERATIONS TRANSFER ACCOUNT	1,551,781	0
	AFGHANISTAN INFRASTRUCTURE FUND		
.....	Afghanistan Infrastructure Fund - Transfer from CERP	---	+400,000
---	---	---	---
.....	TOTAL, AFGHANISTAN INFRASTRUCTURE FUND	0	400,000
	AFGHANISTAN SECURITY FORCES FUND		
.....	Afghan National Army	7,467,014	7,467,014
.....	Infrastructure	1,790,933	1,790,933
.....	Equipment and Transportation	1,846,623	1,846,623
.....	Training and Operations	836,842	836,842
.....	Sustainment	2,992,616	2,992,616
.....	Afghan National Police	4,085,437	4,085,437
.....	Infrastructure	1,078,413	1,078,413
.....	Equipment and Transportation	917,966	917,966
.....	Training and Operations	990,213	990,213
.....	Sustainment	1,098,845	1,098,845
.....	Related Activities	66,832	66,832
.....	Detainee Operations - Sustainment	6,037	6,037
.....	Detainee Operations - Training and Operations	1,530	1,530
.....	Detainee Operations - Infrastructure	58,265	58,265
.....	COIN Activities	1,000	1,000
.....	TOTAL, AFGHANISTAN SECURITY FORCES FUND	11,619,283	11,619,283
	IRAQ SECURITY FORCES FUND		
.....	Defense Security Forces	1,656,906	1,656,906
.....	Equipment and Transportation	1,067,706	1,067,706
.....	Training	248,075	248,075
.....	Sustainment	341,125	341,125
.....	Interior Security Forces	268,094	268,094
.....	Equipment and Transportation	220,469	220,469
.....	Sustainment	47,625	47,625
.....	Related Activities	75,000	75,000
.....	Authorization Reduction	---	−500,000
.....	TOTAL, IRAQ SECURITY FORCES FUND	2,000,000	1,500,000
	TOTAL, OPERATION AND MAINTENANCE	115,205,452	109,427,111

P–1		Budget Request	Recommendation
	AIRCRAFT PROCUREMENT, ARMY		
2	C–12 CARGO AIRPLANE (OCO)	78,060	78,060
4	MQ-1 UAV (OCO)	47,000	24,000
	Reduction to Projected Battle Losses		−23,000
5	RQ-11 (RAVEN) (OCO)	17,430	17,430
9	AH-64 APACHE BLOCK III		34,600
	War Replacement Aircraft		+34,600
11	UH-60 BLACKHAWK (OCO)	40,500	373,400
	Program Increase for Army National Guard		+80,000
	Three Combat Loss UH-60		+52,500
	Accelerate 12 Aircraft		+200,400
13	CH-47 HELICOPTER (OCO)	70,600	258,400
	Accelerate Six Aircraft		+187,800
16	C12 AIRCRAFT MODS (OCO)	122,340	122,340
17	MQ-1 PAYLOAD—UAS (OCO)	3,600	3,600
19	GUARDRAIL MODS (MIP) (OCO)	30,200	6,000
	Authorization Adjustment		−24,200
20	MULTI SENSOR ABN RECON (MIP) (OCO)	86,200	86,200
21	AH-64 MODS (OCO)	199,200	654,200
	AH-64A to AH-64D Conversion for the Texas and Mississippi National Guard		+455,000
23	CH-47 CARGO HELICOPTER MODS (OCO)	82,900	66,900
	Cargo On/Off Loading System (COOLS) ahead of need		−16,000
27	UTILITY HELICOPTER MODS (OCO)	14,530	14,530
28	KIOWA WARRIOR (OCO)	187,288	160,378
	Fielded Fleet Upgrades		+20,000
	Limit Ramp Rate on Replacement Aircraft		−46,910
29	AIRBORNE AVIONICS (OCO)	24,983	24,983
31	RQ-7 UAV MODS (OCO)	97,800	546,500
	Funding Ahead of Need		−1,000
	Transfer from Title III		+497,500
	Ahead of Need		−47,800
36	ASE INFRARED CM (OCO)	197,990	182,990
	Excess to Need		15,000
38	COMMON GROUND EQUIPMENT (OCO)	65,627	65,627
40	AIR TRAFFIC CONTROL (OCO)	7,555	0
	Unjustified Request		−7,555
	TOTAL, AIRCRAFT PROCUREMENT, ARMY	1,373,803	2,720,138
	MISSILE PROCUREMENT, ARMY		
4	HELLFIRE SYS SUMMARY (OCO)	190,459	190,459
6	TOW 2 SYSTEM SUMMARY (OCO)	112,769	112,769
13	ITAS/TOW MODS (OCO)	40,600	40,600
	TOTAL, MISSILE PROCUREMENT, ARMY	343,828	343,828
	PROCUREMENT OF W&TCV, ARMY		
4	STRYKER VEHICLE (OCO)		545,000
	Transfer from Stryker Modifications, line 9		+445,000
	Increase for Stryker Double V Hull		+100,000
9	STRYKER VEHICLE MODS (OCO)	445,000	0
	Transfer to Stryker Vehicle, line 4		−445,000
22	MACHINE GUN, CAL .50, M2 ROLL		79,496
	Transfer from Title III		+79,496
26	MORTAR SYSTEMS (OCO)	8,600	8,600
28	XM320 GRENADE LAUNCHER MODULE (OCO)	22,500	22,500
32	COMMON REMOTELY OPERATED WEAPONS STATION (OCO)	100,000	100,000
34	HOWITZER LT WT 155MM (T) (OCO)	62,000	62,000
36	M4 CARBINE MODS (OCO)	12,900	42,900
	Program Increase		+30,000
37	M2 50 CAL MACHINE GUN MODS (OCO)	15,000	15,000
40	M119 MODIFICATIONS (OCO)	21,500	21,500
	TOTAL, PROCUREMENT OF W&TCV, ARMY	687,500	896,996
	PROCUREMENT OF AMMUNITION, ARMY		
2	CTG, 7.62MM, ALL TYPES (OCO)	32,604	13,000
	Per Army Request		−19,604
4	CTG, .50 CAL, ALL TYPES (OCO)	128,876	47,000
	Per Army Request		−81,876
5	CTG, 20MM, ALL TYPES (OCO)	20,056	10,500
	Per Army Request		−9,556
7	CTG, 30MM, ALL TYPES (OCO)	23,826	9,500
	Per Army Request		−14,326
8	CTG, 40MM, ALL TYPES (OCO)	62,700	25,000
	Per Army Request		−37,700
11	120MM MORTAR, ALL TYPES (OCO)	120,160	26,900
	APMI Unit Cost Savings		−50,100
	Per Army Request		−43,160
15	CTG, ARTY, 105MM: ALL TYPES (OCO)	37,620	15,000
	Per Army Request		−22,620
16	CTG, ARTY, 155MM: ALL TYPES (OCO)	37,620	15,000
	Per Army Request		−22,620
18	MODULAR ARTILLERY CHARGE SYS, ALL TYPES (OCO)	15,048	6,000
	Per Army Request		−9,048
19	ARTILLERY FUZES, ALL TYPES (OCO)	12,540	5,000
	Per Army Request		−7,540
24	SHOULDER LAUNCHED MUNITIONS, ALL TYPES (OCO)	17,556	0
	Per Army Request		−17,556
25	ROCKET, HYDRA 70, ALL TYPES (OCO)	139,285	139,285
26	DEMOLITION MUNITIONS, ALL TYPES (OCO)		20,000
	Per Army Request		+20,000
27	GRENADES, ALL TYPES (OCO)	2,000	0
	Per Army Request		−2,000
31	NON-LETHAL AMMUNITION, ALL TYPES (OCO)	15,000	0
	Per Army Request		−15,000
40	CONVENTIONAL MUNITIONS DEMILITARIZATION, ALL TYPES (OCO)	37,700	37,700
	TOTAL, PROCUREMENT OF AMMUNITION, ARMY	702,591	369,885
	OTHER PROCUREMENT, ARMY		
5	FAMILY OF MEDIUM TACTICAL VEH (FMTV) (OCO)	516,350	398,925
	Battle Loss Replacement		+8,875
	Contract Savings		−126,300
7	FAMILY OF HEAVY TACTICAL VEHICLES (OCO)	188,677	199,809
	Battle Loss Replacement		+11,132
9	ARMORED SECURITY VEHICLES (ASV) (OCO)	52,780	52,780
10	MINE PROTECTION VEHICLE FAMILY (OCO)	136,700	367,678
	Transfer from Title III		+230,978
14	HMMWV RECAPITALIZATION PROGRAM (OCO)	989,067	989,067
15	MODIFICATION OF IN SVC EQUIP (OCO)	20,000	312,956
	Transfer from Title III		+292,956
24	WIN-T—GROUND FORCES TACTICAL NETWORK (OCO)	8,163	8,163
27	SHF TERM (OCO)	62,415	62,415
29	NAVSTAR GLOBAL POSITIONING SYSTEM (OCO)	13,500	63,500

P–1		Budget Request	Recommendation
.....	Additional DAGRs	.....	+50,000
40	AMC CRITICAL ITEMS—OPA2 (OCO)	3,946	3,946
47	RADIO, IMPROVED HF (COTS) FAMILY (OCO)	78,253	78,253
48	MEDICAL COMM FOR CBT CASUALTY CARE (OCO)	15,000	15,000
51x	FAMILY OF BIOMETRICS	.....	38,172
.....	Non-MIP Biometrics—Transfer from RDTE,A line 171	.....	+38,172
53	BASE SUPPORT COMMUNICATIONS (OCO)	70,000	47,500
.....	Excess to Need	.....	−22,500
55	INFORMATION SYSTEMS (OCO)	.....	55,000
.....	Program Adjustment for Tactical Local Area Network TACLAN)	.....	+55,000
57	INSTALLATION INFO INFRASTRUCTURE MOD (OCO)	413,200	413,200
65	PROPHET GROUND (OCO)	18,900	18,900
70	DCGS-A (MIP) (OCO)	197,092	334,516
.....	Transfer from Title III	.....	+137,424
74	CI HUMINT AUTO REPRTING AND COLL (OCO)	52,277	47,377
.....	Excess to Need	.....	−4,900
75	ITEMS LESS THAN $5.0M (MIP) (OCO)	5,400	5,400
76	LIGHTWEIGHT COUNTER MORTAR RADAR (OCO)	25,000	10,000
.....	Program Decrease	.....	−15,000
77	WARLOCK (OCO)	225,682	225,682
79	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES (OCO)	455,639	455,639
81	FAAD GBS (OCO)	167,460	167,460
84	NIGHT VISION DEVICES (OCO)	5,019	5,019
89	COUNTER-ROCKET, ARTILLERY & MORTAR (C-RAM) (OCO)	291,400	251,200
.....	Funded Ahead of Need	.....	−40,200
90	BASE EXPEDITIONARY TARGETING & SURV SYS (OCO)	486,050	408,050
.....	Program Decrease	.....	−78,000
95	MOD OF IN-SVC EQUIP (FIREFINDER RADARS) (OCO)	69,800	69,800
96	FORCE XXI BATTLE CMD BRIGADE & BELOW (OCO)	135,500	135,500
98	LIGHTWEIGHT LASER DESIGNATOR/RANGEFINDER (OCO)	22,371	22,371
99	COMPUTER BALLISTICS: LHMBC XM32 (OCO)	1,800	1,800
101	COUNTERFIRE RADARS (OCO)	20,000	285,867
.....	Transfer from Title III	.....	+275,867
.....	Funded Ahead of Need	.....	−10,000
103	TACTICAL OPERATIONS CENTERS (OCO)	43,800	43,800
104	FIRE SUPPORT C2 FAMILY (OCO)	566	13,566
.....	Advanced Field Artillery Tactical Data System	.....	+13,000
105	BATTLE COMMAND SUSTAINMENT SUPPORT SYS	420	420
108	KNIGHT FAMILY (OCO)	49,744	49,744
110	AUTOMATIC IDENTIFICATION TECHNOLOGY (OCO)	2,222	2,222
114	NETWORK MANAGEMENT INITIALIZATION & SERVICE (OCO)	5,000	5,000
115	MANEUVER CONTROL SYSTEM (OCO)	60,111	60,111
121	AUTOMATED DATA PROCESSING EQUIP (OCO)	10,500	10,500
130	PROTECTIVE SYSTEMS (OCO)	5,690	5,690
135	TACTICAL BRIDGING, FLOAT RIBBON (OCO)	3,220	3,220
136	HANDHELD STANDOFF MINEFIELD DETECTION SYSTEM	0	28,000
.....	Transfer from JIEDDO for Proper Execution	.....	+28,000
137	GRND STANDOFF MINE DETECTION SYSTEM (OCO)	191,000	191,000
141	HEATERS AND ECU'S (OCO)	8,708	8,708
149	FORCE PROVIDER (OCO)	261,599	52,499
.....	Excess to Need	.....	−209,100
150	FIELD FEEDING EQUIPMENT (OCO)	29,903	29,903
154	DISTRIBUTION SYSTEMS, PETROLEUM & WATER (OCO)	55,105	55,105
155	WATER PURIFICATION SYSTEMS (OCO)	12,086	0
.....	Funded Ahead of Need	.....	−12,086
156	COMBAT SUPPORT MEDICAL (OCO)	8,680	8,680
157	MOBILE MAINTENANCE EQUIPMENT SYSTEMS (OCO)	41,398	41,398
159	GRADER, ROAD MTZD, HVY, 6X4 (CCE) (OCO)	3,390	3,390
161	SCRAPERS, EARTHMOVING (OCO)	3,195	3,195
164	LOADERS (OCO)	1,157	1,157
168	HIGH MOBILITY ENGINEER EXCAVATOR FOS (OCO)	3,750	3,750
170	ITEMS LESS THAN $5.0M (CONST EQUIP) (OCO)	4,140	4,140
174	GENERATORS AND ASSOCIATED EQUIP (OCO)	37,480	37,480
175	ROUGH TERRAIN CONTAINER HANDLER (OCO)	4,562	4,562
177	ALL TERRAIN LIFTING ARMY SYSTEM (OCO)	56,609	58,049
.....	Battle Loss Replacement	.....	+1,440
179	TRAINING DEVICES, NONSYSTEM (OCO)	28,624	28,624
180	CLOSE COMBAT TACTICAL TRAINER (OCO)	8,200	0
.....	Funded Ahead of Need	.....	−8,200
184	INTEGRATED FAMILY OF TEST EQUIPMENT (OCO)	622	622
186	RAPID EQUIPPING SOLDIER SUPT EQUIPMENT (OCO)	58,590	38,590
.....	Excess to Need	.....	−20,000
187	PHYSICAL SECURITY SYSTEMS (OPA3) (OCO)	77,000	77,000
192	SPECIAL EQUIPMENT FOR USER TESTING (OCO)	1,987	1,987
.....	CLASSIFIED PROGRAMS (OCO)	775	775
.....	TOTAL, OTHER PROCUREMENT, ARMY	5,827,274	6,423,832
	AIRCRAFT PROCUREMENT, NAVY		
3	F/A–18E/F (FIGHTER) HORNET (MYP)	.....	495,000
.....	Strike Fighter Shortfall Mitigation—Nine Aircraft	.....	+495,000
11	UH-1Y/AH-1Z (OCO)	88,500	88,500
19	E-2C (EARLY WARNING) HAWKEYE (MYP)	.....	175,000
.....	Program Increase—Combat Loss Replacement	.....	+175,000
29	EA–6 SERIES (OCO)	15,000	12,700
.....	Install Equipment Program Adjustment	.....	−2,300
31	AV-8 SERIES (OCO)	72,100	65,371
.....	Pod Upgrade Kits Cost Growth	.....	−1,529
.....	GEN4 Pod Cost Growth	.....	−5,200
32	F-18 SERIES (OCO)	43,250	43,250
34	AH-1W SERIES (OCO)	35,510	35,510
35	H-53 SERIES (OCO)	36,248	27,148
.....	Funded Ahead of Need	.....	−9,100
36	SH-60 SERIES (OCO)	6,430	6,430
39	P-3 SERIES (OCO)	6,000	6,000
48	SPECIAL PROJECT AIRCRAFT (OCO)	6,100	6,100
53	COMMON ECM EQUIPMENT (OCO)	38,700	31,020
.....	Directed Infrared Countermeasures Installation Kit Cost Growth	.....	−7,680
54	COMMON AVIONICS CHANGES (OCO)	14,100	14,100
55	COMMON DEFENSIVE WEAPON SYSTEM (OCO)	10,500	10,500
57	RQ-7 SERIES (OCO)	8,000	8,000
58	V-22 (TILT/ROTOR ACFT) OSPREY (OCO)	36,420	36,420
59	SPARES AND REPAIR PARTS (OCO)	3,500	208,500
.....	Aviation Spares	.....	+205,000
.....	TOTAL, AIRCRAFT PROCUREMENT, NAVY	420,358	1,269,549
	WEAPONS PROCUREMENT, NAVY		
5	SIDEWINDER (OCO)	2,923	0
.....	Non-combat Expenditures	.....	−2,923
9	HELLFIRE (OCO)	85,504	85,504
26	SMALL ARMS AND WEAPONS (OCO)	4,998	4,998
.....	TOTAL, WEAPONS PROCUREMENT, NAVY	93,425	90,502
	PROCUREMENT OF AMMO, NAVY & MARINE CORPS		
1	GENERAL PURPOSE BOMBS (OCO)	6,060	0

P–1		Budget Request	Recommendation
.....	Contract Delay	.....	−6,060
3	AIRBORNE ROCKETS, ALL TYPES (OCO)	76,043	76,043
4	MACHINE GUN AMMUNITION (OCO)	69,660	68,660
.....	20mm Linked TP, PGU-27 Cost Growth	.....	−1,000
7	AIR EXPENDABLE COUNTERMEASURES (OCO)	33,632	33,632
11	OTHER SHIP GUN AMMUNITION (OCO)	455	455
12	SMALL ARMS & LANDING PARTY AMMO (OCO)	7,757	7,757
13	PYROTECHNIC AND DEMOLITION (OCO)	1,209	1,209
15	SMALL ARMS AMMUNITION (OCO)	19,498	19,498
16	LINEAR CHARGES, ALL TYPES (OCO)	4,677	4,677
17	40 MM, ALL TYPES (OCO)	11,307	11,307
18	60MM, ALL TYPES (OCO)	17,150	17,150
19	81MM, ALL TYPES (OCO)	27,738	27,738
20	120MM, ALL TYPES (OCO)	96,895	96,895
21	CTG 25MM, ALL TYPES (OCO)	990	990
22	GRENADES, ALL TYPES (OCO)	6,137	6,137
23	ROCKETS, ALL TYPES (OCO)	13,543	13,543
24	ARTILLERY, ALL TYPES (OCO)	137,118	137,118
25	DEMOLITION MUNITIONS, ALL TYPES (OCO)	9,296	9,296
26	FUZE, ALL TYPES (OCO)	25,888	25,888
27	NON LETHALS (OCO)	31	31
.....	TOTAL, PROCUREMENT OF AMMO, NAVY & MARINE CORPS	565,084	558,024
	OTHER PROCUREMENT, NAVY		
25	STANDARD BOATS (OCO)	30,706	23,706
.....	Riverine Patrol Boats - Unjustified Request	.....	−7,000
57	MATCALS (OCO)	27,080	25,080
.....	ASPARCS - Unjustified Cost Growth	.....	−2,000
74	EMI CONTROL INSTRUMENTATION (OCO)	1,800	1,800
94	EXPEDITIONARY AIRFIELDS (OCO)	0	4,600
.....	AM-2 Matting Expeditionary Airfield - Requested Transfer from OM,MC	.....	+4,600
99	AVIATION LIFE SUPPORT (OCO)	26,024	10,024
.....	CSEL Excess to Need	.....	−16,000
117	EXPLOSIVE ORDNANCE DISPOSAL EQUIP (OCO)	132,386	10,386
.....	JCREW - Funding No Longer Required	.....	−122,000
122	PASSENGER CARRYING VEHICLES (OCO)	1,234	1,234
123	GENERAL PURPOSE TRUCKS (OCO)	420	420
124	CONSTRUCTION & MAINTENANCE EQUIP (OCO)	55,474	41,474
.....	Contract Delays	.....	−14,000
126	TACTICAL VEHICLES (OCO)	91,802	91,802
129	ITEMS UNDER $5 MILLION (OCO)	26,016	26,016
131	MATERIALS HANDLING EQUIPMENT (OCO)	33,659	33,659
137	COMMAND SUPPORT EQUIPMENT (OCO)	2,775	2,775
146	PHYSICAL SECURITY EQUIPMENT (OCO)	46,417	38,917
.....	ATFP Afloat - Ahead of Need	.....	−7,500
149	SPARES AND REPAIR PARTS (OCO)	4,942	4,942
.....	TOTAL, OTHER PROCUREMENT, NAVY	480,735	316,835
	PROCUREMENT, MARINE CORPS		
2	LAV PIP (OCO)	152,333	37,573
.....	Baseline Budget Requirement	.....	−114,760
5	155MM LIGHTWEIGHT TOWED HOWITZER (OCO)	103,600	103,600
6	HIGH MOBILITY ARTILLERY ROCKET SYSTEM (OCO)	145,533	145,533
7	WEAPONS & COMBAT VEHICLES UNDER $5 M (OCO)	7,329	7,329
9	MODIFICATION KITS (OCO)	12,000	12,000
10	WEAPONS ENHANCEMENT PROGRAM (OCO)	18,571	18,571
16	UNIT OPERATIONS CENTER (OCO)	112,424	112,424
17	REPAIR AND TEST EQUIPMENT (OCO)	15,962	38,762
.....	OCO Shortfall - ETMS and Obsolescence Upgrades	.....	+22,800
19	MODIFICATION KITS (OCO)	18,545	3,345
.....	Unexecutable Funding - CESAS	.....	−15,200
20	ITEMS UNDER $5 MILLION (COMM & ELEC) (OCO)	11,549	11,549
21	AIR OPERATIONS C2 SYSTEMS (OCO)	41,031	41,031
22	RADAR SYSTEMS (OCO)	5,493	10,993
.....	OCO Shortfall - TPS-59	.....	+5,500
23	FIRE SUPPORT SYSTEM (OCO)	4,710	4,710
24	INTELLIGENCE SUPPORT EQUIPMENT (OCO)	82,897	82,897
26	DCGS-MC (OCO)	21,789	21,789
28	COMMON COMPUTER RESOURCES (OCO)	29,412	29,412
29	COMMAND POST SYSTEMS (OCO)	36,256	36,256
30	RADIO SYSTEMS (OCO)	155,545	110,545
.....	E-LMR - Not an OCO Requirement	.....	−45,000
31	COMM SWITCHING & CONTROL SYSTEMS (OCO)	63,280	28,280
.....	Previously Funded UUNS	.....	−35,000
35	5/4T TRUCK HMMWV (MYP) (OCO)	12,994	0
.....	Service Requested Reduction	.....	−12,994
37	MEDIUM TACTICAL VEHICLE REPLACEMENT (OCO)	80,559	80,559
38	LOGISTICS VEHICLE SYSTEM REP (OCO)	109,100	109,100
39	FAMILY OF TACTICAL TRAILERS (OCO)	22,130	22,130
42	ENVIRONMENTAL CONTROL EQUIP ASSORT (OCO)	17,799	27,399
.....	OCO Shortfall - ECU and SFRS	.....	+9,600
43	BULK LIQUID EQUIPMENT (OCO)	1,628	16,758
.....	OCO Shortfall - Tank and Pump Modules	.....	+15,130
44	TACTICAL FUEL SYSTEMS (OCO)	83,698	89,498
.....	OCO Shortfall - Liquid Fuel Storage	.....	+5,800
45	POWER EQUIPMENT ASSORTED (OCO)	41,536	41,536
47	EOD SYSTEMS (OCO)	213,985	188,985
.....	Excess to Requirement	.....	−25,000
48	PHYSICAL SECURITY EQUIPMENT (OCO)	5,200	5,200
50	MATERIAL HANDLING EQUIP (OCO)	58,264	58,264
53	TRAINING DEVICES (OCO)	55,864	55,864
54	CONTAINER FAMILY (OCO)	8,826	8,826
56	FAMILY OF INTERNALLY TRANSPORTABLE VEHICLE (OCO)	28,401	28,401
.....	TOTAL, PROCUREMENT, MARINE CORPS	1,778,243	1,589,119
	AIRCRAFT PROCUREMENT, AIR FORCE		
1	F-35 (OCO)	204,900	0
.....	Unjustified Request	.....	−204,900
19	CV-22 (OCO)	.....	70,000
.....	Program Increase - Provides for One Additional Combat Loss Aircraft	.....	+70,000
25	HH-60M OPERATIONAL LOSS REPLACEMENT (OCO)	114,000	417,400
.....	Program Increase (Adds 10 Aircraft, Not Less Than Four for the Air National Guard)	.....	+303,400
26	RQ-11 (OCO)	9,380	9,380
34	MQ-9 (OCO)	216,000	376,814
.....	Spares	.....	−55,186
.....	Transfer 12 Aircraft from Title III	.....	+216,000
37	B-1B (OCO)	8,500	8,500
39	A–10 (OCO)	16,500	16,500
44	C-5 (OCO)	73,400	73,400
47	C-17A (OCO)	224,450	176,450
.....	Program Decrease	.....	−48,000
56	KC-10A (ATCA) (OCO)	3,540	3,540
62	C-130 (OCO)	166,720	166,720
63	C-130 MODS INTEL (OCO)	10,900	10,900

P–1		Budget Request	Recommendation
66	COMPASS CALL MODS	10,000	10,000
72	H-60 (OCO)	81,000	153,200
.....	Excess to Need for Radars	.....	−61,000
.....	Program Increase—Transportable Blackhawk Operation Simulators	.....	+92,800
.....	Program Increase—Control Display Unit Mission Processors	.....	+12,500
.....	Program Increase—GPS/Inertial Navigation Units	.....	+27,900
75	OTHER AIRCRAFT (OCO)	61,600	61,600
78	MQ-9 PAYLOAD—UAS	45,000	160,383
.....	Transfer from Title III	.....	+115,383
79	CV-22 MODS (OCO)	830	830
80	INITIAL SPARES/REPAIR PARTS	10,900	10,900
98	OTHER PRODUCTION CHARGES (OCO)	57,500	218,138
.....	Transfer from Title III	.....	+160,638
104	DARP (OCO)	47,300	47,300
.....	TOTAL, AIRCRAFT PROCUREMENT, AIR FORCE	1,362,420	1,991,955
	MISSILE PROCUREMENT, AIR FORCE		
5	PREDATOR HELLFIRE MISSILE (OCO)	41,621	41,621
10	AGM-65D MAVERICK (OCO)	15,000	15,000
.....	TOTAL, MISSILE PROCUREMENT, AIR FORCE	56,621	56,621
	PROCUREMENT OF AMMUNITION, AIR FORCE		
2	CARTRIDGES (OCO)	30,801	30,801
4	GENERAL PURPOSE BOMBS (OCO)	53,192	53,192
5	JOINT DIRECT ATTACK MUNITION (OCO)	147,991	147,991
11	FLARES (OCO)	20,486	20,486
12	FUZES (OCO)	24,982	24,982
13	SMALL ARMS (OCO)	15,507	15,507
.....	TOTAL, PROCUREMENT OF AMMUNITION, AIR FORCE	292,959	292,959
	OTHER PROCUREMENT, AIR FORCE		
2	MEDIUM TACTICAL VEHICLE (OCO)	7,350	5,350
.....	Contract Savings	.....	−2,000
5	SECURITY AND TACTICAL VEHICLES (OCO)	15,540	13,540
.....	Uparmored HMMWV—Unjustified Cost Growth	.....	−2,000
11	ITEMS LESS THAN $5,000,000 (VEHICLES) (OCO)	690	690
16	INTELLIGENCE COMM EQUIPMENT (OCO)	1,400	1,400
19	THEATER AIR CONTROL SYS IMPROVEMEN	4,354	4,354
20	WEATHER OBSERVATION FORECAST (OCO)	9,825	0
.....	OS-21 Contract Delays	.....	−9,825
28	AIR FORCE PHYSICAL SECURITY SYSTEM (OCO)	6,100	6,100
38	USCENTCOM (OCO)	28,784	28,784
44	MILSATCOM SPACE (OCO)	4,300	4,300
46	COUNTERSPACE SYSTEM (OCO)	8,200	8,200
47	TACTICAL C-E EQUIPMENT (OCO)	2,552	2,552
52	COMM ELECT MODS (OCO)	470	470
53	NIGHT VISION GOGGLES (OCO)	8,833	4,433
.....	NVCD-NSL Contract Delays	.....	−4,400
57	CONTINGENCY OPERATIONS (OCO)	131,559	16,759
.....	JCREW Ahead of Need	.....	−114,800
56	BASE PROCURED EQUIPMENT (OCO)	9,070	9,070
59	MOBILITY EQUIPMENT (OCO)	16,588	16,588
66	DEFENSE SPACE RECONNAISSANCE PROG (OCO)	9,700	9,700
.....	OTHER PROGRAMS (OCO)	2,822,166	2,736,303
.....	Classified Adjustment	.....	−85,863
.....	TOTAL, OTHER PROCUREMENT, AIR FORCE	3,087,481	2,868,593
	PROCUREMENT, DEFENSE-WIDE		
5	DIA SUPT TO CENTCOM INTELLIGENCE ACT (OCO)	27,702	27,702
18	GLOBAL COMMAND AND CONTROL SYS (OCO)	1,000	1,000
20	TELEPORT PROGRAM (OCO)	6,191	6,191
23	DEFENSE INFORMATION SYSTEM NETWORK (OCO)	520	520
35	AEGIS FIELDING	0	189,720
.....	SM-3 Block IA—Additional 20 Interceptors	.....	+189,720
50	MAJOR EQUIPMENT, OSD (OCO)	5,700	5,700
52	UNDISTRIBUTED, INTELLIGENCE	15,000	15,000
XX	OTHER PROGRAMS (OCO)	323,486	333,675
.....	Classified Adjustment	.....	+10,189
55	ROTARY WING UPGRADES & SUSTAINMENT (OCO)	5,600	5,600
55A	MH-47G	0	28,500
.....	Combat Loss Replacement Aircraft	.....	+28,500
56	MH-47 SERVICE LIFE EXTENSION PROG (OCO)	4,222	15,222
.....	Modifications for Combat Loss Replacement Aircraft	.....	+11,000
57	MH-60 SOF MODERNIZATION (OCO)	0	7,800
.....	Modifications for Combat Loss Replacement Aircraft	.....	+7,800
58	NON-STANDARD AVIATION	0	121,268
.....	Medium NSAV—Transfer from Title III	.....	+121,268
63	CV-22 SOF MODIFICATION	0	15,000
.....	Modifications for Combat Loss Replacement Aircraft	.....	+15,000
64	MQ-1 UAS (OCO)	8,202	8,202
65	MQ-9 UAV (OCO)	4,368	4,368
71	SOF ORDNANCE REPLENISHMENT (OCO)	75,878	65,878
.....	Execution Delays	.....	−10,000
72	SOF ORDNANCE ACQUISITION (OCO)	49,776	49,776
73	COMMUNICATIONS EQUIPMENT & ELECTRONICS (OCO)	9,417	31,817
.....	Program Increase—Unfunded Requirement	.....	22,400
74	SOF INTELLIGENCE SYSTEMS (OCO)	149,406	81,306
.....	Leased Aircraft—Unjustified Request	.....	−42,800
.....	HF-TTL Baseline Budget Requirement	.....	−25,300
81	TACTICAL VEHICLES (OCO)	36,262	91,262
.....	Program Increase—Unfunded Requirement	.....	+55,000
83	COMBAT MISSION REQUIREMENTS (OCO)	30,000	0
.....	OCO Program Growth	.....	−30,000
88	SOF AUTOMATION SYSTEMS (OCO)	1,291	1,291
90	SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE (OCO)	25,000	25,000
92	SOF VISUAL AUGMENTATION, LASERS & SENSORS (OCO)	3,200	22,700
.....	Program Increase—Unfunded Requirement	.....	+19,500
93	SOF TACTICAL RADIO SYSTEMS (OCO)	3,985	3,985
96	MISCELLANEOUS EQUIPMENT (OCO)	5,530	5,530
97	SOF OPERATIONAL ENHANCEMENTS (OCO)	79,869	95,545
.....	Program Increase—Unfunded Requirement	.....	+51,376
.....	Requirement Addressed by Reprogramming	.....	−35,700
.....	CLASSIFIED PROGRAMS	2,941	2,941
.....	TOTAL, PROCUREMENT, DEFENSE-WIDE	874,546	1,262,499
	NATIONAL GUARD AND RESERVE EQUIPMENT		
.....	NATIONAL GUARD AND RESERVE EQUIPMENT	0	850,000
.....	Program Increase—Army Reserve	.....	+140,000
.....	Program Increase—Navy Reserve	.....	+70,000

P–1		Budget Request	Recommendation
.....	Program Increase—Marine Corps Reserve	.....	+70,000
.....	Program Increase—Air Force Reserve	.....	+70,000
.....	Program Increase—Army National Guard	.....	+250,000
.....	Program Increase—Air National Guard	.....	+250,000
	MINE RESISTANT AMBUSH PROTECTED VEHICLE FUND		
.....	MINE RESISTANT AMBUSH PROTECTED VEHICLE FUND	3,415,000	3,415,000
	TOTAL, PROCUREMENT	21,361,868	25,316,335

R–1		Budget Request	Recommendation
	RESEARCH, DEVELOPMENT, TEST & EVALUATION, ARMY		
48	NIGHT VISION ADVANCED TECHNOLOGY (OCO)	0	23,100
	Program increase—Aviation night and limited visibility sensor demonstration	.....	+23,100
60	SOLDIER SUPPORT AND SURVIVABILITY (OCO)	57,900	14,900
	HFDS—Transfer to line 75 for execution at request of the Army	.....	−48,000
	REF—Transfer from Title IV for OCO requirement	.....	+5,000
61	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV	0	7,800
	Transfer from JIEDDO—Air Vigilance	.....	+7,800
75	ELECTRONIC WARFARE DEVELOPMENT (OCO)	5,400	48,000
	HFDS—Transfer from line 60 for execution at request of the Army	.....	+48,000
	Long-term development effort	.....	−5,400
77	ALL SOURCE ANALYSIS SYSTEM (OCO)	8,100	8,100
171	INFORMATION SYSTEMS SECURITY PROGRAM (OCO)	63,306	0
	Protected Information—Biometrics—Transfer to line 171x	.....	−25,134
	Transfer to OP,A line 51 at request of the Army	.....	−38,172
171x	FAMILY OF BIOMETRICS	0	25,134
	Non-MIP Biometrics—Transfer from line 171	.....	+25,134
178	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS (OCO)	16,200	16,200
	TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, ARMY	150,906	143,234
	RESEARCH, DEVELOPMENT, TEST & EVALUATION, NAVY		
19	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY (OCO)	14,100	10,680
	Unjustified request	.....	−3,420
53	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT (OCO)	1,000	1,000
75	JOINT COUNTER RADIO CONTROLLED IED ELECTRONIC WARFARE (OCO)	0	11,800
	Network Enabled EW—Transfer from JIEDDO	.....	+11,800
124	MEDICAL DEVELOPMENT (OCO)	300	300
153	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT (OCO)	5,200	5,200
204	TACTICAL UNMANNED AERIAL VEHICLES	0	36,000
	Transfer from OM,MC for Qualitative Risk Assessment	.....	+36,000
213	RQ–7 UAV (OCO)	6,900	6,900
999	OTHER PROGRAMS (OCO)	32,901	32,901
	TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, NAVY	60,401	104,781
	RESEARCH, DEVELOPMENT, TEST & EVALUATION, AIR FORCE		
17	ADVANCED AEROSPACE SENSORS	0	56,000
	Blue Devil Block 2—Transfer from JIEDDO	.....	+56,000
36	SPACE CONTROL TECHNOLOGY (OCO)	16,000	16,000
66	TACTICAL DATA NETWORKS ENTERPRISE (OCO)	30,000	30,000
128	MQ9 UAV (OCO)	0	88,500
	VADER/DDR on MQ–9—Transfer from JIEDDO	.....	+88,500
145	CSAF INNOVATION PROGRAM (OR ISR INNOVATIONS)	0	112,000
	ISR Sensor Pilot Program	.....	+112,000
164	MISSION PLANNING SYSTEMS (OCO)	4,443	4,443
211	NETWORK-CENTRIC COLLABORATIVE TARGETING (OCO)	6,100	6,100
230	SPECIAL TACTICS/COMBAT CONTROL (OCO)	10,325	10,325
999	OTHER PROGRAMS (OCO)	199,373	161,014
	Classified Adjustment	.....	−38,359
	TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, AIR FORCE	266,241	484,382
	RESEARCH, DEVELOPMENT, TEST & EVALUATION, DEFENSE-WIDE		
56	DARPA SENSOR TECHNOLOGY	0	40,000
	Transfer from JIEDDO—Wide Area Surveillance Development Roadmap	.....	+40,000
197	LONG-HAUL COMMUNICATIONS DCS (OCO)	23,125	23,125
202	INFORMATION SYSTEMS SECURITY PROGRAM (OCO)	750	750
254	SPECIAL OPERATIONS INTELLIGENCE SYSTEMS DEVELOPMENT (OCO)	9,440	9,440
255	SOF Operational Enhancements	0	14,500
	Transfer from JIEDDO—EW Family of Systems	.....	+14,500
999	OTHER PROGRAMS (OCO)	123,925	134,801
	Classified Adjustment	.....	+3,376
	Transfer from JIEDDO—Wallaby	.....	+7,500
	TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, DEFENSE-WIDE	157,240	222,616
	TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION	634,788	955,013
	DEFENSE HEALTH PROGRAM		
	OPERATION AND MAINTENANCE	1,398,092	1,398,092
	IN-HOUSE CARE	709,004	709,004
	PRIVATE SECTOR CARE	538,376	538,376
	CONSOLIDATED HEALTH CARE	128,412	128,412
	INFORMATION MANAGEMENT/IT	2,286	2,286
	MANAGEMENT HEADQUARTERS	518	518
	EDUCATION AND TRAINING	18,061	18,061
	BASE OPERATIONS AND COMMUNICATIONS	1,435	1,435
	RESEARCH AND DEVELOPMENT	0	24,000
	Blast Recovery Monitors—Transfer from JIEDDO	.....	+8,000
	Body Blood Flow Monitor—Transfer from JIEDDO	.....	+9,000
	EMF Blast Pulse Effects—Transfer from JIEDDO	.....	+7,000
	TOTAL, DEFENSE HEALTH PROGRAM	1,398,092	1,422,092
	DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE		
	AFGHANISTAN AIR MOBILITY	141,634	141,634
	AFGHANISTAN BORDER FACILITIES	5,000	5,000
	AFGHANISTAN BORDER POLICE EQUIP	19,500	19,500
	AFGHANISTAN BORDER TRAINING	20,000	20,000
	CENTCOM SUPPORT—AFGHANISTAN	3,000	3,000
	COUNTER NARCOTICS POLICE AFGHANISTAN FACILITIES	25,295	25,295
	COUNTER NARCOTICS POLICE AFGHANISTAN TRAINING	50,250	50,250
	COUNTER NARCOTICS POLICE AFGHANISTAN (CNP-A) EQUIPMENT	1,241	1,241
	INTELLIGENCE AND TECHNOLOGY	61,500	56,900
	Program Adjustment	.....	−4,600
	PAKISTAN	49,590	49,590
	KAZAKHSTAN	7,850	7,850
	KYRGYZSTAN	27,900	27,900

R–1		Budget Request	Recommendation
	TAJIKISTAN	8,500	8,500
	TURKMENISTAN	10,350	10,350
	UZBEKISTAN	8,500	8,500
	YEMEN	17,000	17,000
	PROGRAM ADJUSTMENT		−12,000
	TOTAL, DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	457,110	440,510
	JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND		
1	ATTACK THE NETWORK	1,434,400	765,200
	Transfer to Staff and Infrastructure for proper execution		−238,800
	Air Vigilance—outside JIEDDO mission—Transfer to RDTE,A line 61 and OM,A line 411 for proper execution		−13,200
	Blue Devil Block 2—Transfer to RDTE,AF line 17 for proper execution		−56,000
	Copperhead—program terminated		−125,000
	Electronic Warfare Family of Systems (EW FoS)—Transfer to SOCOM, RDTE,DW for proper execution		−14,500
	JUON Reserve		+100,000
	Solar ISE—outside JIEDDO mission		−7,000
	Synchronization and Integration WTI Cell—Transfer to OM,A SAG 135 and OM,DW for proper execution		−6,400
	Thermal Station (National IED Exploitation Facility (NIEF))—Transfer to OM,A SAG 135 for proper execution		−13,000
	VADER development—Transfer $88.5 million to RDTE,AF line 128		−241,800
	Wallaby—Transfer to RDTE,DW for proper execution		−7,500
	Wide Area Surveillance Development Roadmap (WASDP)—Transfer to DARPA for proper execution		−40,000
	Wolfhound II—Transfer to OM,DW for proper execution		−6,000
2	DEFEAT THE DEVICE	1,529,390	1,223,090
	ACES HY Roadmap—Program terminated		−28,000
	Transfer to Staff and Infrastructure for proper execution		−105,000
	Beachcomber—Transfer to OM,A SAG 135 for proper execution		−3,000
	Counter Bomber—Transfer to OM,A SAG 135, OM,N, OM,MC and OM,AF for proper execution		−3,000
	CREW -SSM—Universal Test Set—Transfer to OM,A SAG 135, OM,N and OM,MC for proper execution		−5,000
	JUON Reserve		−105,000
	Networked Enabled EW—Transfer to RDTE,N line 75 for proper execution		−11,800
	Personnel Borne IED/Vehicle Borne IED (PBIED/VBIED)—Transfer to OP,A line 136 for proper execution		−28,000
	Starlite Development Program—Program terminated		−16,000
	Transfer to OM,A SAG 135 and OM,MC for proper execution		−1,500
3	TRAIN THE FORCE	286,210	170,410
	Transfer to Staff and Infrastructure for proper execution		−75,400
	Blast Recovery Monitors—Transfer to DHP RDTE for proper execution		−8,000
	Body Blood Flow Monitor—Transfer to DHP RDTE for proper execution		−9,000
	EMF Blast Pulse Effects—Transfer to DHP RDTE for proper execution		−7,000
	Technical Collection Training Program—Transfer to OM,A SAG 135 for proper execution		−16,400
4	STAFF AND INFRASTRUCTURE	0	635,068
	Transfer from Title VI		+215,868
	Transfer from Attack the Network for proper execution		+238,800
	Transfer from Defeat the Device for proper execution		+105,000
	Transfer from Train the Force for proper execution		+75,400
	TOTAL, JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND	3,250,000	2,793,768
	OFFICE OF THE INSPECTOR GENERAL		
	OFFICE OF THE INSPECTOR GENERAL	10,529	10,529
	OFFICE OF THE INSPECTOR GENERAL	10,529	10,529
	TOTAL, OTHER DEPARTMENT OF DEFENSE PROGRAMS	5,115,731	4,666,899

Mr. CONAWAY. Madam Speaker, playing politics with our troops and their families is simply wrong.

We must not allow for a soldier's family to worry about making their house payment or putting groceries on the table because Congress can't pass a budget.

And while Senate Democrats and the President continue to drag their feet, we have stepped up to do the right thing: To keep military funding out of the debate.

I will not stand by and allow for this petty argument to damage those servicemembers and their families who are on the front lines defending our freedoms.

This temporary continuing resolution is just that: a temporary fix.

I am disappointed that we find ourselves in this situation.

Madam Speaker, the amount House Republicans are cutting over the next six months, while historically large, is embarrassingly small compared to the size of the deficit. I am ready to get on with this conversation and get to the real plan here. We're ready to start talking about trillions, not billions.

Yet, given the refusal to act by HARRY REID and the Administration, this is what we're faced with today.

Madam Speaker, the American people want Washington to stop the spending binge that is hurting our economy and threatening job growth without shutting down the government.

It's been 47 days since the House passed H.R. 1 and Senate Democrats still haven't passed a bill to keep the government running for the fiscal year or offered a credible plan to cut spending.

This troop funding bill will give them another week to offer a credible plan that shows Washington is serious about addressing its spending addiction.

Mr. WEST. Madam Speaker, will we be Chamberlain or will we be Churchill?

Neville Chamberlain, the Prime Minister of the United Kingdom between 1937 and 1940, will forever be known for his foreign policy approach of appeasement. Prime Minster Chamberlain, even with Germany's increasing aggression in Europe, turned a blind eye to the impending danger and did not prepare his nation for war.

Winston Churchill, who saw the dark clouds approaching, was looked upon as an alarmist at the time, even though he saw the true danger. Churchill stated: "An appeaser is one who feeds a crocodile, hoping it will eat him last."

Madam Speaker: I once again will not be feeding the crocodile. I once again will not be voting for yet another Continuing Resolution. However, having spent 22 years in uniform, having served on the battlefield in defense of this nation, I will be voting for the Department of Defense Appropriations bill in order to support our men and women in uniform. Our nation is involved in two conflicts and our President has now involved us in a third. It is my constitutional responsibilities to provide funding for the service members in uniform who are defending our nation both at home and abroad.

Some would argue that comparing World War II to the debate on the budget for Fiscal Year 2011 is not an appropriate comparison. However, I would argue that Winston Churchill was prepared to lead his country courageously, in the way that would ensure England's future. Today we are also faced with the question of protecting America's future.

Since we are discussing history it is important to be clear on the facts that have led us to this point. The Democrat Majority and President Obama over the last two years have produced deficits of $1.4 and $1.25 trillion and the President has produced a Budget for Fiscal Year 2012 which would add another $1.6 trillion. Our nation is faced with raising a debt limit of $15 trillion. Three years of trillion dollar deficits America is moving onto the same path that Spain, Ireland and now Portugal are on.

The American people know that the federal government is collecting $2.2 trillion and spending $3.7 trillion this year. The American people know forty cents of every dollar the federal government spends is borrowed, much of it from China. The American people also know our nation is piling up new debt at the rate of $4 billion a day.

The 111th Congress was controlled by overwhelming Democrat majorities in the House of Representatives and the United States Senate. Yet even with these enormous majorities, Congress failed to pass a budget or any of the Appropriations bills.

In November of 2010, the people of this country voted for a change. They voted for a new direction for our nation. They voted because they saw, as did Winston Churchill, the dark clouds on the horizon.

The Republican Majority passed H.R. 1 and fulfilled a promise to the American people and sent the legislation to the U.S. Senate. However, the Democrat Majority in the Senate dismissed H.R. 1 as too extreme. Since the Senate rejected the legislation the chamber has not produced any bill to bring to conference committee or even to use to negotiate. Forty-seven days and we are still waiting.

President Obama appointed Vice President BIDEN as the Administration point person on the negotiations with the Congress and instead of getting down to a serious discussion he flew off to Europe. Clearly the economy of Finland was more important than the failing economy that the President's policies have produced for the United States.

All indications are that my Democrat colleagues want to get to the point of a government shutdown in order to win political points. It seems that their goal is the hope that by shutting the federal government that the American people will see an intransigent Republican Party and return the Democrats to power in the next election.

Minority Leader NANCY PELOSI waits in the wings to take the Speaker's gavel back. Should that happen we will go back to the days of spending, taxing and regulating and embrace the policies that will put our economic and national security again at risk.

However, the Republican Party must now share in the blame of how we have arrived at this point. The Republican Leadership is approaching 100 days since taking the Majority and is now playing a game of high stakes poker with the funding for the Federal Government. The House Majority has now placed the funding for the Department of Defense and the funding for the troops down as a bargaining chip.

In the last 100 days, the House Majority could have passed at any point in time a separate stand alone Appropriations for the Department of Defense and the funding for our men and women in uniform. However, I am disgusted at the perception that Leaders in my own Party who did not move a Defense Bill earlier and are now using the men and women in uniform, the individuals who are defending our freedom, as a way to pass yet another continuing resolution.

Madam Speaker, what will another week provide with regard to these negotiations? Will it provide an opportunity for the Democrat Party and Senator SCHUMER to create more exotic synonyms for the word ''extreme'' or will it allow the Leadership of the Republican Party to find other essential government program to be used as vehicles to pass another Continuing Resolutions.

Once again, it is time to conclude this debate on federal spending and get our nation back on track by cutting spending for the long term economic restoration of our Republic.

I voted for the Department of Defense Appropriation bill because, at this moment in time, due to the complete failure by the Democrat Majority in the Senate this is currently the only vehicle on the table. But more importantly, my ''yes'' vote today was for my Brothers and Sisters in uniform. My ''no'' sentiment reflects a disappointment in my own leadership.

I believe today, more than ever, in the words of Winston Churchill who said ''I was only the servant of my country and had I, at any moment, failed to express her unflinching resolve to fight and conquer, I should at once have been rightly cast aside.''

Mr. CONNOLLY of Virginia. Madam Speaker, it's time to stop holding the American people hostage to the ideological whims of those who don't understand that responsible governing is the art of compromise. We are on the sixth continuing resolution in as many months for the current fiscal year. It's time to get the job done, and thankfully negotiations are underway. Yet the bill we are considering today undercuts that effort and the sincerity of the majority to avoid a shutdown. This bill perpetuates the ''my way or the highway'' philosophy of House Republicans. It continues their blind assault on vital services to constituents in every community in America like education, public safety, clean water and Social Security. Further exposing their lack of sincerity, this bill just puts the hard decisions off for another week. Shutting down the government is not a victory but a defeat for us, the American people and the democratic process. That's why I cannot be an enabler for a reckless, meat axe approach to funding public services. Let's reject this short-term approach in favor of a more responsible bill. We owe my constituents and the citizens we all serve no less. Let's do our jobs.

Mr. WOLF. Madam Speaker, I rise to support H.R. 1363, the Department of Defense and Further Continuing Appropriations Act of 2011.

I am voting today for H.R. 1363 because I do not support a government shutdown. H.R. 1363 will keep the government open. I am voting to ensure that federal employees are not pawns in a game of ''shut-down chicken.'' I am voting to ensure that FBI agents continue on the job. I am voting to ensure that DEA agents, ATF agents, U.S. Marshals, Border Patrol Agents, and CIA agents, are on the job. I am voting to ensure that tax returns filed by mail and loans to small businesses continue to be processed. I am voting to ensure that NIH research and clinical trials continue. I am voting to ensure that veterans will be able to receive walk-in services at clinics. I am voting to ensure that the government honors signed contracts. I am voting to ensure that federal employees, who are all essential, are able to continue to do the work they do, day in and day out, to keep our nation running.

I am also voting for H.R. 1363 because it funds the Department of Defense for the rest of the fiscal year. This bill provides economic certainty to our troops and their families at a time when they are sacrificing so much to support our military operations around the world. We also need to provide that economic certainty to the entire federal workforce and the American people who expect us to be on the job working for them. We need to reach an agreement on a spending plan for the remaining five and a half months of this fiscal year and get on with the business of producing a budget for FY 2012 with a resolve to continue to take steps to reverse our nation's mounting debt and deficit spending.

I am voting for H.R. 1363 because it cuts $12 billion in discretionary spending in one week. Twelve billion dollars. This may well be the largest one week discretionary spending cut ever passed through the House. The measure before us today is another responsible step in the right direction until a long term agreement is reached.

The House has acted. Again and again, House Republicans have voted to keep the government open by supporting continuing resolutions until a long-term solution for the rest of the fiscal year is reached. We are continuing to work to find a solution to the unfinished business left by the leadership of the previous Congress. Passing H.R. 1363 will enable us to move forward on the fiscal oversight needed to ensure long term, fiscal solvency.

I am voting ''yes'' today because this measure continues our efforts to tackle the debt while keeping the government open.

Mr. VAN HOLLEN. Madam Speaker, if the majority were genuinely interested in avoiding a government shutdown, they would bring a clean, one week CR to the floor to give the current negotiations time to reach a successful conclusion. But that's not what we're being asked to vote on today.

Instead, in the most cynical demonstration of bad faith, today's legislation combines funding for our troops—which every Member of this House supports, and which a clean CR would provide—with controversial cuts and ideologically extreme poison pills that the majority knows the nation doesn't want and the Senate and the President will not support.

As a result, in this moment of truth, the majority is deliberately choosing to dive headlong into a government shutdown in order to pander to its Tea Party base while the rest of America yearns for honorable compromise and adult leadership.

As Ranking Member of the Budget Committee, and someone who actually supported the last two CRs, I am willing to work in good faith with Members on both sides of the aisle to break the current impasse. But I will not participate in this kind of eleventh hour partisan gamesmanship when our federal government's operations are at stake.

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

Pursuant to House Resolution 206, the previous question is ordered on the bill.

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.

□ 1330

MOTION TO RECOMMIT

Mr. HOYER. Madam Speaker, I have a motion to recommit at the desk.

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

Mr. HOYER. Yes, Madam Speaker, I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Hoyer moves to recommit H.R. 1363 to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendment:

Strike all after the enacting clause and insert the following:

That the Continuing Appropriations Act, 2011 (Public Law 111–242) is further amended by striking the date specified in section 106(3) and inserting ''April 15, 2011''.

Mr. ROGERS of Kentucky. Madam Speaker, I reserve a point of order on the gentleman's motion.

The SPEAKER pro tempore. A point of order is reserved.

Pursuant to the rule, the gentleman from Maryland is recognized for 5 minutes in support of his motion.

Mr. HOYER. Thank you, Madam Speaker, and I want to thank the chairman as well. I understand he has given me the 5 minutes, and I appreciate that.

First of all, I want to say to my friend from Kentucky—and he is my friend and we've worked together for many, many years. He told the story about a gentleman who was in court and he was in court for killing his two parents, and he pled for the mercy of the Court because he was an orphan.

I tell my friend from Kentucky, particularly appropriate because he's from Kentucky, because the mess that we have was created because some folks from Kentucky would not give some votes to put appropriation bills on the floor. To that extent I think that analogy is apt. The gentleman complains of a mess that, frankly, was of the Republican Members in the United States Senate refusing to allow bills to come to the floor.

Madam Speaker, this motion to recommit, if adopted, A, will take care of the troops; B, will keep the government open; and, C, importantly, I would presume, from all of you who have protested how you want to protect the troops, it will pass the Senate and be signed by the President. So it will become law, and it can become law by tomorrow night before 12 midnight when the government's authorization ends. So it should commend itself to all Members of this House as a viable document to protect the troops, keep the government open, and get signed.

As the great legislator Henry Clay, who was elected Speaker the first day he served in this House—Henry Clay was from where, Mr. Chairman? From your great State. And Henry Clay said this: ''If you cannot compromise, you cannot govern.'' Henry Clay.

And let me repeat that to my friends on your side of the aisle: ''If you cannot compromise, you cannot govern.''

Too many of our Republican colleagues have refused to compromise. And now you bring to the floor a resolution and say, If you only do what we tell you to do, things will be fine. My, my, my, what a definition of ''compromise.'' Then you say, If the Senate will only do what we say, we'd be fine. The first time, the second time, the third time, and now here we are on the fourth time.

Now, I supported you, as you know, on the second time and third time because I thought it was reasonable to give that opportunity, and the cuts you were asking for, yes, I thought would be included at some point in time.

The Senate, by the way, passed those two resolutions, as we indicated they would. And the President signed them, as the gentleman is telling me.

I'm getting a little help over here from the ranking member, and I appreciate it.

But now we are on the brink of bringing the government to a halt. That makes no sense, and anybody here knows that to be the case. My friend Mr. SIMPSON, for whom I have a great deal of respect, knows that it makes no sense. In fact, many of your folks who have said to shut it down in the past are now saying, We don't want to shut it down, because they know the American people think that makes no sense.

Republicans showed their priorities when they passed a spending bill that cuts billions in scientific research, kicks 200,000 children out of Head Start, and cuts college aid for millions of middle class students.

Yes, we don't agree with those priorities. They're not our priorities. We think we need to invest in growing this economy and growing jobs. We think we need to invest in young people so that they can have the educational opportunities. Ronald Reagan said Head Start worked. George Bush I said it worked. George Bush II said it worked. We don't want to cut 200,000 children out of that program. We think it's important to make sure the future of our country is secured by educating those children.

You have shown your priorities when you threatened a government shutdown over divisive social policy riders. Governor Daniels, Governor of Indiana, and a candidate for President, I understand, said, Take the social issues and consider them on another bill; let's get the finances of our country in order first.

That's what you say you want to do. We want to help you do that. We will work with you on that. We have been working with you on it. That's why I voted for the last two CRs, and the Senate passed them and the President signed them.

But, Madam Speaker, this motion to recommit will allow for our troops to be taken care of, as they should be; and, by the way, they will be taken care of even if we have a shutdown because they are critical to our national security.

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

Mr. HOYER. I urge the adoption of this motion to recommit that will be signed by the President of the United States.

POINT OF ORDER

Mr. ROGERS of Kentucky. Madam Speaker, I wish to speak on the point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. ROGERS of Kentucky. Madam Speaker, the amendment, or motion, proposes a net increase in budget authority in the bill. The amendment is not in order under section 3(j)(3) of House Resolution 5, 112th Congress, which states:

''It shall not be in order to consider an amendment to a general appropriations bill proposing a net increase in budget authority in the bill unless considered en bloc with another amendment or amendments proposing an equal or greater decrease in such budget authority pursuant to clause 2(f) of rule XXI.''

The amendment proposes a net increase in budget authority in the bill in violation of such section.

I ask for a ruling from the Chair.

The SPEAKER pro tempore. Does any other Member wish to speak on the point of order?

Mr. HOYER. I do, Madam Speaker.

The SPEAKER pro tempore. The gentleman from Maryland is recognized.

Mr. HOYER. Madam Speaker, this motion to recommit speaks directly to the funding of government. The continuing resolution offered by the gentleman from Kentucky, he has repeatedly said its objective is to fund the government and keep the government open.

This is an alternative which argues for the fact that we want to pass a piece of legislation that the President of the United States says he will sign. It is simply for 1 week. It is simply a short period of time while we negotiate.

I urge the Speaker to find this motion to recommit consistent with the rules and consistent with the objectives of the legislation that is under consideration.

The SPEAKER pro tempore. The Chair is prepared to rule.

The gentleman from Kentucky makes a point of order that the motion offered by the gentleman from Maryland violates section 3(j)(3) of House Resolution 5.

Section 3(j)(3) establishes a point of order against an amendment proposing a net increase in budget authority in the pending bill.

The Chair has been persuasively guided by an estimate from the chair of the Committee on the Budget that the motion proposes a net increase in budget authority in the bill. Therefore, the point of order is sustained. The motion is not in order.

□ 1340

Mr. HOYER. Madam Speaker, I appeal the ruling of the Chair.

The SPEAKER pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the House?

MOTION TO TABLE

Mr. ROGERS of Kentucky. Madam Speaker, I move to table the motion.

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.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 15-minute vote on the motion to table will be followed by a 5-minute vote on passage of the bill, if arising without further proceedings in recommittal.

The vote was taken by electronic device, and there were—yeas 236, nays 187, not voting 9, as follows:

[Roll No. 245]

YEAS—236

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heller
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NAYS—187

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pastor (AZ)
Payne
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—9

Bilirakis
Frelinghuysen
Giffords
Honda
Larson (CT)
Pascrell
Pelosi
Sessions
Young (AK)

□ 1403

Mr. CLYBURN, Ms. PINGREE of Maine, Mr. ALTMIRE, Ms. JACKSON LEE of Texas, and Messrs. MCNERNEY and WEINER changed their vote from ''yea'' to ''nay.''

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BILIRAKIS. Madam Speaker, on rollcall No. 245, had I been present, I would have voted "yea."

Stated against:

Mr. LARSON of Connecticut. Mr. Speaker, on April 7, 2011 I missed rollcall vote 245. Had I been present, I would have voted "no" or "nay."

MOTION TO RECOMMIT

Mr. OWENS. Madam Speaker, I have a motion to recommit at the desk.

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

Mr. OWENS. I am, in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Owens moves to recommit the bill H.R. 1363 to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendment:

At the end of title VIII of division A, insert the following new section:

SEC. 8124. Notwithstanding any other provision of this division, the amounts provided by title I of this division for the following accounts shall be as follows: ''Military Personnel, Army'', $41,042,653,000; ''Military Personnel, Navy'', $25,912,449,000; ''Military Personnel, Marine Corps'', $13,210,161,000; ''Military Personnel, Air Force'', $27,105,755,000; ''Reserve Personnel, Army'', $4,333,165,000; ''Reserve Personnel, Navy'', $1,940,191,000; ''Reserve Personnel, Marine Corps'', $612,191,000; ''Reserve Personnel, Air Force'', $1,650,797,000; ''National Guard Personnel, Army'', $7,511,296,000; and ''National Guard Personnel, Air Force'', $3,060,098,000.

Mr. OWENS (during the reading). I ask unanimous consent to dispense with the reading.

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

There was no objection.

Mr. ROGERS of Kentucky. Madam Speaker, I reserve a point of order on the gentleman's motion.

The SPEAKER pro tempore. A point of order is reserved.

Pursuant to the rule, the gentleman from New York is recognized for 5 minutes in support of his motion.

Mr. OWENS. Thank you, Madam Speaker.

I rise in support of this motion because this motion will ensure that the members of the armed services will be paid in the event of a government shutdown. There is no group who deserves our support more than the members of the armed services. As a veteran myself, I recognize the implications of failing to pay those members of the armed services who have given their time, their energy, their blood and, in many cases, their lives in support of our freedom, the freedom that allows us to be here today and to have this heated debate over the direction of our country.

When I look around at what will happen if we fail to pass this motion, we know that the President has indicated he will veto the current underlying legislation, which means in effect we will be unable to pay our military men and women.

The economic consequences to the communities in which our military men and women reside—in my case Fort Drum, as well as many active Reserve units in my district—would be horrific. They will not buy gasoline, they will not buy groceries, they will not buy clothes. There are tremendous economic consequences to the actions that we have failed to take.

I have supported the continuing resolutions previously which have saved $51

billion from the budget. I am not a person not in support of cutting, but we must do cutting and the decrease in the Federal budget in a responsible way—not one which injures our men and women, particularly, as I said before, those who reside at Fort Drum and in and around that community.

I think it's very important as we move forward with this discussion that we keep foremost in our minds the men and women in the military. I think we have not acted, in large measure, responsibly in this process. We need to move to a continuing resolution which is economically based, which will allow the recovery to continue, which will allow job growth to move forward and not be focused on ideology or the slashing and burning of programs which are highly inappropriate.

I yield back the balance of my time.

Mr. ROGERS of Kentucky. Madam Speaker, I withdraw my reservation on the point of order.

The SPEAKER pro tempore. The reservation is withdrawn.

Mr. ROGERS of Kentucky. I rise in opposition to the motion.

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

Mr. ROGERS of Kentucky. Madam Speaker, this procedural motion is nothing more than a dilatory tactic which comes at a time when we can least afford those types of things. Now is the time to act, not partake in political games.

Our debate should be not about procedure. It should be about doing our job. It should be about funding our troops, about keeping our government running, and saving the taxpayer money.

The measure before us provides the essential funds for our men and women who are in harm's way on three battlefields around the world. Those who sacrifice so much for us should not be held hostage by Washington's inaction while providing for our national defense. The measure also gives us one more week for the Senate and the White House to come to a resolution on funding the activities of the government, and it cuts $12 billion in wasteful spending.

The American people expect us to stop the partisan bickering and get our work done. The time for idle talk is over. Enough is enough.

This motion is purely a political gesture and should be defeated. I think all Members should know, Madam Speaker, this bill is not a political tactic. The real fact is that if you vote against this bill, you are voting against the troops who are engaged in three wars.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—yeas 191, nays 236, not voting 5, as follows:

[Roll No. 246]

YEAS—191

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NAYS—236

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heller
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NOT VOTING—5

Frelinghuysen
Giffords
Markey
Miller, Gary
Young (AK)

□ 1426

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

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

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 247, nays 181, not voting 4, as follows:

[Roll No. 247]

YEAS—247

Adams
Aderholt
Akin
Alexander
Altmire
Austria
Bachus
Barletta
Barrow
Bartlett
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks

Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cooper
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heller
Hensarling
Herger
Herrera Beutler
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NAYS—181

Ackerman
Amash
Andrews
Baca
Bachmann
Baldwin
Barton (TX)
Bass (CA)
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
King (IA)
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—4

Conyers
Frelinghuysen
Giffords
Young (AK)

□ 1434

Mr. SCHRADER changed his vote from ''nay'' to ''yea.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ENERGY TAX PREVENTION ACT OF 2011

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further proceedings will resume on the bill (H.R. 910) to amend the Clean Air Act to prohibit the Administrator of the Environmental Protection Agency from promulgating any regulation concerning, taking action relating to, or taking into consideration the emission of a greenhouse gas to address climate change, and for other purposes.

The Clerk read the title of the bill.

MOTION TO RECOMMIT

Mr. MCNERNEY. Madam Speaker, I have a motion to recommit at the desk.

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

Mr. MCNERNEY. I am opposed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. McNerney moves to recommit the bill H.R. 910 to the Committee on Energy and Commerce with instructions to report the same to the House forthwith with the following amendment:

At the end of the bill, add the following:

SEC. 5. PROTECTION OF HEALTH OF VULNERABLE CHILDREN AND SENIORS.

Nothing in this Act shall limit the authority of the Administrator of the Environmental Protection Agency under the Clean Air Act (42 U.S.C. 7401 et seq.), as in effect on the day prior to the date of enactment of this Act, to protect the health of vulnerable children and seniors, including children with asthma and lung diseases, from the effects of air pollution by large sources that emit 75,000 tons or more of carbon air pollution per year.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California is recognized for 5 minutes in support of the motion.

Mr. MCNERNEY. Madam Speaker, I rise to offer an important motion to recommit to H.R. 910. My motion is a straightforward amendment to guarantee that America's most vulnerable children and seniors, including children with asthma and lung diseases, can be protected from the Nation's biggest polluters.

The Clean Air Act became law at a time when our cities were enveloped in smog. And since then, the act has stopped the most egregious polluters and improved public health. This motion is a substantial, important amendment, and if passed, the motion allows a vote to immediately proceed on final passage of H.R. 910. We can reduce air pollution in a way that will create jobs, strengthen our economy, bolster our national defense, and improve the health of our children.

I am gravely concerned that H.R. 910 will threaten the health and safety of our most vulnerable Americans. There's a clear connection between air pollution and respiratory diseases, and the motion I'm offering makes sure that our children can lead healthy lives.

Asthma is an especially serious threat to America's children. This problem is national in scope, but my home State is uniquely affected. I'm honored to represent part of California's San Joaquin Valley, but, unfortunately, the air quality is a persistent challenge in our communities. In fact, as many as one in five children in the valley have been diagnosed with asthma. My own son and daughter developed the condition when they moved to an area of California's Central Valley with hot temperatures and poor air quality. I know from personal experience how vitally important it is to make sure our kids have fresh, healthy air.

I'm confident that every Member of this body shares my desire to reduce the incidence of asthma among America's children. Keeping our children healthy is not a partisan issue. Fighting for the health, happiness, and well-being of our children unites us as citizens, as parents, as friends, and as neighbors.

But the statistics are sobering. According to the American Lung Association, asthma affects more than 7 million children, and more than 4 million of those children suffer from an asthma attack each year. Asthma kills 5,000 people each year in the United States and causes 14 million missed school days annually.

□ 1440

Treating asthma costs our country more than $20 billion every year. In fact, every day in America, 40,000 people miss work or school due to asthma; 30,000 people have an asthma attack; and 11 die from asthma. These are real children, real people.

That is why I am offering this simple, straightforward motion to recommit today. My proposal is a commonsense improvement that makes sure that our country preserves the ability to protect the air quality for our children and seniors. The text of the motion is very clear, and explicitly says that our goal is to protect children with asthma and lung disease from the effects of air pollution.

I also want to make one other point clear. Just as I know that every Member of this body cares about the health and well-being of America's children, I also know that we care about our country's economic recovery. Many in this Chamber feel passionately that we should do everything that we can to make sure that small businesses and family farms can grow and prosper without facing unnecessary regulatory burdens. I am proud to represent a district with a rich agricultural history, and I want everyone to know that this motion protects family farmers and small businesses. This motion is explicitly limited in scope to large facilities that emit 70,000 tons or more of carbon annually.

In closing, I ask my friends and colleagues in the majority to reflect on what this amendment says and what your vote will mean. The amendment simply says that ''nothing in the act shall limit the authority of the EPA to protect the health of vulnerable children and seniors from the effects of air pollution.'' What can be more simple than that? I ask my colleagues to do the right thing for our children and seniors and support this motion to recommit.

I yield back the balance of my time.

Mr. UPTON. Madam Speaker, I rise in opposition to the motion to recommit.

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

Mr. UPTON. I would remind my colleagues, this is a procedural vote. H.R. 910 does not impact asthma. Frankly, our side would have liked to have debated this amendment. It was not offered to the Rules Committee. It was offered in committee, where it was rejected on a voice vote.

If you read the endangerment finding, you will see that asthma is mentioned one time. As to asthma, EPA's endangerment finding refers only once to the term ''asthma,'' and then only in the context of wildfires and particulate matter which is already regulated. So it doesn't change that.

If you care about jobs, you are going to vote ''yes'' on the bill. If you care about not increasing gas prices beyond $4, where they are in much of the country today, you will vote for the bill, which means you ought to vote ''no'' on the motion to recommit and ''yes'' on final passage.

The Clean Air Act regulates 188 different pollutants. H.R. 910 doesn't change one of those. So please, my colleagues, vote ''no'' on the motion to recommit and ''yes'' on final passage.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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. MCNERNEY. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 175, noes 251, not voting 6, as follows:

[Roll No. 248]

AYES—175

Ackerman
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Gene
Grijalva
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—251

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heller
Hensarling
Herger
Herrera Beutler
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Speier
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NOT VOTING—6

Burton (IN)
Frelinghuysen
Giffords
Green, Al
Gutierrez
Young (AK)

□ 1501

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. AL GREEN of Texas. Mr. Speaker, today I was unavoidably detained and missed the following vote: Motion to Recommit H.R. 910 (rollcall No. 248). Had I been present, I would have voted "yea" on this motion.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 255, nays 172, not voting 5, as follows:

[Roll No. 249]

YEAS—255

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heller
Hensarling
Herger
Herrera Beutler
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Sewell
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NAYS—172

Ackerman
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—5

Bilirakis
Burgess
Frelinghuysen
Giffords
Young (AK)

□ 1508

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AMENDMENT OFFERED BY MR. POLIS

Mr. POLIS. Madam Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amend the title so as to read: ''A bill to increase pollution, endanger the public health, and not address taxes in any way.''.

The SPEAKER pro tempore. Under clause 6 of rule XVI, the amendment is not debatable.

The question is on the amendment.

The amendment was rejected.

HOUR OF MEETING ON TOMORROW

Mr. McHENRY. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow for morning-hour debate and noon for legislative business.

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

There was no objection.

□ 1510

AUTISM AWARENESS MONTH

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

Ms. ROS-LEHTINEN. Mr. Speaker, April is Autism Awareness Month.

Autism is a disorder that impairs an individual's social interactions and communication skills with others. Sadly, autism is one of the fastest-growing developmental disorders in our Nation. It is estimated that a child is diagnosed with autism every 15 minutes. While some autistic children will grow up to function in society, others will need some level of professional care for life.

Groups such as the Autism Society of Miami-Dade, in my congressional district, are committed to providing support and opportunities to enhance the lives of individuals within the autism spectrum, as well as their families and caregivers.

I urge all Americans to become involved in supporting families with children and adults with autism.

FUND THE MILITARY, MR. PRESIDENT

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

Mr. POE of Texas. Mr. Speaker, today we are engaged in a debate about out-of-control government spending, but there should never be an issue about fully funding our military. They should never worry that Congress will not provide them the resources to defend this Nation.

So this House just passed a CR that fully funds the military and also cuts $12 billion, but the White House has issued a veto threat with no explanation. Why? Does the Commander in Chief intend to command a military with no money? Doesn't he know we are engaged in three wars?

I just received an e-mail from one of our troops. He asks, ''How would the

citizens of America feel if we, the military, did not defend our Nation one day because we went on strike?—but we won't go on strike. We will live in tents, eat MREs, and hope our families can survive without pay, food and shelter.''

The House has voted to support the military. The Senate needs to pass this bill. The President needs to sign up to support our troops.

Are you in, Mr. President?

And that's just the way it is.

RECOGNIZING THE TEXAS A&M UNIVERSITY WOMEN'S BASKETBALL TEAM

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

Mr. FLORES. Mr. Speaker, I rise today to recognize the Texas A&M University Women's Basketball team on their remarkable run in the 2011 NCAA tournament and their victory over Notre Dame to claim their first ever national championship in school history.

I have the privilege to represent both Baylor University and Texas A&M. I don't think there are many Members here in this House who have the opportunity to represent two schools that advanced to the Elite Eight of the NCAA Women's tournament. However, I do, and one of them went all the way and won the national championship. Also, as a member of the Texas Aggie Class of 1976, I am especially thrilled that the final score was 76–70.

Coaches Gary Blair and Vic Schaefer and their staff should be commended for their leadership in guiding the Texas Aggies to their sixth straight NCAA tournament and to their first ever national title. Let me add that Danielle Adams, the Aggies' all-American senior, scored 30 points, the second highest total in championship game history.

Mr. Speaker, I am proud to stand before my colleagues and say that there is no other coach, no other team nor any other fan base that deserves this more than Coach Blair, the Texas Aggie Women's Basketball team, and the loyal fans at Texas A&M University.

Gig'em Aggies and great job.

LACK OF LEADERSHIP

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

Mr. FLEMING. Mr. Speaker, with respect to a possible shutdown, I have to say that this is a direct result of a distinct lack of leadership.

Former Speaker PELOSI showed no leadership in not even attempting to submit a 2011 budget in the 111th Congress. Senator REID has been totally unwilling to submit an alternative 2011 budget, and the President, until this week, has totally checked out of the process.

This country desperately needs leadership. Speaker BOEHNER has been providing that leadership as he has been fully engaged and has submitted a number of excellent 2011 budget proposals, but he can't do it by himself.

Mr. President and Senator REID, it is not too late to step up and provide the kind of leadership this country wants and desperately needs. Do the right thing now. Agree to this legislation that will help get this country back on sound fiscal footing.

STAND WITH US WHO ARE STANDING FOR THE AMERICAN PEOPLE

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

Mr. TIPTON. Mr. Speaker, today this House took the unprecedented step of doing the right thing. We stood up for our men and women in our Armed Forces. However, Senator REID and the President had already announced before the vote was even taken that it was going to be ''dead on arrival.'' Senator REID said that it's a fantasy.

Senator REID, let me give you a reality. The reality is that our men and women in our armed services, who are risking their lives for us, deserve better than the politics of usual.

Senator REID, we call on you, and we call on the President of the United States to stand with us who are standing for the American people: our men and women in the Armed Forces, our parents, grandparents, and our future generations as well. We have to not only protect our present but build for our future and have actual fiscal responsibility in this country. You can no longer be allowed to be the party of ''no'': no ideas, no solutions, simply saying ''no'' because of your bankruptive ideas.

Now is the time for action. The American people are counting on us.

THE BUDGET CRISIS

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

Mr. GARAMENDI. Mr. Speaker, thank you.

I want to turn our attention to the issues that are before us today and see if we can have a better understanding of what has taken place.

We just heard a little bit about honoring our troops. Let's be very clear about this. The Democratic Caucus in this House, the President, and the Senate will always and have always honored our troops. We are in the midst of a very serious budget crisis for this year with very, very serious issues at stake, and the Republicans chose to attach to the funding bill numerous cuts that devastate important programs that affect the well-being of every man, woman, and child in this Nation and, indeed, around the world. Because of those cuts, as well as certain language that was added to the bill, we chose not to vote for the funding.

The President has said, Stop the games. Stop playing around. Give us a straight up and down on funding the government without all of these add-ons and games that are being played by our Republican colleagues.

The President has asked for a clean bill. We should give him a clean bill and carry on to fund the government and provide for our troops and our military families, and we will do that.

Now let's understand what is at stake. Not only in the current year's budget, which is the next 7 months, but in the year beginning on October 12, the Republicans have put together a proposal that would devastate seniors and those who are unable to care for and to provide themselves with medical services—in other words, those dependent upon the Medicaid program.

□ 1520

Very straightforward. The proposal that was put out by the Republican caucus 2 days ago would terminate and stop Medicare as we know it today. Medicare is a program in which every working American pays into it, and when they became 65, they expect to receive the Medicare health care benefits that are guaranteed or at least have been guaranteed for the last 40-some years. That's a uniform benefit package across this Nation. It is a very successful program. It's one that Americans literally live long enough to get into. And yet the Republican caucus is proposing to terminate it, to end the Medicare program. And instead, turn over the $400 billion a year that goes into the Medicare services, turn it over to the private health insurance companies—the biggest gift ever given to the private health insurance companies.

I know those companies. I was the insurance commissioner in California for 8 years. And I spent most every day of those 8 years chasing after the health insurance companies, forcing them to pay claims and stopping them from discriminating against people who had preexisting conditions and developing programs and policies that were underfunded, underpaid, and underperformed.

That cannot happen to our seniors, but that's what the Republicans want to do. And we need to stop it. And we will because the seniors of this Nation already sense what is at hand. They already know that the Republican budget proposed would devastate one of the two pillars of the social safety net that every senior in this Nation at one time or another depends upon.

The second pillar—we've already seen the path that this is going to go on—in 2004, the Republican caucus, together with the Republican President, George W. Bush, proposed to privatize Social Security. Fortunately, the revolt that started in the Democratic caucus of

this House and carried across the Nation stopped that from happening.

We know what's coming down the train track here, and that is another effort to privatize Social Security, to take those hundreds of billions of dollars and turn them over to Wall Street so Wall Street can play additional financial games.

It will not happen, Americans will not give up Social Security and Medicare to satisfy the whims of the Republican caucus that seems determined upon destroying effective government in this Nation.

I'd like to call upon my colleague from the great State of Oregon (Mr. DEFAZIO). If you will join me in this conversation and we will see where it takes us.

Mr. DEFAZIO. I thank the gentleman. Certainly his extraordinary and extensive experience as an insurance commissioner ably qualifies him to comment on what's going to happen when the Republicans kill Medicare and instead force future seniors into private insurance plans presumably sold through some sort of exchange.

Now, of course the Republicans just spent the last year reviling ObamaCare, which creates exchanges for people who are uninsured. They said people who are uninsured should not be forced to go to exchanges and buy good standard policies. Well, now what they want to do is force future seniors to give up Medicare and force them to go to exchanges and buy private policies with some premium support.

Now, there are a few problems with this issue. Among the things they repeal are the reforms of the insurance industry. And one of the most critical reforms, as far as seniors or older workers or older Americans go, or Americans who've ever been ill or ever had an ill kid, is removing the condition that an insurance company can have a preexisting condition exclusion. That is, you were sick once, they won't sell you a policy. Maybe they'll sell you a policy, but they will exclude that condition and other conditions they think you might have, and they're going to charge you 4, 5, 6, 10 times as much for your policy because you're a risky person. They only want the gravy.

It also repeals another little trick of the industry. This has already stopped now. This is one of the most horrific things the insurance industry has done to people in America. Pay your premium every week. Your employer pays your premium every week.

You get sick. This happened to a woman in Texas, actually JOE BARTON's district. She had breast cancer. Needed serious treatment. The insurance industry, the insurance company she had, put a team on her case. Isn't that great. They want to help her out. No. They want to find out a way to throw her off the plan. And they found that once she had gone to a dermatologist and didn't tell them about it. And that might have been related to her breast cancer, so they threw her out of the plan.

Now, the dermatologist wrote a letter to the insurance company and said, well, no, actually, no, this woman just kind of had a skin condition that has nothing to do with cancer, and you can't do this. And they did. And finally, to give them credit, JOE BARTON intervened, called the president of the company and said, you're getting one big black eye here. Give this woman back her health insurance. And she got it back. But quite a bit later, her cancer had advanced, and it hurt her chances for a full recovery. That's called recision.

Under the Republican proposal, recisions are back. You get sick? Your company gets to comb through your life and find out a way not to pay your policy. And oh, by the way, if you're sick now and your policy lapses at the end of the year, they won't have to renew it because they're doing away with that reform, too.

So we will take away those horrible reforms that the Democrats put on the anticompetitive insurance industry—and oh, by the way, the insurance industry is exempt from the antitrust law. So the insurance industry can and does and has discriminated in these ways. It can and does fix prices. Can and does share or divide markets to drive up their profits. All of those things are back under the Ryan proposal. Isn't that great?

Now, how is this going to serve seniors? So now, here they are. They're going to get a little premium support—that is, the Federal Government will not let them have the money; they don't even get a voucher so they could just say well, I'm going to go do something on my own. They have to buy one of the health care plans that the Republicans would dictate they can buy—presumably through an exchange—and they'll get a little premium support. The government will give the money directly to the insurance company.

Now, the insurance company can charge them whatever premium they want. So this is problematic.

Now, around here, the Republicans are a little schizophrenic. Some days they love the Congressional Budget Office—when it gives them results they like. And other days they hate the Congressional Budget Office—when it gives them answers they don't like.

So in this case the Congressional Budget Office looked at it and said well, actually, under the Ryan plan, seniors who today pay 25 percent of their health care costs in the aggregate under the Ryan plan of the future, they will pay 68 percent of their health care costs. Guess what that means? That means we are back to 1964.

Now, there's not many people around here old enough to remember '64. I certainly wasn't serving here but I know what happened then. Congress passed, Lyndon Baines Johnson signed, Medicare. Now one of the principal drivers of that was we had a poverty rate for seniors—that is, our parents and grandparents—they were at twice the poverty rate that they are today because of medical costs.

Nobody can save enough money to provide for their medical care. And if you can't buy insurance—which most seniors can't and couldn't—and you get sick, you're bankrupt. You lose everything. And the principal thing that drove seniors into poverty and bankruptcy in those days was medical costs. So Medicare was established.

And now the greatest legacy proposed here by Mr. RYAN, the chair of the Budget Committee, is to end Medicare. And he's doing this under the guise of the path to prosperity. The question is whose prosperity? Not the seniors. Perhaps it's the insurance industry.

Mr. GARAMENDI. Thank you very much, Mr. DEFAZIO.

I heard you toss out two numbers. One number was the amount of medical, the percentage of the costs of medical care that seniors now pay. Did you say 28 percent?

Mr. DEFAZIO. It's about 25 percent on average of all of their medical costs, the ones for seniors who are eligible for Medicare.

Mr. GARAMENDI. If the Republican proposal goes forward, seniors will wind up paying how much?

Mr. DEFAZIO. Sixty-eight percent of their health care costs.

□ 1530

Mr. GARAMENDI. I see. So we are shifting the costs to the seniors; right?

Mr. DEFAZIO. Right.

If the gentleman would yield.

Mr. GARAMENDI. Of course.

Mr. DEFAZIO. We are not going to do anything about the costs of medical care or the premiums charged or the egregious practices of the insurance industry. We are just going to shift the costs onto future seniors. Many of these people, if they are 55 today, they have been paying into Social Security and Medicare for 35, 37 years, and now, suddenly, oh, sorry, can't have it.

Mr. GARAMENDI. Game's over. You can put that RIP back up.

Mr. DEFAZIO. If I could, just one other point.

Mr. GARAMENDI. Please.

Mr. DEFAZIO. The one other thing, since the Republicans seem to want to roll back the clock, are they are going to bring back the doughnut hole. Now, the doughnut hole is this bizarre construct of the Republican prescription drug benefit. Remember, instead of designing a low-cost prescription drug benefit that was uniform and available to all seniors on Medicare—we could have done that at a very, very low cost—the Republicans said let's subsidize the pharmaceutical and insurance industries and create a confusing mix of plans, and that's what we'll do for seniors. $750 billion over 10 years to subsidize the pharmaceutical and insurance industries and give seniors the doughnut hole.

Now, last year we began to close the doughnut hole, and this year the pharmaceutical industry has to give discounted prices to seniors in the doughnut hole. Mr. RYAN would undo that. No more discounted prices for seniors in the doughnut hole. That's eating into the obscene profits of the pharmaceutical companies. So they've got a little provision in this bill. The doughnut hole is back. Make the world safe for doughnut holes. That's the Ryan path to prosperity.

Mr. GARAMENDI. I don't think so. It seems to me to be the path to poverty for seniors. And it goes way, way beyond that.

Our colleague from Texas, SHEILA JACKSON LEE, has joined us. Ms. LEE, if you would care to comment. I know this is an issue you are deeply concerned about.

Ms. JACKSON LEE of Texas. Well, since, like PETER, I spent 6 or 7 hours on the floor of the House some years ago, PETER, I guess the 1990s, when we were fighting against the inevitable doughnut hole, we held the vote open—I shouldn't say ''we.'' The Republicans held the vote open for at least 6 or 7 hours. I think we voted at 5 a.m. when the last arm was twisted. I think someone had a broken arm in order to ensure the doughnut hole was in.

We, of course, have come back, Democrats, and created the Affordable Care Act. And I tell you, every senior center I have gone through since the famous passage of the Affordable Care Act, seniors have said, ''Thank you. Thank you.'' If anyone has an 84-year-old mother—I just lost my mother, but our conversations centered around the enormous cost of prescription drugs and how relieved she was to, at that time, to have had some relief from the doughnut hole.

Now, as we watched our friends just a few, maybe about an hour or so ago, I hope there was some camera view of the glee that was shown when there was a suggestion that we would shut the government down and, in essence, implode, if I can use that on the floor of the House, any budgeting conversation that makes sense, such as the fact that what we are doing now with the CR is dated and old, it is passe, it is cutting into funding for a present year. What it's doing tomorrow, which is what the groundwork is being laid, is literally destroying the systems as we know it. Sixty-six percent of the seniors don't like this plan.

But I want to throw something out. Let me let them understand what the plan is. The plan is block grants, block grants given to disparate State governments, of which we have no control over, to be able to manipulate and play with Medicare. What sense does that make? Block grants that will in fact be able to be used for whatever we want to use.

The State of Texas, for example, received $3.2 billion in education funds through the American Reinvestment and Recovery Act. Where is it my good friend? It is in the rainy day fund, never used for schools. Can you imagine block grants for Medicare? Can you imagine the nursing homes that will be closed through Medicaid, and then, of course, seniors getting Medicare? And then they shout for joy not only for shutting down the government over the next 2 days, but they shout for joy for the kind of budget that they believe they will be able to—they whet their appetite that they will be able to do for 2012. They will implode this country as we know it.

We want budget cuts. We don't want to see the government shut down. But there is a morality and a character and an integrity, and there is called a heart. And I like what you are saying there. The Republican budget would destroy Medicare. And I just want to say this. We have been around this block before. I heard one Republican leadership say some years ago, ''Over my cold dead body.'' The opposition to my President, who was a great hero of Texas, Lyndon Baines Johnson, even when he tried Medicare, there were those who said how it would destroy America, how it was going to undermine America. And look where we are today. How many lives have we saved because seniors had Medicare?

I see that there is this effort to bury this program that has kept the grandmothers and granddads of America's children alive for them to be able to see their grandchildren grow up because they have had good health care. Where is the morality?

Mr. GARAMENDI. Well, we seriously question the morality of the proposal that's being put forward by the Republican caucus.

You said something that I want to focus in on. The details are important. We talked about Medicare and the end of Medicare as we know it. And basically, as Mr. DEFAZIO was saying, it's a program in which Medicare becomes privatized. The money is turned over to the insurance companies; our future, our seniors' future turned over to the insurance companies and their whims.

But you also raised a very, very important point. And that is all across this Nation there are millions of Americans who are in nursing homes who now depend upon the Medicaid program, Medicaid program for the payment to the nursing homes. In the budget program, there is the block granting of the Medicaid program, and therefore the likelihood that the payments to the nursing homes will be reduced or end and those people will not be able to get care in the nursing home.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

THE BUDGET CRISIS

The SPEAKER pro tempore. The gentleman from California may proceed.

Mr. GARAMENDI. Mr. Speaker, I would love to see what that message is. I think we got some sense of it earlier in the day. And I suspect it speaks to the issue of the continuing resolution, and it is the effectuation of the promise he made earlier in the day that should the legislation that passed here about an hour-and-a-half ago, 2 hours ago, that is the continuing resolution, should it arrive on his desk, he will veto it. I haven't seen it, but I will bet that's what's in that envelope.

Ms. JACKSON LEE of Texas. If you could yield for a moment, I want to thank the gentleman for the clarification, for separating out. I want to add something. Medicare is a program that is going to be wholly privatized and income driven without any basis in substance; meaning, plainly, if you are more wealthy, this has nothing do with how you would do Medicare today, as someone suggested that you staggered the amounts on income. This has to do with, if you can even get Medicare, it will be because you have enough money to get Medicare because it will be in that system.

Then, of course, there is some little secret backroom corner where they throw something out about a public system that is not even defined.

But you make a very good point about nursing homes, which I have a lot in my district. In fact, we are always hearing from them regarding maintaining their status. And certainly we are very keen to make sure that these nursing homes meet their own standards. But they provide refuge and rest, if you will, for not only the seniors, but the frail and the disabled.

And I just want to paint this picture for you, Mr. GARAMENDI. I just want to paint the picture for you of no room at the inn, lights out, doors wide open, and the drumbeat playing as people are being rolled out of nursing homes in wheelchairs, with crutches, some on beds. Maybe we can just imagine the tragic scenes of Hurricane Katrina, when nursing home residents were pouring out of nursing homes in the wake of the disaster of Hurricane Katrina. Well, let me tell you, we've got Hurricane Ryan, and there is a disaster coming. And, frankly, with all good intentions of our good friends on the other side of the aisle, if we had sat down at the table of compromise and projected how we can best serve America by reducing the deficit, the debt, and recognizing that we have morality and we have values that will help this country.

□ 1540

Might I just say that we are talking about seniors, but don't forget there are many, many families that take their children to pediatricians on Medicaid, and that's their primary care provider just like Medicare.

So I would just simply add this word that I am not ready to bury Medicare

now; and I believe there is a rejuvenation, there is a rebirth coming, and that is the American people saying, no, not on my watch. This is a non-starter, and I am glad to be standing with you today.

Mr. GARAMENDI. Well, do you think this particular gravestone here doesn't have to happen?

Ms. JACKSON LEE of Texas. I believe if we stand committed to educating the American public, it should not happen.

Mr. GARAMENDI. I am going to take this down because I know that the American public, whether they are seniors now or will be seniors in the future, understand the incredible importance of Medicare to the American society. Whether you are young or old, you know that Medicare has always been there since 1964 to provide medical services to those people 65 and over and some who are younger than 65 that have gone through terrible medical circumstances and unable to care for themselves.

So we are going to take this tombstone, and we are going to bury it, along with Mr. RYAN's proposal to terminate Medicare as we know it. So let's be aware, American public, what's at stake here with the proposal that's coming down from the Republican caucus and from Mr. RYAN.

I want to take up another subject and cover it briefly, or maybe not so briefly, and this has to do with the subject matter at hand, which is the deficit. We need to understand where the deficit came from.

The deficit didn't just get created in the last couple of years. Certainly, the Great Recession had a lot to do with it, the stimulus package, made up of two parts, one part was the bank bailout, $700 million or more, almost all of that has now been repaid to the Treasury, so we don't have to worry about that being the a big part of the deficit. A little bit remains, but most of it has been repaid.

The second part was the stimulus, some $750 million. That was borrowed money that is part of the deficit. But that also created, or it maintained, well over 2 million jobs here in the United States. Those people that stayed at work were continuing to be employed and to pay taxes.

You can imagine what would have happened had the stimulus not been there; but, nonetheless, it is part of the deficit. But that doesn't account for all of the deficit.

Let's go back to where Ronald Reagan was President. At the end of each year, the Congressional Budget Office takes a look at status of the budget of the United States and says here's what's happening today and here's the projection for the future. They do a 10-year projection.

At the end of Ronald Reagan's term, the Congressional Budget Office, nonpartisan, not Democrat, not Republican, looked at the budget, looked at the economy and said, well, the way things are, we can project for the next 10 years that the budget will have a deficit of $1.3 trillion.

So Ronald Reagan left office with a deficit. He was followed by George H.W. Bush. And the same projection was made every year, and every year the deficit grew so that at the end of the George H.W. Bush administration, before Bill Clinton took office, there was a projected additional deficit of about 3 trillion additional dollars.

Bill Clinton came into office, changes were made, Balanced Budget Act went into effect, PAYGO which required laws to be paid for with new taxes or with cuts—no more deficit financing for new laws—came into effect; and at the end of the Clinton administration, the normal process took place at the end of that year. What will be the deficit going forward?

Whoa. You mean, there is no deficit? Yes, the Congressional Budget Office estimated at the end of the Clinton period that there would be a $5 trillion surplus, literally paying off the entire debt of the United States. Policies were put in place during that Presidency, Democrat, Republican votes on both sides that would, in the 10 years, 2001 to 2010, terminate the American debt.

However, in 2001, George W. Bush and the Republicans in control of the Congress and the Senate passed a massive tax cut that immediately turned that projected surplus into a projected deficit of well over a trillion dollars. The next year, the Afghan war was under way and the Iraq war was begun, two wars, the first time ever in America's history that a war was under way for which there was no way to pay for it except to borrow money.

In previous wars, World War II, World War I, the Civil War, the government raised taxes to pay for the war; but not these two wars. This was entirely borrowed, all of the cost of it. And right now the Afghanistan war is costing $100 billion to $120 billion a year and we just voted today, not more than an hour and a half ago, for $157 billion for the Afghanistan, Libya and Iraq wars, $157 billion.

Now, again, this is all on borrowed money. Despite efforts by the Democratic Caucus to raise money, raise taxes for those wars, taxes on the highest, wealthiest Americans, those votes failed.

Now, the rest of the story is this. My friend, Mr. DEFAZIO, talked about the Medicare drug doughnut hole. The Medicare drug doughnut hole was added during the Bush administration, well over $600 million a year, again, not paid for but rather borrowed money.

And then the Great Recession of 2008 and 2009, that Great Recession added to the deficit because employment plummeted along with tax revenues, so that at the end of the George W. Bush administration, this Congressional Budget Office did what it had done every year in the past 50 years, did a projection, in the next 10 years, what will be the deficit.

Guess what the number was? $11 trillion-plus dollars.

And so during the 2001—2010 period, an enormous growth in the American deficit, Barack Obama came into office in January of 2009. And the day he took office, he had an annual budget deficit handed to him of over $1.3 trillion. The George W. Bush legacy was handed directly to Barack Obama the day he took office, over a trillion dollars. We have to work ourselves out of this hole.

This is a deep, dangerous hole and we have got to work our way out of it. We have to do it with wisdom, we have to do it with intelligence, and we have to always keep in mind where we need to go. Two paths: one, bring the deficit down; and, two, provide those services that are desperately needed by Americans: Medicare, Medicaid, education, services that provide people the opportunity to get jobs. Those are fundamental investments that we must make, research and the like also included.

Simultaneously, we must always achieve efficiency and effectiveness in every governmental program, wherever it happens to be. We know that the medical systems in the United States are inefficient, so the proposal put forth by our Republican colleagues to privatize, destroy Medicare, does nothing to deal with the inefficiencies of the medical system.

There are three parts to the medical system: the collection of money, the payment of claims, and the provision of services. Medicare happens to be the most efficient delivery in the collection of money, the payment of claims and the delivery of services of any of the medical services and medical systems out there.

□ 1550

The private insurance companies, however, are the least efficient, the least efficient created because of the numerous policies that they offer, confusion to the purchaser of the policy, whether it is an individual or business, and to the provider of services. Go into any hospital, and one of the biggest sections in the hospital is not the emergency room, not the operating room, not the intensive care unit. It is the administrative unit. Why? Because they have to deal with thousands of different policies, different deductibles, different copays and different policies from different companies. ''Is this going to be paid?'' ''Who is going to pay that?'' and so forth, creating the least efficient medical delivery system in the world. A full 40 percent of all of the medical costs are in administration.

Keep in mind that Medicare, on the other hand, is the most efficient, spending no more than 3 percent in collecting the money and paying the bills.

So the proposal that we have before us by the Republicans to terminate Medicare and hand it over to the insurance companies will create even additional costs and more inefficiency in

the system, less effectiveness. That is not the way to go.

We talked earlier about the dreaded doughnut hole for Medicare seniors. Why was it that the Republicans refused to allow the Federal Government to negotiate prices with the pharmaceutical companies? It is the most ineffective, inefficient and stupid thing in the world to spend tens and hundreds of billions of dollars a year on drugs and not be able to negotiate but simply to be a price taker, not a negotiator, not to use your purchasing power to negotiate.

I don't understand—well, I do understand. I know exactly what it is. It has to do with the effective lobby and contributions of the pharmaceutical industry. Wrong, wrong, wrong. We can and we must go to the medical system and seek efficiencies, and it can be done.

I have spent a lot of my time as insurance commissioner looking at how it can be done, and we will go into that at another time, but I will give you a couple of items along the way.

A doctor goes into a hospital and scribbles on a piece of paper what he believes to be wrong with the person. He writes on a piece of paper in illegible handwriting what the pharmaceutical will be. Medical errors abound. We know that, in fact, infections occur in hospitals. We know that readmissions occur in hospitals. All of those things need not exist in America. We can significantly reduce the costs of medical services by instituting electronic medical records. That can be done, and, in fact, in the health care reform bill, the Affordable Care Act, it is done. Republicans want to repeal that. Somehow they think that that is going to reduce costs. I don't think so. Nonetheless, that is what they want to do.

There are many other things that can be done. Infectious rate, readmissions, we need to be in front of illnesses. We need to have public health services. But yet in the CR, the continuing resolution that passed this House just this day not more than 2 hours ago, the clinics in America are reduced and people will be lined up in the emergency rooms. We know that is the most expensive place in this Nation to get medical care. Yet we get this kind of CR that comes through here, this continuing resolution to fund the government that reduces clinics all across this Nation.

Well, I think I need a glass of water, and I notice that my colleague from Colorado (Mr. PERLMUTTER) has arrived to join us in this moment.

Thank you for coming here.

Mr. PERLMUTTER. I thank my friend from California. I hope you don't go too far for that water, because I want to express my concern about the way the Republican Party, the majority in the House, is providing for running this country. It is a pretty frightening set of circumstances that we have when this country is run on a week-to-week basis; the funding for our troops, the funding for our transportation, the funding for Medicare, for Social Security and for health care of all kinds is on a week-to-week basis. It is very difficult for a family to operate on a week-to-week basis. It is nearly impossible for a business to operate on a week-to-week basis. But apparently for my friends on the Republican side, it is okay for the Nation to run on a week-to-week basis.

So today, in what they, I think, believe was a great accomplishment, provide for another week of funding so that the various parts of our government, whether it is education, transportation, homeland security, the military or Veterans Affairs, all those kinds of things are just operating on a one-week basis. That is no way to run a railroad or a country.

We have got to do much better than this. And there is no question that we have budgetary issues that this Nation has to confront. My friends on the Republican side of the aisle would like to take it all out, deal with the whole budget, but only in a very slim part, in effect, punish a very tiny part of the budget for the ills that I would say occurred under the Bush administration: big tax cuts for millionaires and billionaires, prosecute a couple wars without paying for them, and then allow Wall Street to run amok without any police. That's what caused the debt.

Energy efficiency didn't cause the debt in America. Preschool programs didn't cause the debt in America. The National Institutes of Health didn't cause this debt in America that we really do have to deal with today, there is no question about it. But those are the people, those are the things that they would like to blame for the debt. It is across the board. And there has got to be a shared sacrifice. Both millionaires and billionaires have to put up as part of their approach to all this. There has to be a revenue component to this as well as an expense.

And so I would say to my friend from California that this 1-week approach to managing something as big as America is crazy, and it has got to stop. We need to have a real budget and real appropriations so that people that do business with the government can have solid expectations for their contracts and people that work in the government know that they are going to get paid, people that receive benefits in one fashion or another know that next week things will keep going. Because this country is great and it is strong and it will be here a long time after any of us. But this month-to-month, day-to-day, week-to-week approach to management is just bad news for America. I hope it changes very soon.

I would return the mic to my friend from California.

Mr. GARAMENDI. Two hours ago, the Republicans in this House passed, without Democratic support, a continuing resolution for a while, and there were cuts in those. For the most part, there was no debate here on the floor about specific cuts, but you raised these issues. I'm going to put some numbers to what you talked about. The Women, Infants, and Children program, the WIC program, is for pregnant mothers at risk during their pregnancy and then after their pregnancy so they have adequate nutrition and health care so they have a healthy baby. It saves us money. If that baby is not healthy, it is going to cost a lot of money. The Women, Infants, and Children program, the WIC program, there is a $200 million reduction in it.

We like to fight crime; right? Well, $149 million out of the construction account so that there can be police stations and other facilities for the police across the Nation.

You mentioned environmental issues. $192 million from the Department of Energy's environmental cleanup. What are they cleaning up? They are cleaning up the nuclear waste material from the previous Cold War nuclear programs. We know a lot all of a sudden about nuclear contamination. Oh, good, we are going to take $192 million out and just leave that nuclear waste out there to do what it is going to do, and it won't be good.

And also, there is another. You mentioned the banking industry. We know that between 2001 and 2008 the Bush administration and the Federal Reserve just said they will regulate themselves; we don't need to police the banks. And so we wound up with the great crash.

□ 1600

Well, we passed the Wall Street reform. We put in serious policing. We are going to police those characters. We are not going to let them get away with ''greed is good'' and rip off the public. We need policemen. But the Republicans don't believe in this, so they took a total of $590 million out of the financial services programs. These are the policemen that protect America's financial future.

We got a call from CalPERS and CalSTRS, the two big California pension agencies, which came to Congress and said: Do not do this. Wall Street needs to be policed. Don't cut the police.

I'm going to do a couple more. Let's see, how about clean water and drinking water, $700 million out of the clean water fund. This is for communities to build water systems so there is clean water. You go through this and you say: What are they thinking?

Okay, your turn. Continue on.

Mr. PERLMUTTER. And I would say to my friend, look, I wish we were not here. I wish that, going back to 2001, 2002, I wish President Bush hadn't had the country take a voluntary pay cut. We were on the road to a surplus. We were almost done getting rid of the debt. But, no, we are just the opposite right now because we took a voluntary pay cut to this country.

Then we prosecute two big wars, to the tune of a trillion dollars. And under the Bush administration, they

had those wars on a whole set of different books. They didn't really account for it as part of the debt of this country. Now, under President Obama, we have real accounting, so we know how bad the books look. And then we had this crash on Wall Street. Now those things all add up to a lot of debt. There is no doubt about it. And when the country hit the crash, the income to the country dropped and the expenses went up.

I don't think we should ever forget how we got here, but we are here, and we have to deal with it. So I respect people who want to confront this, but the values and the priorities that are being expressed by the Republican Party in how to deal with this are just so misplaced. They want to maintain the tax cuts for millionaires and billionaires. They want to maintain tax cuts that encourage people to send jobs overseas. And they want to maintain tax cuts for oil companies when we are at $105 or $106 a barrel, for goodness sake. You don't need much encouragement to start drilling at that high a price.

So those kinds of things have to be looked at very closely when all of a sudden you are taking it out of a number of those programs and people that you talked about: early childhood, health care, education, and transportation. We are going to have to share this sacrifice, no question about it. And as Democrats, we are prepared to do that. It isn't going to be fun. It isn't a lot of excitement when you really have to manage those expenses, but you also have to have the revenue to deal with the budget that we have in front of us.

My friends on the Republican side of the aisle would like to say, you know what, nobody really has to pay for these tax cuts, nobody really has to pay for sending jobs overseas. They are wrong. They are just flat wrong.

We have to change this. And they are in the majority. They are running the show here in the House. This one week at a time, that's a joke. Nobody can really manage, and people doing business with the government, with the country, they need to have some firm confidence in what is going on.

My friends on the Republican side of the aisle just keep undermining the confidence of people doing business in this country. So we have a lot of work to do. It really is going to take both sides of the aisle. I appreciate the President rolling up his sleeves and trying to get this done, and the Senate working on it. But there are some on the other side of the aisle who don't understand what the word ''compromise'' means to get to a greater goal, which is to get this budget under control.

Mr. GARAMENDI. You have raised a couple of issues, and I would like to carry them a little further. You raised the tax issue, in the proposed budget, not the CR today that funded the government for another week but rather in the proposal for the next year and beyond. The Republicans propose to continue the Bush era tax cuts of 2001 for the super wealthy in America. Now that's about $700 billion added to the deficit. Not only that, that tax rate is 35 percent. They are proposing to lower that tax rate to 25 percent. So for the super wealthy in America, we are talking about millionaires, people whose annual income is $1 million and people whose annual income is $1 billion, to give them a lower tax rate. Are we talking shared sacrifice here? I think not.

I want to turn to this chart which was handed to me by one of our colleagues who is actually on the President's deficit commission. She said the facts are pretty clear. Not pretty clear—they are crystal clear. She said between 1974 and 2009, there has been a shift in the wealth and the income of Americans. What has happened is that the rich have gotten really rich and everybody else has been treading water, not really going anywhere. So if you take a look at this, you'll see that over that 20-year period for those at the very bottom, they have seen their income go up by $200 a year. As you move on up, as you get to the top, those in the 80 percentile, they have seen better. They have about $100,000. But when you get to the one-tenth of 1 percent of the population, their average annual income has gone up by just under $6 million a year, a $5,978,870 annual increase for the top one-tenth of 1 percent.

Another chart, I don't have it with me right now, would show that for these people, the top 1 percent, they now have 25 percent of all of the wealth of America. Go back, go back to 1974, they had 7 percent of the wealth in America; 1974, the top 1 percent had 7 percent. And 2009, the top 1 percent controlled 24 percent of all of the wealth in America. An enormous shift has taken place here. The middle class has been left behind, basically stagnant, basically treading water.

Now, understanding that reality of America, the stagnation of the middle class, the struggle for not one family earner but two, wife and husband, out working, trying to keep the family together in the home with health care, the kids going off to school, that is the struggle of middle America. So what have the Republicans proposed? Their proposal will shift the tax burden away from the super rich to the middle class because they want to reduce the taxes on the super rich from 35 percent to 25 percent. And inevitably, that is going to raise the taxes for the middle class to make up the difference. We will not let that happen.

I notice that my colleague from the great Midwest has joined us. Thank you very much. I suspect you may have something to say about this.

Mr. RYAN of Ohio. I am watching you go through this, and I wanted to come down and take part. Last night we did the budget for next year. Democrats consistently, all day and all night, offered amendments to try to correct this idea of there not being any shared sacrifice. So as we sift through, we go through the budget line item by line item, and there are millions being cut, if not billions being cut, from Head Start, early childhood programs, the Pell Grant, veterans health, all of these things that get reinvested back into our people, and the RAND Corporation and all of these studies that are done, for every dollar we invest in early childhood, we get about $17 back into society. For ever $1 we invest in Head Start, we get $7 to $9 back. And all of our friends on the other side who say we ought to run government like a business should look at some of these statistics. These are critical investments that we need to make in the United States if we are going to be competitive.

We have only 300-plus million people in the United States. We are now competing against 1.3 billion in China. We are now competing against over 1 billion people in India. So we have to have all 300 million of our people on the field playing for the United States of America.

□ 1610

And you know what? That means we've got to invest in their health care to make sure those kids are healthy. We've got to make sure that they're educated. This is not the time to make college more expensive by cutting the Pell Grant from the top rate that we had, that the Democrats put in when we were here. The top Pell Grant would be 5,500 bucks. Now with the cuts that the Republican budget is going to make, if you're sending your kid to college, you're now only going to have $2,100 as a maximum Pell Grant. To me, if we're trying to get more people into college, more people doing research, more people innovating in our economy, more entrepreneurs, we need to invest in these kinds of things.

And yesterday all of our friends on the other side of the aisle had the opportunity to come down in public with a vote, one side or the other. In each and every instance, they voted against those investments.

In fact, we even offered a few amendments, one saying if you make more than a million bucks a year, which, where I come from, is a lot of money, let's raise the taxes on those people who make a million dollars a year or more and try to offset some of these deep cuts into Head Start, into the Pell Grant, into the Medicare program.

The gentleman from California was talking about wages. We have seniors now who over the past 30 years, whether they worked in the steel industry in Youngstown, Ohio, or the rubber industry in Akron, Ohio, or throughout the industrial Midwest, in many instances they lost their pension. I remember when my grandfather retired in 1979, his pension was $392; and when he died a few years ago, it was $392.

So now what the new roadmap for the Republicans does is it says for these people who are 55 and in the industrial Midwest who have seen the diminishment of their wages over the last 30 years, while the top 1 percent was going up, they're saying now they want to take the Medicare program and just give some support to let the senior go out into the free market and buy their own Medicare.

So Medicare is ''medi-gone.'' You are now going to be on your own. So now if you're a senior citizen in the United States under the Ryan roadmap—not this Ryan, the Ryan from Wisconsin—under his roadmap, the Medicare program will give you money, and it will not increase with the level of health care inflation, which is 10 to 15 percent a year. So they'll give you some money to support you to go out and get your health care. It won't keep up with inflation, and there will be nowhere else to go. These same people who over the last 20 or 30 years projected into the future, wages have been stagnant. So you're going to go into the seniors' pockets so that they have got to pay for your health care.

So we had this——

Mr. GARAMENDI. Tombstone.

Mr. RYAN of Ohio. Tombstone made up: ''Medicare 1965–2011, created by LBJ, destroyed by the GOP.''

Now is not the time for us to make these cuts and tell our seniors who have paid into this system, who have planned on this system and the people under 55 whom this will affect that they're on their own and do nothing to try to rein in the health care costs. And that's the real issue.

Mr. GARAMENDI. Thank you very much, Mr. RYAN.

I will first yield to the gentleman from Colorado, and then we are going to wrap this thing up, and I want to wrap it up on one of our major themes, that's rebuilding the great American manufacturing sector.

Mr. PERLMUTTER. Thank you, Mr. GARAMENDI.

The way I would wrap it up is that, yes, we are confronted with a budgetary issue that we have got to deal with. We can't run away from it.

We can't forget how we got here: tax cuts for millionaires and billionaires, prosecute a couple of wars to the tune of a trillion dollars, and then a crash on Wall Street—all under the Bush administration. But we're here. We've got to deal with it.

I ask my friends on the Republican side of the aisle that sacrifice has got to be shared, where is that shared sacrifice? It isn't just against early childhood education. It isn't just against medical research. It isn't just against Medicare and Medicaid or education or transportation. You can't just get this budget balanced on a very narrow slice of the budget. Let's share the sacrifice. Let's get this country back on track. Things are recovering. Let's keep it going.

Mr. RYAN of Ohio. If the gentleman will yield for a moment.

Mr. GARAMENDI. I yield to the gentleman.

Mr. RYAN of Ohio. Because one of the amendments last night in the hearing, in the budget markup, was to implement the framework from the Debt Commission, the Bowles-Simpson Commission, which said two-thirds of the savings should be cuts and one-third should be revenue primarily from the top 1 percent of the people who have had all these benefits over the last 30 years. Every single Republican on the committee voted against implementing that framework, which was HEATH SHULER's amendment, and it is to be noted that they had an opportunity to vote for that and they shirked their responsibility.

Mr. GARAMENDI. It also speaks to the fact that the Democrats are willing to put up shared sacrifice on both sides.

I want to just wrap up with this, and every time I come to the floor I want to make it clear that we need to rebuild the American manufacturing base. Twenty years ago there were 20 million-plus Americans in manufacturing. Today there are 11 million. A lot of reasons for it. But these are the kinds of investments you were talking about, Mr. RYAN, that we need to make. We really need to make sure that our policies on trade are fair, that they don't harm our manufacturing industry.

We've been talking about taxes here. We need to make those taxes encourage growth. A couple of examples on taxes: we put out a tax bill without any Republican support last year to end the tax breaks that corporations had to offshore jobs. And we gave corporations and businesses an immediate write-up of all capital gains. So we're serious about tax policy here to encourage manufacturing.

Energy is a huge issue, and there will be a discussion on another day.

Labor policies: let's understand that it was the labor unions that built the base, and you go down through the line—education, intellectual property, research, and, again, building the great infrastructure. These are things we can do. These are critical investments in our budget. We should be doing these things.

I am going to yield to my friend from Colorado (Mr. PERLMUTTER). You get the last word.

Mr. PERLMUTTER. I would just reiterate, if we make it in America, we will make it in America.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO SOMALIA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 112–16)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared in Executive Order 13536 of April 12, 2010, is to continue in effect beyond April 12, 2011.

The deterioration of the security situation and the persistence of violence in Somalia, and acts of piracy and armed robbery at sea off the coast of Somalia, which have repeatedly been the subject of United Nations Security Council resolutions, and violations of the Somalia arms embargo imposed by the United Nations Security Council, continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency with respect to Somalia and related measures blocking the property of certain persons contributing to the conflict in Somalia.

BARACK OBAMA.

THE WHITE HOUSE, *April 7, 2011.*

□ 1620

MARCELLUS SHALE NATURAL GAS

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

Mr. REED. Mr. Speaker, I rise today with many of my colleagues on both sides of the aisle to talk about an issue that I believe is a game changer when it comes to America's future.

As we deal with the issue of dependency on foreign energy supplies and we come up with—hopefully in this Congress—a national energy policy that once and for all will put us on a path that will lead to our independence from our dependency on foreign energy supplies across America, one issue I would like to talk about tonight in particular is the exploration and development of our natural gas supplies right here on our domestic lands.

As I come and hail from the great State of New York, we have located under our great State a formation known as the Marcellus shale natural gas formation. That natural gas formation has been identified by many experts across the field as to contain one of the world's largest supplies of natural gas. That supply of natural gas is located within our continent, within our borders, and will take off the table those risks to our future that are demonstrated by the upheavals that we see

in the Middle East that supply our energy supplies on a constant basis. So I am proud to be joined tonight with colleagues from the great State of Pennsylvania on both sides of the aisle to talk about the issue of Marcellus shale natural gas.

At this point in time, I would like to recognize my good friend from Pennsylvania (Mr. THOMPSON) to offer some comments in regards to this issue.

Mr. THOMPSON of Pennsylvania. I thank my friend and colleague from the great State of New York, where our congressional districts adjoin at that New York-Pennsylvania border. I am really proud to be with you on the floor today to talk about this game changer, as you referred to.

Mr. Speaker, we are facing critical times—record debt, $14 trillion; skyrocketing gas prices, in some places over $4 a gallon and climbing; energy dependence and addiction to Middle Eastern oil; and a volatile Middle East. All those things tie together. And, frankly, we're here to talk about something that is a part of the solution on how to get out from underneath each one of those critical issues that is just piling on this Nation, the United States of America, and that is the Marcellus shale natural gas. We are proud to also have Marcellus shale underneath much of Pennsylvania. We have New York and Pennsylvania, West Virginia, parts of Ohio, parts of Virginia.

The Marcellus is just a tremendous natural gas play. It's something that we have known has been there for a very, very long time, but the technology to access it is more of a recent advent, and it is just so exciting. I'm glad we are here to talk about all aspects of this tonight.

Over the last month, the development of the Marcellus shale natural gas play has been given national attention, in particular, a technical industry term known as ''hydraulic fracturing,'' or ''fracking,'' a process utilized in oil and gas production for almost a century and regulated now for decades. Oil and gas workers have completed nearly 1 million fracking jobs nationally, safely and without adverse environmental impact. Over the years, these technologies have been refined and improved for more efficient and environmentally safe use. In fact, Mr. Speaker, I find that the rapid increase of technology as it comes from the natural gas industry right now is just incredible. This is an industry that is literally very solid but is always looking for that new opportunity on how to do things even better.

Recently, the New York Times attempted to discredit the wealth and experience employed by the industry over the years and the successful work of government officials to properly regulate natural gas development. Through half-truths and, frankly, calculated quote shopping, the New York Times made unsubstantiated claims regarding fracking and its impact on water quality and the environment. They repackaged old stories with sensational new headlines, and they rehashed allegations against development of natural resources vital for our country's energy future.

Now immediately following these stories, the Pennsylvania Department of Environmental Protection—which has, frankly, jurisdiction over the drilling of natural gas in the Keystone State—responded, releasing tests that show that water supplies downstream of Marcellus shale gas drilling are safe. This testing has addressed misinformation related to water quality in the Commonwealth and validated with scientific data that municipal drinking water is safe.

Mr. Speaker, each day in my district there is news regarding the Marcellus shale worthy of a national headline. Through this resource and these technologies, 70 million homes and thousands of small businesses are paying the lowest gas prices in years to heat their homes. The lowest. Let me repeat that. When you have gas prices, petroleum gas prices that are at record highs, volatile highs for our vehicles, natural gas prices at the same time are at a record low. That's where they have a national headline. That is all because of one thing. Natural gas in this country is largely domestically produced. It is produced by American workers, and it doesn't have that volatility that you see when you become reliant on countries such as in the Middle East.

Thousands of jobs are being created. I have two counties in particular at the epicenter. Actually, one of them adjoins your congressional district. The lowest unemployment numbers probably in history, much lower than national and State averages. There's nothing better that you can do for a person than create an environment that provides them a good-paying job, and that is happening as a result of the natural gas industry.

Each day, the local economy in my district gets a little better, and every moment the notion of an energy secure America is easier to grasp. For me, I define ''energy security'' as shutting off the pipeline from the Middle East.

I recognize that the largest amount of our oil that we import is from Canada, and Canada is a good ally. I don't see any threats from Canadians other than maybe when we get around to hockey season between the teams. But when it comes to the Middle East, I think when we look at the volatility in the Middle East today, in Egypt and obviously Libya and Yemen, I mean, we should end that addiction immediately to Middle Eastern oil, and that achieves energy security.

Now, when it comes to safety, there can be no shortcuts, no loopholes, and no exceptions, but sensationalism fails to serve any good for anyone. Scare tactics are dangerous when dealing with such complicated and technical matters as this. And that is what we see with many of the headlines that we have been reading, articles written with half-truths.

I am so very pleased that you are hosting this hour today because we can talk about facts and put the facts out there. The same goes for dealing with our Nation's energy security. We need to talk about facts. So I am pleased to be with you, and I yield back at this time.

Mr. REED. Reclaiming my time, I thank the gentleman for his comments and I thank the gentleman for participating in this this evening.

When I first came to Congress back in November of last year, after we took office after our special election, one of the issues, and a priority issue to our office, is the Marcellus shale natural gas development. One of the things that I noted back in my district back at home is that there is a lot of misinformation, as the gentleman identified in his comments.

One thing that we sought to do is to establish the Marcellus Shale Caucus, a caucus of Members of Congress who represent districts that overlay the Marcellus shale formation, so that we could come together as a body, as a representative body, and bring the best scientists and bring the best data and bring the best information, not only to the floor of the House, but back to our districts.

I am pleased to be joined tonight as cochair in that caucus as we have established in this Congress, my good friend from Pennsylvania (Mr. CRITZ), who I believe has some comments that he would like to share on this issue before we get into the presentation of the facts in the development of the Marcellus shale.

Mr. CRITZ. Well, thank you, Mr. REED. And, yes, serving as cochair for the Marcellus Shale Caucus is truly an honor because we do have such an opportunity before us. As Mr. REED mentioned earlier, Mr. Speaker, this isn't a Democrat or a Republican issue. This is a bipartisan issue because it's about economic opportunity for all of our regions.

Mr. Speaker, I am joining my colleagues to discuss the significant economic potential that the Marcellus shale natural gas play has for our country. As you may know, the Marcellus shale is the largest unconventional natural gas formation in the United States. The shale is estimated to hold almost 500 trillion cubic feet of extractable natural gas currently valued at nearly $2 trillion.

As with most economic activity, the impacts of the natural gas affect more than just specific firms directly involved in the industry. There are also important employment and income effects on local businesses who supply the industry, such as oilfield service companies, restaurants, retailers and hotels, in addition to effects that result from employees spending their wages locally.

In Pennsylvania, 75 percent of the natural gas it uses every day is imported currently. This is just Pennsylvania. The Marcellus shale formation that runs along the Appalachian Mountains—so it goes up into New York, comes down through Pennsylvania, into Virginia and West Virginia, as G.T. THOMPSON, Mr. THOMPSON from Pennsylvania, mentioned earlier, goes into eastern Ohio and down through the Appalachian Mountains—is really an opportunity for this country. Because, as Mr. THOMPSON mentioned, as we watch the unstableness in the Middle East, we're talking about the natural gas industry, which is just booming in our region of the world.

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It's sort of interesting because, in a conversation with some of the folks from industry about a decade ago, the natural gas industry was told that they'd better start building processing plants at ports and on the shorelines because there was going to be a need for this country to import natural gas. Well, now that equation has flipped, and this country is really on the verge of producing so much natural gas just through the Marcellus shale that we will exceed the needs of this country, and we actually could be on the verge of becoming an exporter of natural gas to foreign economies.

It's incredible. The high-paying jobs available today in the Marcellus shale gas industry are expected to multiply in the future, meeting the needs of gas companies' efforts to increase drilling and production across the region. In Pennsylvania alone, it is estimated that more than 110,000 new jobs have been created because of the development of this shale.

Mr. REED mentioned earlier and Mr. THOMPSON reiterated that this is a game-changer. As I said, this isn't a Democrat or a Republican issue. It's not a New York or a Pennsylvania issue. This is an issue for our country. This is an issue that bodes well for the future of economic development in this country. I am so excited to be co-chair with Mr. REED. I use a lot of football analogies. I think, by game-changing, what we're doing is we're moving our economic football down the field. We're making progress. There is an opportunity here, and I think we need to take care of it.

One of the things that was alluded to earlier was environmental concerns. Let me tell you that, in growing up in western Pennsylvania, we grew up with the steel industry and the coal mining industry. We had a lot of problems as those industries wound down as, in years past, there was not a lot of environmental protection. We had streams that were fouled. We had huge, what we call gob piles, of the slag that comes off of steel production. Let me tell you that, over the last 20, 25 years, Pennsylvania has done some incredible work in cleaning up those slag piles and in cleaning up the streams so that, in the streams that had been dead for decades, you can now fish, and now we have trails throughout western Pennsylvania.

So, from a Pennsylvania standpoint, what I can say is that, in government's working with industry, working with local officials, working with people on environmental interests, we have all come together in Pennsylvania and are moving our way forward, and we do a very good job of it in Pennsylvania. This Marcellus shale has created an opportunity for us that is really second to none, which is just from a Pennsylvanian's perspective, but I can't end with saying it's just Pennsylvania, because, as we've talked about, it goes through New York.

There is so much opportunity for the future of this country and for the economic development of this country that I want to thank Mr. REED for inviting me to be his co-chair on the Marcellus Shale Caucus, because, in working together, we can get a lot done for this country. I applaud him for his efforts, and I look forward to working with him, with Mr. THOMPSON, and with the 17 other members of this caucus in making sure that we do the right thing for this country and for this country's future.

So, with that, I yield back, Mr. REED. I appreciate the time to be able to talk.

Mr. REED. I thank the gentleman for his comments, and I reclaim my time.

As both of my colleagues have articulated, this is a game-changer, but at the same time it's a game-changer, I think everybody in this Chamber and everyone across the Nation realizes that the development of this precious resource needs to be done in a safe and responsible manner. Nobody I've talked with in my travels on this issue has ever expressed a desire to just drill at any cost. What we have to do is have responsible, safe drilling. That's what we're all about, and that's what this caucus is all about. It's about bringing together both sides of the aisle. In Washington here, we get chastised quite often about being partisan, about dividing, and about not coming together to solve our Nation's problems.

I see this as a game-changer for an additional reason in that we can come together on both sides of the aisle to promote this issue, to come up with a commonsense regulatory basis at the State level, to promote that at the State level, and to develop this precious resource domestically so that we can have energy that is projected to last over 90 years. There are 90 years of domestic supplies of energy coming from this natural gas formation that is located, not only in Marcellus shale, but across the Nation in various shale formations. What I'd like to do at this point in time is to just go through a little history of what we're talking about here when it comes to natural gas in America.

Many people think that oil and natural gas in America is something that's relatively new. I'll tell you that, in the western portion of my district, I'm proud to have located there the first natural gas well that has ever been drilled. That well was located, I think it was, in the late 1800s, just outside the district in Fredonia; and then there is an oil well in the Pennsylvania area that, I believe, is located in my great colleague's district right across the Pennsylvania State border. It was located sometime in the late 1800s or in the early 1900s. Andrew Carnegie was able to generate a great amount of wealth in developing those oil fields that are right here in America.

So natural gas and oil production in America is not something that's new. It has been around for many, many years. Actually, the first commercial frac job—or the job of developing a natural gas well with the technology and concept that we call ''hydraulic fracturing'' and which a lot of people have said in association with the Marcellus shale formation, which is a new technology and a new venture in natural gas development—has actually been around for quite some time. The first commercial frac job occurred in Velma, Oklahoma, on March 17, 1949. As my colleague from Pennsylvania had indicated, since that time, over 1 million wells have been fracked right here in America without an identified problem. That's over 60 years of success.

What has happened with the Marcellus shale and the new shale formation development potential is that they've taken that hydraulic fracturing, and they've created an update to it. They've kind of come up with a new technology of using those existing technologies and combining them in order to come up with new techniques that combine the concepts of horizontal drilling and hydraulic fracturing into one combined technology that makes the development of our North American shale/natural gas formations economically viable. That includes the Marcellus shale formation here in Pennsylvania, West Virginia, Ohio, New York, and across the Northeast area.

Now that we've heard about this issue, I see we are joined by another colleague from the great State of Pennsylvania. I yield to my colleague from Pennsylvania.

Mr. ALTMIRE. I thank my friend, and I thank my neighbor from Pennsylvania as well. It's good to have a bipartisan discussion on an issue that is critical to this country—our energy independence and using our domestic reserves.

In Pennsylvania, we have a unique circumstance, as does New York, in that $4 million is invested in producing each Marcellus shale well, and with 2,500 wells produced annually just in Pennsylvania, we're talking about $10 billion that is invested in Marcellus shale sites. That's money that's coming right back into Pennsylvania. That's money that would be coming back into New York if the gentleman had his way, which I would support.

When we talk about natural gas—and we're going to get into the details, and we have gotten into the details of Marcellus shale, in particular, and what a great find this has been for the country—we think about ways that we can use the natural gas that results from Marcellus shale, things like natural gas-powered vehicles. We're going to have a discussion later in the year on an energy bill here in this Congress—it will be a bipartisan bill—as natural gas is going to be a critical part of our Nation's energy future.

Think about the great work that the scientists are doing on the research and development of natural gas vehicles, on the production of natural gas vehicles, on the purchasing and conversion in the country, and on finding a way to give tax credits to consumers so they can convert their vehicles into natural gas operating.

Then of course you have the chicken and the egg situation of who's going to go first. Do you have the filling station before you have the car or do you have the car before you have the filling station? We have to do both together. We have to incentivize the stations to put natural gas pumps at their stations and, of course, incentivize the conversion of the natural gas vehicle, which helps all of us. With the price of gas nearing and exceeding $4 in many States in the country, this is only going to help with our energy future.

When you think about North America in particular, this is so exciting because gas resources are much larger, and the cost of producing gas is much lower because of the find of the Marcellus shale. If you are in a household in this country that doesn't get its electricity from natural gas, your electricity bill is still going to be lower because of the resources that we have, because of the abundance of natural gas.

□ 1640

We're talking about cheap energy because of the volume that we're talking about, unprecedented reserves that exceed the oil under Saudi Arabia, as the gentleman was discussing earlier. The ability of the United States to store natural gas has improved dramatically over the years.

So now we're in position where we can produce the gas, we can use it domestically to bring down the cost of electricity, we can store it, and we're going to export some of this gas as well. The market for natural gas around the world is increasing because of the Marcellus shale find in Pennsylvania and in New York and West Virginia and Virginia, Ohio. This is really a wonderful thing for this country.

And the total U.S. natural gas production in 2010 just last year was at its highest level ever. In 2010, the natural gas production in this country was at its highest level ever compared to oil consumption, which, since 2005, has dropped more than 5 percent, and natural gas use has risen 10 percent in that time. Of course, that's preceding the big find with the Marcellus shale. So we're only going to see that grow and thrive.

So we're keeping energy prices low. We're making ourselves energy independent, which is critical. There's a national security issue to that. There's an economic and a jobs issue which we're seeing in Pennsylvania firsthand. And of course there's an energy issue to that, how we're going to continue to grow our energy resources.

So I congratulate the gentleman for leading the discussion tonight, and I look forward to continuing not just tonight but beyond because this has to be part of our energy future in this country. And it was the cover of ''Time'' magazine. So when you think about the Nation paying attention, the spotlight being on our region of the country, it truly is because this is something that's going to benefit everybody in this country.

Mr. REED. I reclaim my time.

I thank my colleague for his comments, and he's absolutely right. I agree wholeheartedly with your comments that the economic potential that we see not only with Marcellus shale but with all of the shale formations. When it comes to natural gas and oil development, it's huge. Those are real jobs.

I have had the opportunity to go to your great State and tour many of these rigs that we've seen in operation. You see the workers there. You see the people that are employed, that are being serviced by this industry that are putting food on their tables, putting money aside for their kids' college education. The prosperity.

I went back on multiple trips and stopped and toured some of your downtown areas in the locations where this development is going on. And I talked with residents and heard the success stories of how the restaurants are filled and how the hotels have ''no vacancy'' signs on their doors.

One thing that struck me was a family farmer who was talking about, until this came along, they were struggling with coming up with a plan to pass the family farm on to the next generation. And when I heard that story, I said, This is something, because it's continuing a way of life, a tradition of America when it comes to our farmers and, when it comes to people that we share in common in our districts, being able to pass that on because now they have the revenue from their lands that is going to allow them to preserve that way of life.

So I'm proud to be here today. Before we get into some details as to exactly what we're talking about, one of those issues as we have indicated is getting the information out to the American public so that the American public can have the correct information based on science and data. And when our elected officials at the State level deal with the regulatory oversight that goes into this process, that we have the true science and data before them to make sure that those regulations are appropriate and they're getting the job done.

Because we all agree on both sides of the aisle that we want this resource to be developed if it can be done so in a sound and environmentally safe fashion.

So I will yield at this point in time to my colleague, Mr. THOMPSON.

Mr. THOMPSON of Pennsylvania. I want to thank my good friend from New York. It's an honor to be joined by Congressman ALTMIRE from Pennsylvania as well.

Because this Marcellus natural gas is certainly a game changer for Pennsylvania. I think it's a game changer for the United States of America. And it is important that we educate. We're here to do that. And I know that's a—I think that's a vision of this caucus to make sure that we put out—get the science and the data out to people. Because there's a debate. And on most important things, most game changers you should have a debate, but it should be a debate that's based on facts and science and not on emotion and myth.

Let me share some more economic information, a couple facts relayed today.

You've heard some of this before. Certainly Marcellus contains upwards of 500 trillion cubic feet of natural gas. That is an amazing amount of natural gas. My colleague from Pennsylvania described it as it's more energy than the oil in Saudi Arabia. And it's clean energy. There's enough gas to meet this Nation's current gas demands for at least 100 years because we have the Marcellus formation, and then under that is, frankly, the Utica formation. And so there are tremendous vast resources.

According to Penn State University, a university I'm proud to not only be a graduate of but to represent within my congressional district, in 2008 natural gas production had a 2.3—I'm just saying in 2008—1 year—a $2.3 billion direct impact on the Pennsylvania economy, adding more than 29,000 new jobs and $240 million in State and local tax revenue. Frankly, the budget in Pennsylvania is hurting right now, the State budget. It's like here in Washington.

But in Pennsylvania, there's a blessing there with this revenue that's coming in by all of the companies and the individuals that are doing business in this natural gas industry of what they pay in taxes. Again, in just 2008, they paid $240 million in taxes to the State and local government.

Another report also suggested in 2009: In slightly more than 10 years, the Marcellus industry could be generating nearly 175,000 jobs annually and more than $13 billion in value added. And more recently in 2011, more recent data, facts, planned spending by Marcellus producers could generate more than $10 billion in value added, nearly $1 billion in State and local revenues. Now, this is just Pennsylvania.

I know that New York could use that type of tax revenue as well as West Virginia and Virginia and Ohio. The figures I'm sharing with you are really just about Pennsylvania. And more than 100,000 jobs.

This is not a short-term development. This is not a fly-by-night. This is not going to come in and leave in a matter of years, frankly. This resource means development for at least 50 years and beyond. When you start to take into account the Utica shale, it really multiplies out. The economic benefit is tremendous.

According to Penn State, the Marcellus could make Pennsylvania the second largest producer of natural gas in the United States by 2020. You know, there were pipelines that were installed decades ago and from the ports of the northeast coast because we were preparing to import natural gas from Russia, from overseas. Today, there's work to convert those pipelines so that we can export natural gas and that we, Pennsylvania in particular, can be an exporter. That's good news.

Mr. REED. Will the gentleman yield?

Mr. THOMPSON of Pennsylvania. Certainly.

Mr. REED. I think that articulates a great potential that we see with the Marcellus shale formation in particular. Its location in the northeast area of our great Nation opens it up to development to that densely populated area around New York City, up and down the northeast coast, the manufacturing hub of yesteryear that is there.

The opportunity that this energy supply that has this infrastructure in existence and also the potential to invest in that infrastructure to deliver this energy supply to a vast number of people and to a vast number of small businesses is going to put people back to work. I think that further articulates the game-changing nature of this find in northeast America.

I yield back.

Mr. THOMPSON of Pennsylvania. Thank you. I thank my friend for yielding back.

You had mentioned the history of drilling. I very proudly represent Titusville, Pennsylvania. It's where one of my district offices is. It's the Drake well. It was 151 years ago that Colonel Drake used a wooden drill bit, drilled down 37 feet and hit oil. So drilling is not new to Pennsylvania. As you said, the first natural gas is just within or just outside of your congressional district, natural gas well.

And in terms of Marcellus wells, I think it's important we talk about that. I think you have a great chart there that demonstrates exactly what we're talking about when we're talking about the Marcellus geological formation, which is not a shallow formation.

□ 1650

This is a deep well. This is 8,000 to 9,000 feet, well below when you think the water table in our area is normally maybe 1,000 feet. This is 8,000 to 9,000 feet below that. And the horizontal drilling that was developed, directional drilling, there has been 1,900 of those wells already on the ground put in. So I think it may be good to take the opportunity to talk at some point about exactly how these wells work.

Mr. REED. I was just going to move onto that, but I will yield to my colleague from Pennsylvania.

Mr. ALTMIRE. I was going to actually segue into that exact point, because I know the gentleman from New York was going to talk about the process. And it's important to keep in mind there, of course, are always going to be concerns with doing the drilling as safely as possible, limiting any impact on the drinking water. And I know we are going to talk about the process.

Consider the fact that we're talking about drilling that has been done for decades safely, thousands and thousands of wells drilled in this process without any repercussions, any negative impact all across the country, and now beginning in the Marcellus shale area. We are talking about a water table, the drinking water at approximately 500 feet. The drilling takes place a mile below that, 5,000, 6,000 feet below the water table. It has been proven in the decades and decades and thousands and thousands of wells that have been drilled that if you do it correctly, if the company is diligent, if they follow the proper procedures, they can do it without harm. It's been proven.

Now, yes, as happens in any industry, energy or otherwise, if you have bad actors and you have people that don't follow the right procedures, that cut corners, then the potential would exist for a bad outcome. But that happens in any business, in any industry. So we do need to make sure that the drillers, and by and large they have shown the ability do this safely, continue to do that and pay attention to the rules and the regulations. But we can't in any way put a burden upon the drillers that exceeds the risk factor.

We need to make sure that we are cultivating the resources, we are doing it in the appropriate and proven safe way as we have done for decades. I turn it over to the gentleman from New York.

Mr. REED. I thank my good friend from Pennsylvania. I do want to get into the process. I have a chart here today on the floor of the House to kind of go over exactly what we are talking about when it comes to this—I thank my colleague for joining us this evening—to talk about what we are dealing with here, this process of tapping into the shale formations, and in particular Marcellus shale formation. Really what we are talking about is kind of the combination of the existing technologies of horizontal drilling and hydraulic fracturing. That's kind of the game-changing combination of existing technologies that have been joined together to in an innovative way come up with a way to tap these deep, large natural gas reserves in an environmentally safe way that will allow this gas to be recovered in an economically viable way.

So with that being said, I have got a chart here. And as many people know, there is the old traditional vertical well drilling which is represented, before we go into the horizontal role here, as straight down. The old vertical well is to punch a hole in the ground, as you said, 37 feet with a wooden bit, to one of the original finds in your district. That's what we're talking about.

But the horizontal drilling, the change in the horizontal drilling techniques that we're talking about is the ability to go down very deep into the Earth's crust. We are talking that this formation in Marcellus shale is about 6,000 to 8,000 feet below the surface. What happens is they drill from the surface down to that formation.

Then what they are able to do, and I have seen this with my own eyes, and I am sure my colleague from Pennsylvania has seen it also, they are able to turn that drilling bit, and turn the drill horizontally. So they go down vertically, and then as they get to the point where the formation is located and where the natural gas has been identified in the Marcellus shale formation, in the natural gas supply we are talking about tonight, and they turn that drill bit and they go out horizontally. And they go out thousands of feet. They go out and drill and open up that formation, that shale formation, to potential development for natural gas recovery.

After they turn that drill bit and they take that horizontal turn, they go out and then they engage in the process which is called hydraulic fracturing. Now, hydraulic fracturing has been around quite a long time. What essentially that means is that they are going in, they drill the well, and then they detonate some small explosives in order to crack the formation, in order to open up the formation, open up this shale rock that is not shale or slate that you are accustomed to on the surface of the Earth.

I held it the other day. A gentleman came into my office, had a piece of shale in the Midwest area, and it's as solid as granite. There are natural gas molecules that are trapped into that granite formation, that shale formation. What they have to do is they have to detonate small fissures and open up cracks in that formation so that the natural gas molecules have a path to go back up the bore, up the well site and be recovered at the surface.

Mr. THOMPSON of Pennsylvania. Will the gentleman yield?

Mr. REED. I will. Please.

Mr. THOMPSON of Pennsylvania. Those fractures, folks will sometimes be scared by that. They envision these huge caverns that are opened up under the ground. And in fact, these fractures, or fissures I think they are best described, and you have probably seen

them portrayed as spider webs. In fact, they are so small that they are held open by a grain of sand. That's the proppant that is put down into with water, and put in there to hold those fractures open. Just a grain of sand. So I think that, as we are talking about facts, so the people have a vision of what exactly we're talking about when this takes place.

Mr. REED. My colleague's exactly right. And if you can join me in this conversation, because by no means am I an expert in this technology. But what I have read and researched and what's been presented to me makes sense. Because you're absolutely right. What happens is then they take, after there is some fracturing of the formation of the shale—there is a hydraulic fracture, hence the hydraulic fracturing, the hydraulic portion of that technology name—what they do is they pump volumes of water, primarily water and sand, down the well site and into that horizontally-drilled well site and bore, and pump in water at high pressures. We are talking high pressure when we are talking about this process and this technology that not only pump into those fissures, those microscopic fissures that we're talking about that are the result of this fracturing process.

As they pump that water and sand into those fissures, when they withdraw the fracked material, those proppants as they are called, as my colleague's identified, keep those fissures open so that natural gas has the ability to have a natural, by way of pressures, ability to migrate to the well, to the bore site, to the hole, if you would, and then flow back up to the surface and be recovered and developed, and put into our pipeline systems to supply the energy that we all have become dependent upon.

Does my colleague have anything to add to that process?

Mr. THOMPSON of Pennsylvania. Sure. Absolutely. I think that if my good friend would go ahead and put that other board that's up, because when you are talking about the fluid, there is a lot of discussion sometimes about hydrofracking fluid. And this is I think a great poster that really captures what exactly is in that hydrofracking fluid. That sometimes is called brine, sometimes it's called slick water.

Mr. REED. Will my colleague yield for a question?

Mr. THOMPSON of Pennsylvania. Certainly.

Mr. REED. That's one of the great myths. I've heard these myths throughout my travels throughout the district and down here in D.C. that the hydraulic fluid, that there is some secret, that they don't want to talk about it, they don't want to disclose it. My understanding is that that truly is a myth. And you have here today I see on this chart kind of identified the ingredients. Would you agree?

Mr. THOMPSON of Pennsylvania. Yes. If the gentleman would yield, absolutely. It's 99.5 percent is water and sand. The other half a percent is made up of basically ingredients that you would find in many household items as referenced from the chart. You know, there are some things there such as sodium, there is things that are used to reduce friction going down into the pipeline. It's the same things that you can find in water treatment or candy.

□ 1700

There is a gelling agent, also used in toothpaste, and other types of things, things that we use. The most important thing, though, this is all public record.

In Pennsylvania, the Department of Environmental Protection, which is the agency that oversees this drilling activity, requires that this list of ingredients is made available publicly; on the drilling sites they are available, standard, like any industry that uses materials. I would trust in our congressional offices somewhere we have a manual, an MSDS manual, material safety data sheets.

Because whether it's whiteout or it's some other cleaning fluid or Windex, you have to list all those things. You have to have an MSDS for them in any type of business or industry.

And so through MSDS, frankly, and requirements through agencies, oversight agencies as the Department of Environmental Protection, the ingredients that are required are available publicly. That is a great myth that has this is such a secret and people don't know what's going down into the wells.

Not all of this water comes out; that's important to recognize. Just a percentage of the waters that do come out, a lot of it actually is left 8,000–9,000 feet down. And the water that does come back, in my experience, being, observing these operations, much of it is recycled.

Mr. REED. On the chart that we have here this evening, what we are talking about is that hydraulic fluid is pumped into the horizontal area. Primarily that water is hitting that area, and it is then coming back up the well bore to a certain extent.

If you could continue as to what happens to the water that remains down there.

Mr. THOMPSON of Pennsylvania. It just stays with the geology down there, and this is like it's a mile below the aquifer. It's actually encased in layers of limestone, especially in Pennsylvania and in New York. That's our geology. We have this Marcellus shale, but it's really encased with what could be hundreds of yards of thick limestone on top, and certainly limestone in the bottom. And so the water stays down. The most important thing, though, is what happens to the water that comes up and especially when it passes through that area, 5, 6, 700 feet where the aquifer is, frankly, our water, fresh water comes from.

The casing that is on your poster is incredibly important to where it's encased through that area. The wells are encased multiple times with both steel and with concrete, multiple layers. The safeguards are just tremendous so that you absolutely cannot get any cross-contamination with our aquifer.

Mr. REED. My understanding of the processing, correct me if I am wrong, is we are essentially dealing with a two-step process, if you would, in developing the well site. You have the surface up here; you have got the initial, where there is a drilling operation that goes through the—I forget the actual technical name—but the upper end of the well that we are tapping into.

And that's the area in the first 1,000 feet, plus or minus, that's going through the aquifer. I think we have highlighted kind of a cross-section and kind of highlighted that area because it is a legitimate concern, in my opinion. I know the regulatory agencies have identified this as a legitimate concern, and this is a critical portion of the well development that I think we need to spend a little bit more time on.

As we punch through the aquifer, what we are talking about is there are casings, there are steel casings, it's my understanding, that are pushed down the well site after it's been drilled, that are pushed down the bore, the well bore, and then going through that aquifer. And then what is happening once you get to that point that has been identified as the break-off point, or I forget the term that's in the industry, but what happens is they pump it up with a cement, with a material, that provides a barrier between the casing, the aquifer and the other formations and essentially fills in the area, if you would, between the casings and the aquifer and the other area that's kind of primarily going through that first 1,000 feet of well development. Is my understanding correct?

Mr. THOMPSON of Pennsylvania. I think the gentleman is very accurate, and it's multiple, multiple piping with cement in between each one.

Mr. REED. But it's redundancies built into the process.

Mr. THOMPSON of Pennsylvania. A lot of redundancy built into it because it's extremely important not to get that cross-contamination.

Mr. REED. I think that's a point that needs to be stressed is the redundancy of how the initial 1,000 feet, plus or minus, whatever the regulatory agencies say we have to have for that break-off point and that multiple protection to make sure that that aquifer is protected.

Then my understanding is the second stage of the process is where they continue to drill down deeper to reach the actual formation, which again is 6,000 to 8,000 feet below, because it's not a fluid level location throughout the Northeast, as many of us know from geology from our high school days. There are elevation changes in that formation.

That's the amazing part of the technology in my understanding is that as

that formation goes up and down, and you go from the 5,000 foot, the 6,000 foot to the deep at the 9,000 foot, the technology can actually trace into that formation. I hit those marks where the engineers have identified that this gas is located.

Essentially what they do in that second phase is they continue to drill down to the formation. As they turn the drill bit to do that horizontal drilling technique, that actually goes through that shale rock—and it is rock, I literally held it the other day, as I indicated earlier. It really feels like granite, but that gas is trapped within that rock and drills through and then reaches out thousands of feet from the well site up on the surface.

I think that's a point I would also like to articulate right now and stress that one of the things that I saw as a benefit—because I have seen vertical wells, I have seen horizontal wells. Vertical wells is one hole essentially going to the formation, and they take a shot at getting to the sweet spot, so to speak.

Then if they miss—and the general rule I believe in the industry is one out of three of those are not successful in the Northeast—and we are dealing with the Trenton rock and the Black River formation, which is a higher level formation, is my understanding. They would then have to move the well site, and they would have to disturb the surface, the area that they would have to clear in order to put the rig and the development facilities on the surface.

Now, what they are doing with this whole horizontal drilling technique is that they have six different well sites from the one platform. Is that understanding correct?

Mr. THOMPSON of Pennsylvania. That is my understanding, my observations, where on one site, where this drilling activity goes on, takes up to perhaps 90 days to drill and to frack one of these wells, you can put multiple, at least up to six, on one site. So in terms of not disturbing, minimizing disturbing the surface area, it's a great technology for the maximal production of a very clean and very affordable energy source for us.

Mr. REED. That's exactly what I saw in your district, in your great district as I came down and toured one of those sites. You got a real sense of the difference of having the multiple vertical locations that would talk about clearing trees and clearing the area and building roads to get access to those areas.

You would then essentially take six of those vertical sites and put them in one location where they could horizontally tap into this reserve from one location rather than six locations. I think that's a great point to put that education and that information out to people, because I think that people think this is just a one-hole operation. It's a multi-hole operation.

That's also what makes it economically viable, because this is not cheap. I know these are millions of dollars of investment in order to tap into this resource, and that has to be recognized and respected.

Mr. THOMPSON of Pennsylvania. I think as we are talking, the environmental record is certainly an area of concern that folks have raised.

As you have noted, or as my other colleague across the aisle from Pennsylvania noted, hydraulic fracturing was first used 60 years ago, actually in Oklahoma. Fracking has been common practice and successfully used in over a million wells across the United States.

When performed correctly, the process of hydrofracturing has not once contaminated any aquifer or drinking-water supply. In Pennsylvania, there are 11 State laws that govern oil and gas development. In Pennsylvania, drilling companies have to disclose the names of all the chemicals to be stored and used at a drilling site in the Pollution Prevention and Contingency Plan that must be submitted to the State Department of Environmental Protection as a part of the permit application process.

□ 1710

In addition to regulations used in Pennsylvania and at the State level, oil and gas production is subject to eight Federal laws. More specifically, there are five Federal laws that regulate hydrofracturing, hydraulic fracturing. This includes the Clean Water Act in various stages of the process; the Safe Drinking Water Act when discharging frac fluids; the EPCRA, Emergency Planning and Community Right-to-Know Act, which mandates that operators maintain material safety data sheets at every well site in America where a minimum amount of chemicals were present, which, in part, is maintained by the State.

Now, these plans contain original copies of the material safety data sheets for all chemicals, and DEP recommends to operators that a copy be kept on each well site. So that comes back to the question of: What are the ingredients? What's going into this frac fluid?

Frankly, most companies exceed the State requirements in the Pennsylvania operations, not to say that, like any other industry, there aren't some outliers, some folks who don't follow the standards. I'm proud to say that in Pennsylvania, the Department of Environmental Protection, when they find those folks, they not only have to correct their problems, but if they're chronically doing this, they are put out of business. This is something that we have the technology. We are blessed with not just this resource from God, but we are blessed with the technology to do it right, and that should be a standard that we subscribe to.

There are some here in Washington that want the Federal Government to come in to Pennsylvania to regulate this. I don't have confidence in Washington. I have confidence in Pennsylvania's Department of Environmental Protection. They've been doing a great job, and they continue to look at their standards, their regulations, and I think they do a great job of making sure that we are protecting our environment and producing a great resource which is adding jobs, growing the economy and, frankly, providing us a very affordable energy resource.

Mr. REED. I would echo my colleague's comments about the State agencies being the appropriate agencies to oversee this development. In New York State, right now we are under a moratorium at the local level that has stopped any development of the Marcellus shale until our local DEC, Department of Environmental Conservation, issues its environmental impact statement to come up with the regulations that can deal with this issue in a responsible and safe manner. And to be perfectly upfront with my colleague from Pennsylvania, we've learned a great deal from what happened in your district and my other colleague's district in the State of Pennsylvania as to how to deal with these issues and make sure they are done safely and responsibly. And I think the DEC has done a good job in New York State of taking the time out and studying the issue. It's going on 3 years. I'm ready to move forward, in my opinion, to come up with regulations to unleash this game-changing opportunity for our Nation and for our areas.

I do also agree with my colleague that leaving it up to Washington to come up with a one-size-fits-all solution, to me, is just not the appropriate policy. Let our State agencies, the ones that live and breathe in our communities, the people that work in those agencies, that know our State best, let me deal with these issues and come up with the regulations that are reasonable to protect our environment and yet at the same time recognize the potential and opportunity that is located in our Marcellus shale formation. And I think that is best served in order to allow the State agencies to do that.

One thing I did want to stress as we're going through this chart, I've heard some concerns of people that, well, the fluid that remains down in the well site in the formation—because these are millions of gallons, there are millions of gallons of water that are pumped down the hole to create the pressures and to access this natural gas formation. There has been concern raised to me, and I would be interested to know what my colleague's thoughts are as to that water or that hydraulic, that slick water, that brine, as you had indicated, as it sits into the well site and into the formation, the potential risk of going back up through essentially a mile of sedimentation, of limestone, of different formations. Have you heard the same concern?

Mr. THOMPSON of Pennsylvania. I have heard those same concerns. But when you look at the geology in where

this drilling is done and you have the layers of Marcellus, and I think you only fracture maybe 18 inches, perhaps, from that horizontal pipeline, so you haven't permeated the entire Marcellus shale, and that is encased with a layer of perhaps hundreds of yards thick, hundreds of feet thick, at a minimum, of limestone. The geology is very, very—it's almost—you never say ''never,'' but it's impossible in order to get that what would be called migration for that fluid to move outside.

Mr. REED. I believe the chart identifies what we're talking about here. We're talking the aquifer up here within 1,000 feet of the surface. Mostly, in our area, I know the water table is at about 500 feet, maybe 200 feet, people are putting their wells into those aquifers. And we're talking 6,000 feet, 8,000 feet.

I think this chart demonstrates it fairly accurately that we've got a ton of material, literally material, that is protecting this formation and that area down there from our aquifer. And I think that that concern is a legitimate concern, but because of the oversight and the ability of our local agencies to do their job, in my opinion, I think they can handle it appropriately and that Mother Nature will protect that aquifer from the development of this.

I think the standards of how these wells go in need to be enforced, and that means that the type of cement, both the steel that's used and even, as importantly, the cement casing that's utilized to make sure that it's of a high quality and to make sure that it's put in a way and tested so that there are no air pockets, there are no quick pathways somehow for migration to occur through the casing, and that is all done in a very high quality way with a lot of quality controls. That's where the oversight is important.

In Pennsylvania, again, I come back and put a lot of trust in the Department of Environmental Protection. There's a lot of folks on the other side that would be opposed to this. And I don't like to really promote anything, especially this, but there was a film series called ''GASLAND.'' Let me just share with you some thoughts from John Hanger.

Who is John Hanger? John Hanger used to be the head of an environmental group, and he became the secretary of the Department of Environmental Protection in Pennsylvania. And Secretary Hanger did a great job. He was concerned about the environment. He had an environmental record that was tough. He said that ''GASLAND'' is ''fundamentally dishonest'' and ''deliberately false presentation for dramatic effect.'' He called the producer of that a propagandist because of the way the information was presented.

Again, it comes back to how we started this. This is an important thing to have a debate on. But make the debate on fact and science, not on myth and emotion.

And there were pictures of fire-spewing faucets that have been repeatedly found to be the result, frankly, of naturally occurring methane migration. People that drill their shallow wells for water, unfortunately, where they tend to drill, they sometimes drill them into methane pockets, naturally existing ones. I saw a picture yesterday of a gentleman farmer from Colorado, and it was a pretty cool picture because it showed a large flame in the middle of a river, but it was from a naturally occurring methane pocket. It had nothing to do with mining. It had nothing to do with drilling. But it was, again, naturally occurring. It had nothing to do with fracking.

The Colorado Oil and Gas Conservation Commission reviewed the specific location of the film numerous times and remarked ''dissolved methane in well water appears to be biogenic''—that is, naturally occurring in origin—''and there are no indications of oil and gas impacts to the well water.''

The Pennsylvania Department of Agriculture has confirmed that there have been no confirmed cases of threatened animal health in Pennsylvania, because, obviously, a lot of this occurs on our farms.

I would tell you that the Marcellus gas has saved more dairy farms in my district than probably anything else in the past couple years when dairy farmers were losing an average of $100 per cow per month, based on the fact that the Federal Government prices milk, and it is such a flawed system that this really has been a blessing for our farmers. I have a few farmers running around on new John Deeres, or whatever their choice of tractors are, for the first time in their lives, actually. And so it's been a really good thing so that we don't lose our farms.

We are losing our agriculture acreage at an alarming rate even on a daily basis across this country, but in Pennsylvania, there has been a blessing that has helped to keep that land in production. There's a little bit of a disturbance, a small site for drilling, but once the rigs all go away and you have just that wellhead that you look at in the insert on the poster board there, you can farm around that.

Mr. REED. I hope we can have this conversation many more times as we go forth and bring forth science and data on these issues. The operation, when it originally comes in and the development of the well site does require some industrial-type activity. I do recognize that, and I think my colleague would recognize that. But, again, I believe you said 90 days is the estimated period of time for that development to occur.

I hear the Speaker giving us the sign that our time is up. I do thank my colleagues for joining me tonight, and I thank the Speaker for the opportunity to be here tonight.

□ 1720

FISCAL CHOICES

The SPEAKER pro tempore (Mr. ROSS of Florida). Under the Speaker's announced policy of January 5, 2011, the gentleman from Kentucky (Mr. YARMUTH) is recognized for 30 minutes.

Mr. YARMUTH. Mr. Speaker, it is a great honor for me to come to the floor of the House of Representatives this afternoon to join some of my colleagues on the Democratic side of the Budget Committee to talk about choices. You know, government is all about choosing. It is setting priorities, and it is choosing what we are going to spend the people's money for, how much we are going to ask the people to pay to the government, and how we are going to spend those dollars. It is all about choosing.

It is also about values. This week, this issue of choices is playing itself out in two arenas in government, one in the continuing resolution battle that took place on this floor this afternoon, the idea that we have to figure out how to fund the government for the rest of this fiscal year ending September 30, and whether or not we are willing to let the government shut down tomorrow night because of the choices that we either make or refuse to make. And it is also playing itself out now in the development of the budget for the following fiscal year, 2012.

Yesterday in the Budget Committee, we considered the budget proposal offered by Chairman RYAN and the Republicans that offered some very stark choices for the American people. They are similar to the choices that we have been debating week after week after week for the last couple of months about how we are going to fund the government for the rest of the year.

From the Democratic perspective, at least I know from my perspective, the reason I have not been willing to support the Republican versions of the continuing resolutions that have come to this floor is that they make choices which don't seem very fair to me. They don't seem to represent the values that this country has always embraced, the values of fairness and justice and the idea that we are all in this great journey together and that we are trying to create a country that works for everybody and not just for a very few.

Today, the Republicans brought to the floor a continuing resolution to fund the government for one more week. These are the choices they made as to what we should cut in order to avoid shutting the government down: they wanted to eliminate $143 million for school lunch assistance programs; $187 million for education for the disadvantaged programs, school improvement funds, education innovative improvement programs, and adult education. It cuts the WIC program, nutrition for low-income families, women and their children; the Office of National Drug Control Policy. They want

to cut $495 million from FEMA's first responder program.

All these things they wanted to cut; and yet when you ask them whether they want to have other people, the wealthiest people, the big corporations, the people who have done very well in this country over the last couple of decades, if you ask them, why don't we make them share some of the burden of balancing this budget, they say: Oh, no, we can't do that. We can't do that.

Let me just illustrate with this chart one of the choices that they made in the 2012 budget proposal. They chose to include, refused to eliminate, $800 billion in tax cuts for the wealthiest 2 percent of Americans, and instead cut $771 billion from Medicaid over the next 10 years. This was a choice.

Do we want to make sure that our senior citizens have access to nursing homes, that our disabled population has access to assisted living facilities and home care? Our young, low-income, poor families, do we want to make sure that they have health care? Or do we want to make sure that the wealthiest 2 percent of Americans continue to have their cake and eat it, too? Their choice in the budget and in the continuing resolution is to let those wealthiest Americans have their cake and eat it, too, and let the most vulnerable segments of society pay the price of helping to balance the budget.

I am a big fan of political cartoons, and today's cartoon in The Washington Post I think said it all, because one of the other proposals that the Republicans made in their 2012 budget proposal was not just to maintain the tax breaks for the wealthiest Americans, but to increase them. They want to cut the maximum tax rate from 35 percent, which was the rate that it was cut to by the Bush administration, they wanted to cut it even further to 25 percent. In other words, a 10 percent additional tax cut for the wealthiest Americans.

As a matter of fact, I offered an amendment in the hearing to rescind the Bush tax cut for only those people making over $1 million a year, only those people making over $1 million a year. They voted it down unanimously.

But here is the cartoon by Tom Toles in The Washington Post. It has, and I won't name him, but a Republican member of the Budget Committee, offering a platter that says ''More Tax Cuts for Wealthy.'' And the ''Truly Rich Guy'' says: ''Stop!! I can't eat another bite!'' And the Republican says: ''Sorry, everybody has to share the pain.''

This is one of the choices we have. It is stark: again, tax cuts for the wealthiest Americans, or health care, education, nutrition for the other 90 percent of the American people who have not done so well.

So as we move through this process of choosing both how we are going to fund the government until September 30 and how we're going to fund it into the future, the American people need to know whose side the Republican majority is on and whose side the Democrats are on.

With that, I yield to my colleague, a member of the Budget Committee from New York (Mr. TONKO).

Mr. TONKO. I thank you, Representative YARMUTH, and thank you for leading the next 30 minutes of discussion here which I think are very critical to the lives of Americans, the American public and American working families across our Nation.

It is an honor to serve with you on our Budget Committee as we spent countless hours yesterday dealing with a saga of a budget for 2012. Just as we're trying to avoid a shutdown of America's government this very hour, they are also pushing through in a rather rushed format a 2012 fiscal plan that takes the pain and suffering of the 2011 plan and expands it exponentially. They grow it drastically, the pain for 2012.

As you indicated, these are choices that we have before us. I believe firmly that our budgets, whatever level—Federal, State, local—are a reflection of our values, our principles, our priorities. That's where we are now, whether we are trying to avoid a shutdown for the 2011 fiscal year which is looming over us, or whether we are putting together the 2012 fiscal plan. It is about priorities and values and principles that we hold near and dear. It is also a statement on an economic agenda.

I have before me here this chart that speaks about the 1.8 million jobs that have been added since last year, since 2010; 1.8 million private sector jobs. You can see the precipitous drop that came with the red ink of the close of the Bush recession. And then early in 2009, we began to recover. We stopped the bleeding of the recession, and it has been a slow but steady and upward and forward climb as we have introduced new jobs into the private sector arena that allows us to now work away at those 8.2 million jobs that were lost during the Bush recession.

Why we would want to stop that progress is beyond me; but those are the cuts that will be made here in the 2011 scenario, by which we are attempting to avoid a shutdown, and the 2012 budget where there are cuts to R&D and to science and technology.

I served as president and CEO of NYSERDA, the New York State Energy Research and Development Authority, prior to coming here a couple of years ago. I saw firsthand what science and tech means in terms of job growth and expanding the opportunities.

□ 1730

And so these cuts that are part of the 2011 plan and the 2012 budget that we're dealing with in double-dose fashion will mean tremendous pain for our middle class families.

We need to commit to a jobs agenda. The people told Democrats and Republicans alike in campaign season it's about jobs, jobs, jobs, and the economy. It's not about growing another pricetag, draining our economy with the cost of a shutdown. We need to avoid that shutdown.

One of the concerns yesterday when we were meeting on the 2012 budget format was—my concern, your concern, our concern as Democrats on that Budget Committee—to avoid the end of Medicare. This plan, introduced by our Republicans on the Budget Committee, is called the ''roadmap.'' And I said it's a road to ruin for our middle class, for our working families. They want to end Medicare, a system that has worked for over 40 years for 46 million Americans. And what does it do? It shifts risk from government over to the senior citizen. It asks the senior citizen to dig deep into the pocket, and then every year dig deeper.

They are already suggesting that the beneficiaries' costs will more than double by the year 2022 and then more than triple by the year 2030. Is this what we're about? Are these our values? Are these our principles? Are these our priorities? I would say boldly, no, they are not. They are not. And senior citizens are already getting wind of this idea, and they are supporting our efforts to stop the end to Medicare, which is part of the format that they have introduced, part of the legislation they have introduced for their budget for 2012.

We failed in that attempt. You and I supported it—GWEN MOORE has joined us I see. We all supported that push to end their desire to end Medicare. We failed with it, and that will be coming to a vote before the full House I think next week.

So these are the things that people need to be alerted to. These are the issues that are going to be tough for middle class America to assume for the poor, the working poor, for the masses out there. And when we see the concentration of wealth and all the benefits and all the focus being in just the upper echelon, we understand what their choices are. Their choices are different than ours—they're with Big Oil, they're with big banks, they're with special interests, they're with millionaires, billionaires. They're with handouts to the oil companies that are sitting on record profits of over $1 trillion. We're there with the middle class families, the working families, making certain that we create jobs, retain jobs, and keep this pattern of activity going.

Thank you, Representative YARMUTH, for bringing us together for what I think is an urgent, urgent dialogue that needs to reach every household in America.

Mr. YARMUTH. I appreciate the comments from the gentleman from New York and thank him for his work on the Budget Committee as well, and standing up for all Americans as we try to recover from the greatest economic crisis we've had since the Great Depression 80 years ago.

I forgot to mention one thing earlier when I was talking about the proposal to raise the taxes of people making

over $1 million a year back to the Clinton-era tax levels. And what's interesting about those Clinton-era tax levels, when the highest rate was 39.6 percent, during that time, 20.8 million jobs were created in the United States in the private sector. Then came the Bush tax cuts and took the maximum level tax to 35 percent; 653,000 jobs lost in the private sector.

I know it seems counterintuitive because the mythology has grown out there that when you lower taxes, it stimulates economic activity. The reality is quite different: 39.6 rate, 20.8 million jobs created; cut it to 35 percent, 653,000 jobs lost.

What about annual growth rates? Again, during the Clinton years when the high rate was 39.6, 3.9 percent real GPD growth over that period. When 35 percent, 2.1 percent real GPD growth. So the reality is that lower tax rates do not necessarily equate with better growth or more jobs. What they do equate with is a continuing separation of the very wealthiest Americans from everybody else.

Over the last 30 years, the percentage of all the income earned in the country by the top 1 percent has gone from 9 percent to 33 percent; 33 percent of all the income earned in this country goes to the top 1 percent. They make more and they own more than the bottom 90 percent of the people in this country.

So all we're saying is, we know that everybody is going to have to share in this sacrifice to try and get our fiscal house in order, but we're only asking the most vulnerable people to share. The people who have been doing the best in this country, we're not asking them to even have a little bit of an inconvenience.

And someone who can speak so articulately and passionately about the wrong choice that the Republicans are making is someone who has come from that world, who lives with that world every day, who represents the great city of Milwaukee, our colleague, GWEN MOORE.

I would like to yield to her now.

Ms. MOORE. Thank you for yielding, gentleman, and thank you for putting together this Special Order.

I can tell you that it has been very distressing to watch the progress of this budget being put together for the American people. And part of the distress I think is because of the sort of psychological warfare that is being committed here. I think that the Orwellian way that the budget is being presented—it's being presented as we have got to make draconian cuts in the budget in order to heal our fledgling economy, and especially, we have to so-called ''reform'' our entitlements programs in order to maintain them for the future.

There has been a call for an adult conversation about this, a call for the facts and for the truth, and no accounting gimmicks and no gimmickry in this discussion of reforming entitlement programs. Democrats are admonished not to scare seniors with entitlement reform and to demagogue the issue, and yet what we have seen from the Republicans are these fire engine red colorful charts warning us of the burden that the aging baby boomers will impose upon the hapless taxpayer unless we adopt the so-called austere ''path to prosperity,'' which ends the entitlement to Medicaid, caps those benefits, which turns Medicare into a voucher—so-called ''premium supports''—and which gives instruction to the Ways and Means Committee to privatize or to fix Social Security.

Now experts have told us, even though the Republican Budget Committee has told us that Medicare and Medicaid are driving the budget deficits and that they are the cause of this huge, tremendous debt, experts across the spectrum have told us that the real problem with health care costs is the growth of health care in the private market. We have seen health care costs double, in double digits, increase by double digits every single year. We have seen private health insurance premiums increase, double within the last 20 years. And so it doesn't matter whether you're a Medicaid recipient, whether you are a double recipient—a Medicare recipient who is also using Medicaid because you're in a nursing home. It doesn't matter if you're a large corporation, Harley Davidson or Xerox Corporation. It doesn't matter if you're a small business operator. It doesn't matter if you're someone who is on the individual market looking for insurance. Nobody can afford to fuel these profits for pharmaceutical companies, $20 million annual salaries for insurance executives, and all of the other giveaways to wealthy insurance companies.

Medicare was overpaying insurance companies by 14 percent until we enacted the Affordable Care Act. We cannot afford, in Medicare part D, the prescription drug program, we simply cannot afford to have a program where Medicare pays pharmaceutical companies for a large group—like Medicare recipients—and then not negotiate the drug prices as they would with any group. I mean, there are companies, large corporations with a much smaller pool of employees that benefit from negotiating for the group, and the law that the Republicans passed, the Medicare part D, doesn't allow those negotiations. These are easy fixes. These are easy fixes that could reap us billions of dollars in savings.

Social Security. Social Security. There is some very low-hanging fruit if people would want to come to the table and negotiate in good faith to create a solvent situation for Social Security well beyond the baby boomer years. We could raise payroll taxes beyond the $106,800 cap that is now in place.

□ 1740

But, of course, our Republican colleagues have an aversion, as the gentleman has pointed out, of shared sacrifice. No one who earns money and who has reaped the benefits of this great American economy should be asked to pay taxes. Who should be made to pay taxes? Those suffering working class, middle class folks.

The gentleman has shared with us earlier in his chart where they're proposing to lower the top tax rate by 10 points, down from 35 percent to 25 percent. Yet they claim that this is a budget-neutral act.

Well, come on now. You know, I don't have a degree from the Wharton School of Economics, but I can tell you that if it's budget neutral and we're still going to receive those revenues, then that must mean that somebody else is going to pay the taxes. Am I wrong about that?

I would like to ask the gentleman.

Mr. YARMUTH. You're absolutely right. If we're going to be revenue neutral and we're going to cut the taxes of some people, then other people are going to have to pay more. And, unfortunately, in this particular proposal, it's going to be the people who can afford it the least.

I thank the gentlelady for her contributions.

I want to welcome another colleague from the Budget Committee, ALLYSON SCHWARTZ from Pennsylvania, who has been instrumental in developing the Affordable Care Act as a member of the Ways and Means Committee in the last Congress and the Budget Committee and who now serves as a very prominent member of the Budget Committee.

I yield to the gentlewoman.

Ms. SCHWARTZ. Thank you very much. I'm pleased to participate in their conversation, and I just want to make a few comments, and then maybe we can talk further about really what the Republicans proposed in their budget.

We sit on the Budget Committee. We went through 12 hours in what we call here in Congress a markup, but really it was a debate and a real reflection on the contrast between what the Republicans are offering to the American people and the way to tackle what are very, very serious financial problems for the country. I think we all agree that they're serious, that we have to make sure that we take seriously the deficit and bring down the deficit over time and be able to get to a balanced budget at some point and begin to pay down the national debt. We all agree on that.

The real issue here is how do we do it? What are the choices we are making? What's on the table for discussion? And we offered up a number of suggestions and ways that we might take some of the money—you've talked about this already before I got here, about the tax breaks for the wealthiest 2 percent of Americans, the tax subsidies for the five largest oil and gas companies. We're talking about literally hundreds of billions of dollars here, that instead they have chosen to

protect those subsidies and those tax breaks and instead to make real cuts in what we believe are some real priorities for us. So budgets are all about choices and priorities.

I want to particularly talk about not just the spending cuts and where else we might be able to take spending cuts. We're interested in everything being on the table and looking at the Department of Defense, for example, which some Republicans agreed with us on.

But one of the changes that they are making—and many of us refer to this as the Ryan budget, but right now it is actually the Republican budget. This is no longer your colleague from Wisconsin's ideas, but it is really the Republican budget that was passed. It was announced by the Republicans last night and will be on the floor potentially next week. And there are dramatic changes for our seniors in this country. Dramatic changes.

We have said to our seniors and our future seniors that when you get to be 65, there's going to be security for you in terms of payment for your health care. They have changed that for future seniors. There will no longer be guaranteed benefits for future seniors. They will instead be offered a voucher. It will not be the whole cost of buying private insurance. They have said that. It will be support for the premium, not the whole thing. And then seniors will have to go—and I think PAUL RYAN mentioned this yesterday—shopping in the insurance marketplace for the best insurance they can get.

When I think about that, maybe that sounds okay. You know, you go shopping. You've got a voucher in your pocket. It sounds like a coupon. You can go to the store, and you're going to be able to get 80 percent of costs paid.

However, this is health insurance, and what we already know is that the insurance industry was not inclined, before the Affordable Care Act, to cover insurance for sick people. They didn't want to cover sick kids. We had to pass a law that said you can't discriminate against children. You have to let them buy health insurance and cover that illness. And they certainly don't want to cover sick adults.

Well, when I go talk to a group of seniors, and I can be at a senior center or any number of places we've all visited as Members of Congress, and we'll have a group of 50, 100 people, and I ask, Do any of you take any medications?

And they all laugh: Of course, I take medication.

Do any of you take two prescription medications?

Of course.

Do any of you take three or four?

These are a healthy group of seniors. They look healthy to me. You know, they're out and about and they're listening to a Member of Congress. And I ask, Well, how are you going to go out and buy insurance that's going to be affordable for you?

What we know and what seniors tell us is that they know that if they go to a voucher program and they're no longer guaranteed, they will no longer have guaranteed benefits, that their voucher will become less helpful over time as expenses go up, that there will be no controls on how their taxpayer dollars will be used.

So let me just close, if I may, by saying that seniors know that privatizing Medicare—and that's what this is, it's privatizing Medicare—will limit their benefits, will be obstacles to care and on certain reimbursements, that copayments for primary care or copayments for specialty care could be quite significant, that there could be exclusions for certain services that they need, that there could be discrimination based on income and age and illness, and there's more uncertainty if they face a serious illness going forward.

So I just wanted to show two charts that maybe we will want to talk about as we go forward. One of them is, to just follow up on what I said about choices, here we are faced with a choice that the Republicans have made, which is to give tax breaks to the wealthiest Americans. It's going to cost about $800 billion, and instead they are going to dismantle—this is the case of Medicaid, which is really about seniors in nursing homes, frail elderly in nursing homes, costing about $771 billion. That's a decision they've made.

We can talk more about how we've bent the cost curve, if we can use that language, on Medicare. We have already taken some serious action.

I'm happy to have further conversation with my colleagues about what this Republican budget means to seniors across this country.

Mr. YARMUTH. Thank you.

I would like to yield again to Mr. TONKO, who has another illustration he wants to give us.

Mr. TONKO. Thank you, Representative YARMUTH.

I will do this quickly because I know time is ticking away.

We all mentioned the concern about Medicare and how they're going to privatize it. Well, here it is, the end to Medicare. This is the buyer beware chart. This shows the Republican proposal in 2022 dollars and the Medicare model in 2022 dollars. And the voucher simply isn't going to cover much. They're suggesting 32 percent. So that leaves a $12,500 price tag to be assumed by—you guessed it—the senior. Dig into your pocket. Under the current Medicare model, it leaves you with a $6,150 price tag.

□ 1750

So it's going to more than double the commitment from the senior citizen. This is the ''buyer beware'' chart. The happy shopping spree isn't so happy. Representative YARMUTH, I just wanted to point that out. The bar graph shows it plain and simple: buyer beware.

This is an attack on middle class America. It's an attack on the system that has worked well for so many decades, and certainly it is a priority that is not ours. It is theirs. We are for the working families of this country, and we will continue to fight that fight.

Mr. YARMUTH. Again, a perfect illustration of the choices that we face as a country as we move forward over the next decades.

We know we have fiscal problems. We know we have very difficult choices. The Republicans have chosen to put the cost of balancing the budget on seniors, on low-income families, on working families, and to completely spare oil companies, millionaires and billionaires, hedge fund managers, and anyone else who has made the most of America, who has done the best, and who needs the least help. The Republicans leave them without any role to play.

Just in the few seconds remaining, I would like to ask Representative MOORE if she has any closing comments.

Ms. MOORE. I think that budgeting is not just about numbers and figures; it's about values.

I think that the Republicans have made it very, very clear that they want limited government. They particularly don't want government enriching the lives of individuals. You would think that they would want to protect some things that are not individual things, like clean air, clean water, food safety protection, but they are eviscerating all of these programs as well: research for cancer, the creation of green energy jobs, the Community Development Block Grant programs.

Mr. YARMUTH. I want to thank my colleagues from the Budget Committee for joining me, and thanks to the American people for paying attention to this very important process we are in now.

I yield back the balance of my time.

THE U.S. CONSTITUTION AND THE FUNDING OF U.S. ARMED FORCES IN THE FACE OF A GOVERNMENT SHUTDOWN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from New Mexico (Mr. PEARCE) is recognized for 30 minutes.

Mr. PEARCE. Thank you, Mr. Speaker.

It is a pleasure to address the House tonight and to talk about the issues that are burning across the country. Before I get into the economic discussions, my colleagues from across the aisle, my good friends, have brought up many things that are worthy of discussion. Before I get into that, I'd like to talk a bit about our Constitution.

I think that, if we as a Republic are not aware of the importance of the Constitution, then we tend to diminish it; we tend to walk away from it; we tend to not give it the credibility that it deserves, and that is highly risky for every one of us but especially for those people with very little or no status.

The Constitution is basically the agreement, the contract, between our government and the people. The Constitution is the only thing that limits the power of government. It is the instrument by which we, the people, have our rights guaranteed to us, and any time we begin to diminish or to say that the Constitution is not valid, then we put at risk our own freedoms.

One of the ideas of the Constitution is that it was replacing something previous to it. The Articles of Confederation were what our Founding Fathers originally came up with. Very soon, they realized it had great, deep flaws. One of the flaws that they found is that interstate commerce, going from one State to the next, did not act like it was inside the same country at all. Instead, the commerce was stopped at one State line, taxed as it went through that State, stopped at the next State line, and products became so expensive that they could not move to market because of the taxation, because of the accumulated taxation from one State to the next.

The Founding Fathers recognized that to be a problem. Almost immediately, they convened the Constitutional Convention, and one of the prime articles that they were talking about in that Constitution was the Commerce Clause. They felt it was necessary to address that in order for the country to be prosperous, for it to move forward.

James Madison later wrote in his Federalist Paper No. 56 what were to be the objects of Federal legislation. He was addressing that question of ''where are we to go with legislation?'' He said that those which are of most importance and which seem to require local knowledge are commerce, taxation and the militia. So he was visualizing a very limited role for government, a very strict role for the Constitution. One of the elements of that Constitution was to be the commerce between States. In article I, section 8, clause 3 of the Constitution, it is delineating the powers of the government, and one of those was to regulate. Clause 3 states that the Congress shall have the power ''to regulate commerce with foreign nations, and among the several States, and with the Indian tribes.''

So that's the limit of the Commerce Clause. Early on, our Founding Fathers had actually had a very limited definition of that, but that Commerce Clause definition has been expanded over time so that, if you will Google ''commerce/U.S. law abuse,'' you will begin to see the ways that our government has begun to extend its reach over our lives by redefining what the Commerce Clause was actually about.

Now, one of the cases that has been mentioned is that some criminal with a gun somewhere was within a couple hundred feet of a school, and that's something that should not be tolerated and shouldn't be allowed; but the government's attacking of that used the Commerce Clause to go through a circuitous route to say that the presence of that guy with a gun in his pocket, while at or near a school, affected the education of the young people and that ending the lives of the young students would affect the commerce of the United States.

So we're trying to get a guy who can't carry a gun on school property, and we're going through this tortuous explanation that somewhere down the line it's going to affect commerce. Now, there are many reasons for not allowing someone to have a gun on school grounds, but to use that sort of convoluted reasoning is one of the threats that we all face, because if the government can go through convoluted reasoning on one thing, it can go through convoluted reasoning on anything.

As we research the Constitution and as we talk to people back in our States, we begin to realize that we in Congress have been extending the powers of the different clauses. We're using them in ways that were not designated initially. We're basically doing a rewrite of the Constitution.

I submitted from my office a bill, H.R. 346, the Health Care Choice Act of 2011. In that, we visualized that it would be good for people to be able to shop for insurance across State lines. New Mexico has significantly higher-priced insurance than does Texas. I live in Hobbs, New Mexico. That's 3 miles from the Texas border. It seemed practical that we would allow people to drive to the State line and buy insurance across that State line, but it is currently prohibited, so I put a bill in that said, simply, we can go across State lines. On the surface, that seems to be good and noble. It seems to fit the parameters of competition—and competition is always good for consumers—but in closer looking, we realized that what we are doing is the same extension with our bill that we are complaining about in others, saying that the Federal Government can declare that a State's right to regulate its own insurance is improper. So it is my full intent not to pursue our bill because, after looking, I, myself, believe that it does not fit the constitutional requirement that we have.

So that is one issue that I wanted to speak about today. Next, I'd like to talk about the bill that we just passed off the floor today, which funds our troops in the face of a government shutdown.

I served in Vietnam in 1971, -2 and -3. I was there at the choice of my government. I was not a volunteer. I drew a very low draft number; ended up going through flight training, and was flying combat missions in Vietnam at a time when our Nation began to choke off the funds to the troops in combat. I can remember that the missions here in the U.S. were being choked and starved for fuel so that training could not be accomplished in the full curriculum that was established before us. Instead, we were having to divert money to fund the troops overseas because there wasn't enough money going there.

I have a real problem with our using our soldiers as pawns in this particular case, so I voted against the last continuing resolution. I was one of 54 Republicans who voted ''no.'' Yet, in this case, this continuing resolution said: Let's take the troops off the table. Let's have this discussion about where we're going to fund and what we're going to fund, but let's not leave soldiers in combat while we're discussing how much we're going to fund or not fund the government. That, to me, is the only thing that we should be doing.

□ 1800

Of all the people we should not hold as political pawns, the troops who are facing very difficult circumstances in Afghanistan, Iraq, and now Libya should not be asked to put their lives at risk and face declining amounts of fuel, declining amounts of ammunition, body armor or whatever.

And so the suggestion today, even though I voted against the last continuing resolution, I gladly voted for this one because I do think our negotiations here should not include them, our troops, our soldiers in combat, young men and women who are there doing the same thing that I did in 1971, 1972 and 1973.

It's my belief that the comments from the other side from the Senate, from Senator REID, who's the leader of the Senate, that they're going to summarily dismiss this bill, that they're not going to consider it, and from the White House that he wouldn't sign it if it got to his desk, is in my mind reflective of people who have not been in harm's way themselves facing declining funding. If we don't want the troops there, then get them out. But don't hold them hostage to this funding battle that we're having here on Capitol Hill.

So I voted for the continuing resolution today that would remove the troops, remove our soldiers from this discussion. I'm saddened to hear that the White House says they're not going to sign it, that they don't care. I'm sad to hear that our Senate says it does not care. If the government shuts down, then those young men and women—they're not going to be able to get out of the combat zone. It's not like we're going to withdraw them. But we're going to leave them there without being able to even pay their paycheck. And I think that's the wrong thing for us to do.

One of the things that I heard from our friends across the aisle just now was that there are many corrections for the problems that face us. And I keep this chart handy and I use it frequently to show the depth of the problems that we face.

This is basically the economic situation facing our country. We spend $3.5 trillion in the revenues to the government, that is, the accumulated taxes that each one of us pays, or $2.2 trillion. Now, your household could not

function like that. But there are greater and worse stories.

We're spending in excess of $1.3 trillion this year, $1.3 trillion more than we bring in, each year that we do that—I just draw this as a schematic where you show the deficit running over and it runs into the debt barrel. The accumulated debt of the Nation is $15 trillion, and if you think about if we could devote all of our revenues to paying off the debt in the debt barrel, it would take 7 years to do that.

But beyond the debt barrel, we now have debt that is running over. And you see that green sludge that we've depicted on our chart, running over the edge. It's reached the top of it. And that's debt that we really owe, but we are afraid to admit to the American people. That's Social Security, Medicare and Medicaid. Those three programs have an accumulated cost facing us of $202 trillion, but we don't include that in our debt calculations. If you look on any government Web site and ask about the debt, it will acknowledge the $15 trillion, but will not acknowledge the $202 trillion.

Now, if this were your family, and let's say that you made $50,000 a year, and you were believing that if I could devote the full $50,000 a year for a hundred years and not pay off my debt, you would think that it's time to reorganize what you're doing. That's the discussion that's going on in the country: should we or should we not take on significant reform of the government? Should we look and have a forensic audit of our government to consider what things we should do and what things we should not do?

Just the idea that we owe a hundred years' worth of total tax revenues to pay off one piece of what we had promised tells us that we're in a nonsustainable capacity.

Now, the chart in the upper right hand of the poster here is the alarming piece. We all remember when Ronald Reagan was President, he came up with an idea and he was the only one worldwide who described it. I remember at his funeral in the taped presentation by Margaret Thatcher, she said, Ronnie said he could collapse the Soviet Union's economy by escalating their expenditures for defense weapons. And he could get their cost of government so high that they could never pay it, and they would collapse.

So they began to spend more than they brought in, the accumulated debt began to weigh down on their economy, and they actually collapsed.

Now, the opponents of what we're doing, the opponents of reform, say that it's us, as Republicans, making up the charges. This chart says our economy is simply going to quit in 2038—exactly like the Soviet Union did. It's going to collapse for the same purpose, that we're spending far more than we're bringing in. We have an accumulated debt. We have an accumulated unrecognized or undiscussed debt that is $202 trillion, and our economy will cease to function. This is coming from the Office of Management and Budget Web site.

This is the White House. They're the ones saying that what we're doing is not sustainable.

Now, our friends on the other side of the aisle said that we could do something to cure Social Security, that is, we should pass along a tax increase to those people making above $106,000. It's interesting to hear that when our friends on the other side of the aisle had the House in their control, they had the Senate in their control with a majority that would not allow filibuster, and they had the White House, and they did not once bring up or pass a tax increase for Social Security.

I find it amazing that it's so simple now that they're not in charge for them to talk about it; and yet when they were in charge, they couldn't talk about it.

The reason that we're facing the problems that we are today with this continuing resolution is that our friends across the aisle did not last year pass a budget and did not pass the appropriating bills. And so they simply passed a continuing resolution and they could not get that passed through the end of this year. It was within their power to not have this discussion at all on a continuing resolution. All they had to do was fund the government through September 30 and everything would have been fine. We would have had no cause to change anything.

It's because they passed a bill that would only fund the government through March, through the early part of March, that we're in this situation. So I'm curious while they say that the solutions are so easy, that they're so necessary, that they didn't find it necessary before December 31.

And, in fact, as they're talking about the need to increase taxes, out the other side of the mouth they actually decreased taxes. They stopped the tax increase that was going to be automatic for American citizens.

So my feeling is that I'm hearing discussions which are not sincere, which they had within their ability to change but did not.

The idea that we are making draconian cuts in our requests, the Republican request for this continuing resolution, you hear that word often, that they're draconian cuts. I always let people decide for themselves. The cuts that we're talking about, we spend $3.5 trillion. The Republicans have suggested cuts at a maximum of $61 billion. And so what would that decrease $3.5 trillion to? I think it's important to assess that in order to decide if the cuts are draconian.

Our cuts, $61 billion, take $3.5 trillion down to $3.44 trillion, and I always ask people is that draconian. And I've never heard one person in any town hall say that's draconian. They're in fact alarmed that that's all that either party is able or willing to do about the accumulated debt, about a deficit that is $1.3 trillion, about the inflation that is now rushing our way. And they're saying it is enough, stop it, do something about it.

Do a forensic audit of the entire government and begin to defund those things that don't make sense, the things that are no longer effective, the things that are duplicative. We've got duplicative agencies across the spectrum of government. Sometimes more than 100 agencies do the same thing. That's a hundred different overheads doing the same thing.

Now, if our government was a business, it would be broke; and the truth is that our government is broke and is going to be broke worse. And, in fact, we're all seeing the effects on our personal lives.

□ 1810

You hear many times that those oil companies are driving up the price of gasoline to $4 now. It's the evil oil companies. I believe that it's exactly opposite.

In order to fund the $1.3 trillion deficit that we don't have the revenues to produce, we find that our Federal Reserve is printing money. It is in the printing of money that you devalue the money that is in your pockets at the current moment. If we could create Monopoly money out of thin air, then it depreciates the value of what you have in your pocket.

If only oil were going up in price, you could maybe make the argument that it's the evil oil companies. Maybe you could say it's the instability in the Middle East. Maybe you could say whatever. But when we see the price of vegetables skyrocketing, when we see the price of gold skyrocketing, the price of silver has gone up almost 30 percent in the last month, 30 percent, and you would have to say, well, is there a greater demand for silver? Is there some new manufacturing program that is now using silver that didn't before? That is, did demand drive the price up? And you say, no, silver is not used for one thing today that it wasn't used for a month ago.

When you look at all the prices across the spectrum increasing, you have to acknowledge that the problem is not that companies are driving prices up but, instead, the value of the dollar is decreasing. That's because we printed almost $2.6 trillion in money last year. We created it out of thin air. That then depreciates the value of the currency that you have in your pocket, in your bank account. And it's that reason that we're seeing inflation begin to skyrocket. The price of gas, food, oil, everything is going up because the money in your pocket is worth less. That's going to continue as long as we do this.

Another problem with the country's economy when it spends more than it can bring in and when the accumulated debt is so high, our bankers begin to worry. The same as your bankers would worry if you were living this way personally, they would worry that you

could pay your house off. They would begin to call you in and speak with you. Our bankers for the United States Government have been primarily China, Japan, and U.S. companies buying our Treasury bills. That's the process by which we loan money to the U.S. Government.

But because of this accumulated position, the Chinese have begun to say, Wait, we're not going to buy so much of your Treasuries any more. We're going to decrease our holdings. So they have begun to sell Treasury bills rather than buy them. The Japanese have got their own problems, and so now they're not willing to buy much debt from us. This year, the largest single private buyer of U.S. Treasury bills said, No more. We think the risk is too great that we'll never get paid back. We think the risk is too great that this system is not going to work.

So this year, right now, our Federal Reserve, which is an arm of the government, which receives its money from the government, is, in fact, lending money back to the government. So we are giving money to the Federal Reserve. They are turning around and loaning it back to us with the other hand.

Now, if you were doing that, your banker would say you are having to counterfeit, you are creating value where there is no value, and I think I might call your note.

We are in the process of finding that the note is due. We see that the country has a course in front of it that simply discontinues our economy, that simply we fail exactly the way that the Soviet Union economy failed. And we're having discussions on the floor of the House about cutting this from 3.5 to 3.44. This 1.3 would go to 1.24. And we are saying that those cuts are draconian. I will tell you that we are not even approaching the cuts that need to be made.

In these programs alone, Medicare and Medicaid, we are told annually that the fraud—not the waste, but the fraud—is about 20 percent. Yet we can't find it within ourselves here to address that problem. We're afraid of what the ads might look like on TV if we actually began to take this on.

I watched ''60 Minutes'' a couple years ago, and the fraud was discussed by a guy from Florida. He is from Miami. He had been arrested for fraud. He was selling $400,000 worth of medical things to Medicare patients every month. He didn't actually have any inventory. He was just billing the government, and they were paying him $400,000 a month. No inventory. He had a storefront because he said, Oh, yeah, those guys from Medicare drive by, they see if you had a store. So I had a store. And he said, I put my name on the door. I didn't actually have any inventory. I was never open. I never actually did anything.

He said, I actually made it into a little game. He said, I charged the same woman every month for four prosthetics just to see. He said, I don't know if she needed any, or one, or none. He said, They never caught it. He said, I did it month after month. He said, So, yeah, you got me and you are going to put me in jail for 12 years. He said, At 400,000 a month, I can stay there awhile. He said, The main thing is I still have my mailing list, and I am going to rent my list to someone else while I am in jail, so I am going to make a lot of money in jail, too.

So even if he is going to jail, the fraud continues. That's 20 percent. That approaches $90 billion for one program and $60 billion for the other. We are talking about cutting a total of 61 up here.

Americans are fed up. They're afraid of the future. They're afraid of what they see being unleashed here. They're frightened that we are printing so much money to try to make the scheme work. And they're saying enough is enough.

Now, I believe that we can make cuts without cutting programs that are essential to people, and I do not think that we should do things which harm those neediest in society. But there are many, many programs where we can make the cuts and we should. The outcome if we don't is extreme. The outcome if we don't is the loss of the economic status of this Nation.

The Soviet Union broke into small pieces, small countries. You are seeing States right now nervous and anxious about the future of the Federal Government, so they are beginning to say, We are going to take that function on ourself. We are not going to trust that the Federal Government can fix this. They, themselves, are in terrible shape.

The biggest shame of all in this is that, in a time when we're struggling to balance our budget to just make ends meet for our Nation, the government is conducting the greatest war on our jobs. The government is raising taxes high enough to push companies out of this country.

President Obama said in his State of the Union message that we must address the fact that we are overtaxing corporations. He said we are one of two of the highest in the world. And since then, Japan has decreased, so we are left alone in that.

We are overregulated. We are regulating companies out of existence. Every time we kill a job through regulation—I would point to the timber industry, which has been killed by regulation. I would point to the jobs offshore where that rig had its problems this year off the coast of Louisiana. I think that BP should be accountable, and they are paying the bill for what happened, but we should not have killed those jobs. Because every job that we kill lowers the 2.2 and it puts people on welfare and unemployment, and the 3.5 increases.

We cannot cut enough spending to get 3.5 to 2.2. We, instead, must go and re-create the jobs that our government has systematically killed and rebuild our economy, rebuild the manufacturing base so that when we put people to work they begin to pay taxes and we begin to not have their cost in government. In that case, we're growing the economic base. We're growing the revenues of the government and, simultaneously, we're cutting the cost of the government.

The only thing that makes sense for us in rescuing our economy is for us to grow the job base. And at a time when we are alarmed at what we're seeing economically, then we find the government most hostile to new jobs.

Just recently, within the last week, we have been in discussions with the Fish and Wildlife Service, who, out of the blue, decided to list a lizard as endangered in our State. They cannot declare that it has different DNA from the lizards that are not being put on the list. In other words, it's just a variety of a lizard, not all lizards. They can't show a DNA difference. So over some small minute difference they are going to possibly shut down all of the oil and gas wells in southern New Mexico. That means more people on welfare, more people on unemployment. It means fewer people paying taxes.

Up in the northwest part of the State, the EPA recently put out a ruling that would cause three of the five generators in one generating station to shut down.

□ 1820

So at a time when we are facing rising utility costs, we are facing rolling blackouts. We are going to put three generators off-line. Since they are doing that they are going to require less coal, and now then 200 coal miners who live on the Navajo Indian reservation, making $60,000 a year, are going to no longer be working and paying taxes. They are going to be drawing unemployment and be on Medicaid, be on welfare, TANF, and food stamps.

One would say that our government will not and cannot kill industries, and yet they killed the entire timber industry. New Mexico used to have 20,000 jobs in timber, and today it has none because of the spotted owl, a regulation that could have been done differently but instead was used to stop all the logging in every forest in New Mexico.

We believe that's wrong. We believe that we can keep the species from going extinct and create the logging jobs again. So we have submitted a bill that would do that.

I would draw our attention also to the fact that 27,000 farmers in the San Joaquin Valley in California were put out of work because of a 2-inch minnow that could have been kept alive in holding ponds and put over in the river. But an extreme decision said that it's either the jobs or the minnow, and they chose the minnow.

We are putting our economic system at risk by systematically killing industries and jobs in this country, and that's the reason you have the frustration that is expressing itself in tea parties across the Nation taking to the

streets and saying our government is too strong, it's too powerful, it's time for us to live within the restraints of the Constitution.

So as I wrap up here tonight, we again talk about the need for the Constitution to limit the government, to limit the government's ability to come in and affect your freedoms and your life.

This country has been, in the past, the destination for anyone who wanted freedom to build their dreams here. They could come and do it. We are beginning to choke off the ability for even our own citizens to find their dreams and make them come true here. We are doing it one business, one industry at a time through taxation, through regulation, but more we are doing it through the unstable currency that we are creating through the printing of money.

It is time for us to get our fiscal house in order. It is time to recognize that the future is at risk, according to the OMB and the CBO both. If we don't act now, then we will not have an economic future any stronger than the Soviet Union.

It's my hope that we will begin to act as Americans today, not as Republicans or Democrats, to look at the challenges that we face, to take them on and to address them in ways that the American people say ''yes.'' That is an appropriate action; that is a correct action.

It's my sincere belief that our best days are ahead of us because I believe the American people are going to insist that we take care of the economic mess that we, that we in Congress, have created over the last 70 and 80 years. We can't make promises that we can't keep with money that we don't have. We must correct it.

CONSTITUTION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Illinois (Mr. JACKSON) is recognized for 30 minutes.

Mr. JACKSON of Illinois. Mr. Speaker, last week I came to the floor of the House to talk about the history of law and human rights, and I suggested that history is a work in progress. I believe that the law is going somewhere from the earliest civilizations with eye-for-an-eye systems of justice through today, when countries like ours lead the way toward more freedom and more human rights for all.

We began this Congress with the reading here on the floor of the redacted version of the Constitution, not the Constitution with amendments. But that redacted version leaves out the historical struggle to create today's Constitution as a more thoughtful and a more inclusive document.

Mr. Speaker, America is one big corporation. The Constitution is the bylaws. We, the people, the board of directors, have the right to change our bylaws in the Constitution and redirect the American corporation towards our priorities.

The American Constitution is a benchmark in that living history. We have amended it from time to time to make sure that we are closer to achieving a more perfect union for all Americans.

I believe we should continue that process, and amend the Constitution in several ways, including giving all Americans the right to a high-quality education, high-quality health care, and a clean environment.

I think we need to guarantee equal rights for women. If, in fact, the Congress had adopted the Equal Rights Amendment for women many decades ago, today 51 percent of all jobs and 51 percent of all households that are headed by a woman where there is no man would provide greater stability for the work that they already do.

But tonight, Mr. Speaker, I want to put my beliefs about why the Constitution should be amended into further historical context.

This week's Time magazine makes my point in ways that I cannot muster tonight on the House floor. It has a picture of our 16th President, Abraham Lincoln, crying, and it says, ''Why We Are Still Fighting the Civil War.''

And no American who is watching this debate on the floor of the Congress between Democrats and Republicans should be operating under any illusion that we are simply not on a battlefield, we are simply in the halls of the Congress. But we are waging one hell of a fight to build a more perfect union versus building more perfect States' rights.

I wrote about these issues extensively, Mr. Speaker, in 2001, very extensively in my book, ''A More Perfect Union: Advancing New American Rights.'' In fact, my book's launch party was scheduled for the big Borders, World Trade Center, on September 11, 2001. Unfortunately, we had a scheduling conflict and couldn't make it.

So I want to talk tonight, Mr. Speaker, about the central conflict of American history, the debates over the role of the Federal Government between those who believe in States' rights above all and those of us who have a more national perspective and believe in creating a more perfect union. I think that's a more appropriate analogy for defining how the Congress is divided; not Democrats and Republicans, for some Democrats will vote for the continuing resolution offered by the Republicans supporting more and more cuts. It's really hard to tell where people stand.

But in Washington, either we are building a more perfect union for all of the American people, or we are building a more perfect States' rights. So, Mr. Speaker, I want to share a few quotes that I think help frame the debate.

In the early years of our Republic, Gouverneur Morris, a Pennsylvania delegate to the Philadelphia Convention, said, ''I cannot conceive of a government in which there can exist two supremes.'' In 1787, Mr. Speaker, Gouverneur Morris was concerned that a dual system of State and Federal control might not work very well.

In his book ''Dixie Rising,'' Peter Applebome writes, ''Think of a place that's bitterly antigovernment and fiercely individualistic, where race is a constant subtext to daily life, and God and guns run through public discourse like an electric current. Think of a place where influential scholars market theories of white supremacy, where the word 'liberal' is a negative epithet, where hang-'em-high law-and-order justice centered on the death penalty and throw-away-the-key sentencing are politically all but unstoppable. Think of a place obsessed with States' rights, as if it were the 1850s all over again and the Civil War had never been fought. Such characteristics have always described the South. Somehow, they now describe the Nation.''

Finally, Mr. Speaker, it's important to note a headline from June 24, 1999, from The Washington Post that read, ''In 3 Cases, High Court Shifts Power to States.'' Of course, in over a decade since then, we have seen case after case at the Supreme Court, bill after bill in this House, that have furthered that trend.

This afternoon I want to talk about the center of conservatism, the center of the Constitution, the legal basis by which Republicans and some Democrats stake out their anti-Federal Government agenda. Mr. Speaker, there are two central issues that have dominated this country from its beginning. The first is the relationship between the Federal Government and the States. That question has been with us since the writing of our Constitution in Philadelphia in 1787; through the Supreme Court's first major decision in 1793, Chisholm vs. Georgia, during the antebellum period of the 1800s through the 1860s; through the Civil War and postbellum first and second Reconstruction periods; and it remains active and very much a part of our discourse today.

□ 1830

The second issue that has plagued the U.S. is race. It is the central dilemma in our Nation's history, and it has haunted us since 1619, when the first African slaves arrived on our shores—before the Declaration of Independence, before the Constitution, before the Bill of Rights through to the current period of Second Reconstruction.

Throughout history, the question of how to properly balance the national and State governments has confronted America: Are we 50 nation-states that voluntarily participate in a national federation but can ignore or withdraw from that federation at any time—like when 11 States seceded from the Union, or when 22 States filed a lawsuit

against the health care reform bill that passed the Congress this year and the President signed it—or are we one Nation, with a national common law that is indivisible, with liberty and justice for all?

These were perplexing and troublesome questions for the Founders and for the first three-quarters of a century of our existence. They still trouble us today. In a very real sense, it was the Civil War that converted us from a federation of States to a Union. The current common belief is that we are the latter. In practice, too often, we still try to operate like the former. Clearly, the ideology and legacy of States' rights lingers and continues to disrupt and interfere with our ability to build a more perfect Union.

For some, not building a more perfect Union appears to be the goal. Downsizing the role of Federal Government, or the ''revolution of devolution'' ideology that Newt Gingrich brought on the scene in such a forceful way following the 1994 Republican conquest of the House and the Senate, clearly is an obstacle to achieving national goals. Not building a more perfect Union is clearly the goal of the 112th Congress.

Under the guise of the budget, deficit reduction and spending cuts, today's Republican majority, with the help of some Democrats, is trying to push through bills that would drastically shrink the size and change the scope of the Federal Government. As a result, we're on the verge of a government shutdown, and many Republicans have cheered about the possibility of a government shutdown with loud applause.

Mr. Speaker, I believe that it will be impossible to build a more perfect Union until the ideology of States' rights and the legacy of devolution are politically defeated, as well as in the hearts and minds of the American people. It is currently a central part of the belief system of far too many Americans.

By decentralizing the essential decisions on economic issues such as full employment, health care, housing, public education, and justice, it simply guarantees economic injustice for workers and consumers, and it ensures inadequate health care, shelter, learning, and justice for all Americans.

Soon, millions of Americans will wake up with a shut down Federal Government and States in a fiscal meltdown. Their faith in their elected representatives and government to solve the bread-and-butter issues of their lives will be shaken, and Americans' confidence in our freedom system will be diminished.

The 50 States, acting individually or functioning merely in loose cooperation or voluntary association, simply cannot and will not adequately address policywise, administratively or financially these basic national needs. Only if these essential questions are addressed in a democratic, centralized and coordinated way can we even hope to build a better Nation.

There is no simple answer to this balance of power issue. The question of the relationship of the States to the Federal Government is an ongoing one. Times and circumstances change, and if government is to be relevant, responsive and accountable to the American public's real needs, the relationship, roles and balance of power between the Federal and State governments must adapt and adjust.

The balance of State and Federal power is not something new, and it cannot be settled ''by the opinion of any one generation,'' wrote Woodrow Wilson in 1911. He continued, ''Changes in the social and economic condition of society, in the electorate's perception of issues needing to be addressed by government, and in the prevailing political values require each successive generation to treat Federal-State relationships as 'a new question,' subject to full and searching reappraisal.''

Politically, however, the reality of circumstances should not be used as an excuse to pursue an anti-Federal Government philosophy of States' rights. The guiding or dominant principle must remain true to the Preamble of our Constitution—to build a more perfect Union, not more perfect States' rights.

The idea of States' rights in the American Colonies preceded the formation of the Constitution and the United States. It rested on the idea of State sovereignty, that ultimate political power and authority resided in the States individually. A century later, States' rights became the means by which State governments defended slavery and perpetuated that peculiar institution with its elitist and perverted economic, political and social arrangements.

In fact, there is a difference between sovereign State rights and the States' rights ideology. Some matters do belong in the purview of the States. States' rights, however, come from a very different spirit and appeal, one that has historically defended injustice within the States.

During the colonial period, citizens strongly identified with and were loyal to their individual Colonies or States. For example, early frictions among the Colonies prevented them from working together to fight against French and Indian antagonists in the mid-1700s. Only their joint hatred of British domination joined them together in the Continental Congress as States in 1776 to fight and win a revolution. Even then, the hostilities among the States continued, postponing adoption of the Articles of Confederation until 1781.

Thus, internal mistrust among the States and external colonial and revolutionary experiences with England made most Americans suspicious and distrustful of undemocratic centralized Federal, central or national power. Indeed, when they drew up the Articles of Confederation in 1776 and ratified them in 1781, they made central authority so weak as to be unworkable for the idea of a union.

The Founding Fathers—women and people of color were not included—tried to correct this flaw when they drafted the Constitution in Philadelphia in 1787. Their mixed feelings and the politics surrounding ''centralized,'' or Federal, and ''decentralized,'' State, power led them to create a Constitution with divided powers both ''within,'' legislative, executive and judicial branches, and ''without,'' between Federal and State governments, that were deliberately ambiguous. It was a central issue of debate during the constitutional ratification process as well.

The new Congress quickly proposed ten amendments that secured these rights, including the 10th Amendment, which delegated to the States those powers not authorized or prohibited by the Federal Government. The 10th Amendment, powers not delegated to the United States by the Constitution nor prohibited by it to the States, are reserved to the States, respectively, or to the people.

This has come to mean that if the Constitution specifically speaks to a right, then it is federally protected; but if the Constitution is silent on a particular issue, like slavery, it was reserved to the States, respectively. Only adding an amendment to the Constitution of the United States overcame the limitations of the 10th Amendment to guarantee freedom to the slaves.

However, if slavery, Mr. Speaker, at this time were a State right, then State rights can never be human rights in the American political context. Therefore, if succeeding generations of Americans believe in human rights, they must fight to overcome the limitations of this old amendment and the very slave system that it protected in order to provide progress.

If you believe in gay marriage, you must overcome the limitations of the 10th Amendment and not State by State, but fighting for your human rights in the context of the Constitution. If you believe in education for all, since the Constitution of the United States is silent on the question of education, you must overcome the limitations of the 10th Amendment to guarantee an equal high-quality education for all Americans. If you believe in health care for all Americans, you must overcome the limitations of the 10th Amendment, this old slave amendment, and guarantee the right to health care for all Americans in the Constitution; because the issues of slavery taught us, if slavery is a State right and if Virginia all the way around to Texas has the right to leave the Union, then States' rights can never be human rights.

The questions, Mr. Speaker, were many. And it should logically have followed exactly what this Congress is doing. If the Constitution is silent on health care, cut it. If it's silent on Medicare, Medicaid, LIHEAP, unemployment, housing, NIH funding, cut it. The Republican majority has placed it on the chopping block because they

argue it is outside the scope of Federal jurisdiction.

Mr. Speaker, what we have learned from this process and what we bring to the table is that human rights must be advanced by this Congress in order to broaden the definition of what it means to be an American.

□ 1840

Mr. Speaker, tonight I am joined by the distinguished gentleman from Louisiana. I want to welcome my colleague from the great city of New Orleans whose congressional district has experienced a State that is in a difficult financial condition. He has experienced natural disasters, and he cannot just rely upon his State legislature to solve these problems. He needs a strong Federal Government to close some of the profound gaps that exist in his congressional district, just as I need a strong Federal Government to close gaps that exist in my congressional district. But it is virtually impossible, Mr. Speaker, to close those gaps unless this Congress recognizes that we have an obligation to the American people, to those who have been left behind.

While slavery was clearly the cause of the Civil War, the nonslavery rationale for the Civil War and the argument that won it broad support in the South and almost won it international recognition was Madison's and Jefferson's interpretation of States' rights as self-determination.

That's why the tea party comes running up here saying the Federal Government should be out of business, turn it over to the States. With some practical examples of the limitations of what we are confronting, I am proud to introduce to some—and I am honored that he is joining me tonight in this colloquy and this discussion—the distinguished gentleman from Louisiana, Mr. CEDRIC RICHMOND.

Mr. RICHMOND. Thank you, Congressman JACKSON, for yielding to me and allowing me to participate in this conversation. And thank you, Mr. Speaker, for allowing us this opportunity to talk.

Congressman JACKSON, you well know that it starts back in the Second Congressional District of Louisiana when we start talking about the true and historical fight of States' rights versus the common good or what we can call a more perfect Union. Because had you left it to States' rights and the will of Governors and the legislatures of those Southern States, then Ruby Bridges, who was my constituent in New Orleans, would not have had the Federal marshals to escort her that day to Frantz School so that she could have the same education as everyone else.

So we have to remember when we talk about States' rights and the Federal Government and the fact that we are talking about a more perfect Union, we are talking about a Constitution. We are talking about a Congress, and we are talking about a court system that should guarantee every child the same opportunity. Whether it is Louisiana, whether you are in Lake Providence, Louisiana, or whether you are in Boston, Massachusetts, you should have the same access and the same rights. So what we are talking about is a Federal Government that should insist and ensure that everyone is treated equally under the laws.

Now, the interesting thing when you talk about and you allude to States' rights, Congressman JACKSON, people talk about States' rights when it is convenient. And I come from a State in which they are talking about States' rights right now. It should be their right to offer health care as they see fit. It should be our job to cut all of the things that aren't essential.

However, I remember those days after Katrina when we were not saying States' rights. We were saying: Where is the Coast Guard? We were saying: Our levees have collapsed; we need the Corps of Engineers' help to rebuild them. And it took this Congress and actions and your vote to put $14 billion into the Corps of Engineers' budget so that they could build the proper infrastructure around the city to protect the citizens there. Why did they do it? Because it was the common good. It was the right thing to do.

So you can't have it both ways when you talk about States' rights and when you talk about the role of the Federal Government. And now when times are difficult, we go back to the States' rights argument so that we can cut those things that the least of us need.

Mr. JACKSON of Illinois. How can the Federal Government or how can the States address unemployment individually? How can 50 States, one State at a time, address education? How can 50 States, one State at a time, address health care without some centralizing, unifying coordination from the Federal Government?

Mr. RICHMOND. Well, they can't do it. Part of it becomes when you take health care as a whole, when you start talking about the United States of America and health care for all, the United States of America and education for all, the United States of America and employment for all, you are talking about things that affect interstate commerce. Now you are talking about things that affect the future and well-being of this country as a whole, which directly puts it back into the powers of the Federal Government because it affects the Federal Government.

So you can't isolate it. That's what some would attempt to do now. I just don't think that it is possible to do. History dictates that you can't do it. What you will end up with is a system of unequal treatment to people based on arbitrary factors: where they live, what they look like, and all of those things.

So, Congressman JACKSON, I would just say that I think you are right on the mark when you are talking about the role that the Federal Government should play. And you raised, just a couple of moments ago, that it is the Federal Government's role to dictate how we treat the unemployed. Now, we very well can't leave that up to States' rights.

Mr. JACKSON of Illinois. It may not even be a State priority to eliminate unemployment. In other words, there ought to be some national interest in making sure that 13 million Americans have a job, that they are working and they are paying taxes and that they can help reduce the deficit and the debt.

I hear from neither side, anyone come to this floor saying that we are putting forward an agenda to wipe out unemployment.

I yield to the gentleman.

Mr. RICHMOND. Well, Congressman JACKSON, my question to you was going to be: Have you seen a State react yet? Have you seen a State step up with their own jobs plan? Or have you seen a State address the inequality and the treatment of the unemployed so far?

Mr. JACKSON of Illinois. I have not seen. I have not seen it in any coordinated way. And as if to suggest that Illinois, just because of an invisible border between Illinois and Indiana, that Indiana's economy doesn't affect the Illinois economy, or the Wisconsin economy doesn't affect the Illinois economy, or the Iowa economy, another border State, doesn't affect the Illinois economy, what I have seen are Governors now in battles, offering incentives to corporations not to leave their State and cross State lines because we are not growing the economy evenly in all States together.

The absence of Federal coordination creates a disaster amongst the States, and we become less of a Union as States begin to offer incentives in a rush to the bottom to undermine workers, to undermine the quality of life for Americans by changing laws within States to undermine the quality of benefits that workers receive who even work within States.

This is part of the ongoing revolution that has been led over the last 5 or 10 years by the right wing, both in the Democratic Party and in the Republican Party, against the idea of the central government.

My question to you: How can we be a government of, for, and by the people and then be so upset at it when it is our government? when it is us?

Mr. RICHMOND. Well, it depends. And what we see in this climate right now, you see the anger out there of a generation of people and a large population of people who are upset at the way government is working. Now, there is one particular thing they can point out, which is the debt and the deficit. One way, which is the way that is being pursued today, is to just cut. Let's cut everything that is unpopular. Let's cut those things that go to the common good; those things that promote unity; those things that will help

people lift themselves up; and those things that will create opportunity for people.

We always said in this country that education was the best way to lift yourself out of poverty. What we are doing here in this Congress right now, we are cutting Pell Grants. We are cutting early childhood education. You can't do those things and then leave it up to the States because, as you so adequately addressed a few minutes ago, it is a competition between the States.

I had the privilege to go with my Governor before over to Germany to visit Thyssenkrupp to offer them incentives so they would come to Louisiana as opposed to going to Alabama. Well, we need a referee when things like that are going on. We need somebody who can coordinate and say some competition between the States is good, but it is our role to make sure that all Americans are treated fairly and that everybody has the opportunity to succeed.

Mr. JACKSON of Illinois. I think the lesson comes particularly from African American history, which I think is appropriate. We don't talk about it up here enough. I'm not ashamed or afraid to come and talk about it.

When African Americans were fighting against slavery and fighting from 1619 to 1865, the passage of the 13th Amendment, the legal argument that was used to justify—to justify—why slavery needed to continue was the 10th Amendment. States' rights.

Virginia said, You don't have a right, Federal Government, to come here and tell us what to do. Georgia said, you don't have a right, Federal Government, to come here and free slaves. You don't have a right, Federal Government, to come into Alabama and tell us what to do. You don't have a right, Federal Government, to come to North Carolina and tell us what to do.

□ 1850

And here we are in 2011 with an element of the Congress of the United States and a tea party outside of the Congress of the United States telling us: Federal Government, you don't have a right to come into our State and give somebody health care. You don't have a right to come into our State and end the foreclosure crisis. You don't have a right to come into our State and provide a higher quality of life for all Americans.

Oh, yes, but you do have a right to give some people a tax break. You do have a right to help these corporations. You do have a right to bail out Wall Street, but you don't have a right to bail out the individual.

So I think, Mr. RICHMOND, that we have a unique perspective around the 10th Amendment that we need to bring into this debate. I'm hoping the Black Caucus joins us in that conversation.

But let me ask you, Mr. RICHMOND. In Louisiana, if offered an opportunity by this government to receive more resources to fix schools, to fix levees, to build infrastructure, would your State send the money back?

Mr. RICHMOND. Absolutely not. Not only would my State take it, but there's a new report out by a conservative group that shows that Louisiana receives more aid than every other State except one and for the first time our State budget has more Federal dollars in it than State dollars.

So I want to be clear about what you hear about States' rights. And this is not just in Louisiana. Right now 27 States have more Federal money in their budgets than they do their own State dollars. So they're not turning down State assistance when it comes to providing those things.

And I just want to tell you that it's so convenient, and the 10th Amendment couldn't address everything, and the Constitution could not address everything at the time, and we can't pretend that it did. What we have the responsibility to do, as Members of this Congress, is to make sure we apply common sense to what the Founders were doing.

You see no mention of the Internet in the Constitution. That's our road to now deal with it. So now that we talk about a complex program to give every American the basic right to health care, you are not going to see that in the Constitution. But what you see in the Constitution and what the overriding theme is, is a more perfect Union. And this government has the responsibility to do that.

So when we start talking about energy assistance to our seniors who can't afford it, you will not see those things in the Constitution. But when you apply common sense, which is what we were elected to do, to a living, breathing document, it would follow that we have not only the right but we have the responsibility and the obligation to do those things for the States.

Mr. JACKSON of Illinois. Mr. RICHMOND, I understand that my time is about to expire.

But our men and women who are fighting in Afghanistan and fighting in Iraq, they're fighting to defend that flag. They're fighting to build a more perfect Union. It's shameful that Members of this Congress aren't fighting for that flag, aren't fighting for a more perfect Union, aren't fighting to expand opportunities for our men and women when they return from Afghanistan and Iraq.

There is nothing more tragic in this current hour, Mr. Speaker, than the idea that our men and women could come home to unemployment, could come home without health care, could come home to homes that are in foreclosure, Mr. Speaker. The 112th Congress needs to do something about that.

I thank the gentleman from Louisiana for participating in this Special Order.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. FRELINGHUYSEN (at the request of Mr. CANTOR) for today and the balance of the week on account of surgery.

BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House reports that on April 6, 2011 she presented to the President of the United States, for his approval, the following bill.

H.R. 4. To repeal the expansion of information reporting requirements for payments of $600 or more to corporations, and for other purposes.

ADJOURNMENT

Mr. JACKSON of Illinois. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 54 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, April 8, 2011, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1106. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Removal of the List of Ports of Embarkation and Export Inspection Facilities From the Regulations [Docket No.: APHIS-2009-0078] (RIN: 0579-AD25) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1107. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Dichlormid; Pesticide Tolerances [EPA-HQ-OPP-2005-0477; FRL-8866-2] received March 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1108. A letter from the Deputy Secretary, Department of Defense, transmitting the Department's annual Developing Countries Combined Exercise Program report of expenditures for Fiscal Year 2010, pursuant to 10 U.S.C. 2010; to the Committee on Armed Services.

1109. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Repeal of Restriction on Ballistic Missile Defense Research, Development, Test, and Evaluation (DFARS Case 2011-D026) (RIN: 0750-AH18) received March 17, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1110. A letter from the Acting Under Secretary, Department of Defense, transmitting the Department's March 2011 Semi-Annual Report providing the progress toward destruction of the U.S. stockpile of lethal chemical agents and munitions by the Chemical Weapons Convention (CWC) deadline of April 29, 2012, but not later than December 31, 2017; to the Committee on Armed Services.

1111. A letter from the Chairman, Federal Financial Institutions Examination Council, transmitting the Council's Annual Report for 2010; to the Committee on Financial Services.

1112. A letter from the Deputy to the Chairman, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Assessments, Large Bank Pricing (RIN: 3064-A D66) received March 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1113. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Designation of Areas for Air Quality Planning Purposes; State of California; PM-10; Technical Amendment [EPA-R09-OAR-2008-0306; FRL-9284-3] received March 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1114. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Final Regulation Extending the Reporting Deadline for Year 2010 Data Elements Required Under the Mandatory Reporting of Greenhouse Gases Rule [EPA-HQ-OAR-2011-0191 FRL-9283-7] (RIN: 2060-AQ87) received March 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1115. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Nebraska: Prevention of Significant Deterioration; Greenhouse Gas Permitting Authority and Tailoring Rule Revision [EPA-R07-OAR-2010-0945; FRL-9281-6] received March 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1116. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Delegation of National Emission Standards for Hazardous Air Pollutants for Source Categories; State of Arizona, Maricopa County Air Quality Department; State of California, Santa Barbara County Air Pollution Control District [EPA-R09-OAR-2011-0213; FRL-9283-4] received March 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1117. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; New Hampshire; Determination of Attainment of the 1997 Ozone Standard [EPA-R01-OAR-2010-0934; A-1-FRL-9281-5] received March 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1118. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Adoption of the Revised Lead Standards and Related Reference Conditions and Update of Appendices; Withdrawal of Direct Final Rule [EPA-R03-2010-0882; FRL-9281-4] received March 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1119. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Amendments to the Protocol Gas Verification Program and Minimum Competency Requirements for Air Emission Testing [EPA-HQ-OAR-2009-0837; FRL-9280-9] (RIN: 2060-AQ06) received March 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1120. A letter from the Director, Office of National Drug Control Policy, transmitting reports on the National Youth Anti-Drug Media Campaign for Fiscal Year 2010, pursuant to Public Law 109-469, section 203 and 501; to the Committee on Energy and Commerce.

1121. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-019, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1122. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting Transmittal No. 11-08, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

1123. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the twelfth report on the International Atomic Energy Agency (IAEA) Activities in countries described in Section 307(a) of the Foreign Assistance Act, pursuant to 22 U.S.C. 2227(a); to the Committee on Foreign Affairs.

1124. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-142, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1125. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-107, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1126. A letter from the Senior Counsel for Regulatory Affairs, Department of the Treasury, transmitting the Department's final rule — Garnishment of Accounts Containing Federal Benefit Payments (RIN: 1505-AC20) received March 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1127. A letter from the Secretary of the Commission, Federal Trade Commission, transmitting the Commission's annual report for FY 2010 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Oversight and Government Reform.

1128. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Additional Requirements for Market Research [FAC 2005-50; FAR Case 2008-007; Item IV; Docket 2010-0086, Sequence 1] (RIN: 9000-AL50) received March 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1129. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Socioeconomic Program Parity [FAC 2005-50; FAR Case 2011-004; Item V; Docket 2011-0004, Sequence 1] (RIN: 9000-AL88) received March 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1130. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Justification and Approval of Sole-Source 8(a) Contracts [FAC 2005-50; FAR Case 2009-038; Item III; Docket 2010-0095, Sequence 1] (RIN: 9000-AL55) received March 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1131. A letter from the Senior Procurement Executive/Deputy Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Requirements for Acquisitions Pursuant to Multiple-Award Contracts [FAC 2005-50; FAR Case 2007-012; Item II; Docket 2011-0081, Sequence 01] (RIN: 9000-AL93) received March 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1132. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Proper Use and Management of Cost-Reimbursement Contracts [FAC 2005-50; FAR Case 2008-030; Item I; Docket 2011-0082, Sequence 1] (RIN: 9000-AL78) received March 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1133. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-50; Introduction [Docket FAR 2011-0076, Sequence 2] received March 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1134. A letter from the Associate Administrator for Legislative and Intergovernmental Affairs, National Aeronautics and Space Administration, transmitting the Administration's annual report for FY 2010 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Oversight and Government Reform.

1135. A letter from the Executive Vice President, Postal Service, transmitting the Service's annual report for fiscal year 2010, in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

1136. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Potential Unexploded Ordinance, Pier 91, Seattle, WA [Docket No.: USCG-2010-1098] (RIN: 1625-AA00) received March 18, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1137. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Area; Reporting Requirements for Barges Loaded With Certain Dangerous Cargoes, Illinois Waterway System located within the Ninth Coast Guard District; Stay (Suspension) [USCG-2011-0003] (RIN: 1625-AA11) received March 18, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1138. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone, Michoud Slip Position 30 degrees 0' 34.2'' N, 89 degrees 55' 40.7'' W to Position 30 degrees 0' 29.5'' N, 89 degrees 55' 52.6'' W [Docket No.: USCG-2010-1087] (RIN: 1625-AA87) received March 18, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1139. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; On the Waters in Kailua Bay, Oahu, HI [Docket No.: USCG-2010-1111] (RIN: 1625-AA87) received March 18, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1140. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; New Year's Celebration for the City of San Francisco, Fireworks Display, San Francisco, CA [Docket No.: USCG-2010-1108] (RIN: 1625-AA00) received March 18, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1141. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone: Fleet Industrial Supply Center Pier, San Diego, CA [Docket No.: USCG-2010-043] (RIN: 1625-AA87) received March 18, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1142. A letter from the Secretary, Department of Transportation, transmitting the Department's report on the Tribal-State Road Maintenance Agreements, pursuant to Public Law 109-59, section 1119(k); to the Committee on Transportation and Infrastructure.

1143. A letter from the Secretary, Department of Transportation, transmitting the 2010 Annual Report on the Regulatory Status of Each Recommendation on the NTSB Most Wanted List; to the Committee on Transportation and Infrastructure.

1144. A letter from the Director, Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Paralympics Monthly Assistance Allowance (RIN: 2900-AN43) received March 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

1145. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Medicare and Medicaid Programs; Civil Money Penalties for Nursing Homes [CMS-2435-F] received March 18, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

1146. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled, ''Finalizing Medicare Regulations under Section 902 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (MMA) for Calendar Year 2010''; jointly to the Committees on Energy and Commerce and Ways and Means.

1147. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Medicaid Program; State Allotments for Payment of Medicare Part B Premiums for Qualifying Individuals: Federal Fiscal Year 2010 and Federal Fiscal Year 2011 [CMS-2318-N] (RIN: 0938-AQ42) received March 18, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII the following action was taken by the Speaker:

The Committees on Energy and Commerce and Ways and Means discharged from further consideration. H.R. 3 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CONYERS (for himself, Mr. PAUL, and Mr. MILLER of Florida):

H.R. 1409. A bill to ensure and foster continued patient safety and quality of care by clarifying the application of the antitrust laws to negotiations between groups of health care professionals and health plans and health care insurance issuers; to the Committee on the Judiciary.

By Mr. SMITH of New Jersey (for himself, Mr. WOLF, Ms. ZOE LOFGREN of California, Ms. LORETTA SANCHEZ of California, and Mr. ROYCE):

H.R. 1410. A bill to promote freedom and democracy in Vietnam; to the Committee on Foreign Affairs.

By Mr. BILIRAKIS:

H.R. 1411. A bill to amend the Homeland Security Act of 2002 to ensure continuation of the Metropolitan Medical Response System Program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TERRY (for himself, Mr. JONES, Mr. LATTA, Mrs. MYRICK, Mr. COLE, Mr. GALLEGLY, Mr. BARTLETT, Mr. AKIN, Mr. GRAVES of Missouri, and Mr. AUSTIN SCOTT of Georgia):

H.R. 1412. A bill to amend the Clean Air Act to provide for a reduction in the number of boutique fuels, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DEFAZIO (for himself, Mr. BLUMENAUER, Mr. WU, and Mr. SCHRADER):

H.R. 1413. A bill to provide for the designation of the Devil's Staircase Wilderness Area in the State of Oregon, to designate segments of Wasson and Franklin Creeks in the State of Oregon as wild or recreation rivers, and for other purposes; to the Committee on Natural Resources.

By Mr. DEFAZIO (for himself, Mr. BLUMENAUER, Mr. WU, and Mr. SCHRADER):

H.R. 1414. A bill to modify the boundary of the Oregon Caves National Monument, and for other purposes; to the Committee on Natural Resources.

By Mr. DEFAZIO (for himself, Mr. BLUMENAUER, and Mr. WU):

H.R. 1415. A bill to amend the Wild and Scenic Rivers Act to make technical corrections to the segment designations for the Chetco River, Oregon; to the Committee on Natural Resources.

By Mr. PAULSEN (for himself, Mr. DEFAZIO, Mr. POE of Texas, Mr. BLUMENAUER, and Mr. HONDA):

H.R. 1416. A bill to amend the Internal Revenue Code of 1986 to allow an offset against income tax refunds to pay for restitution and other State judicial debts that are past-due; to the Committee on Ways and Means.

By Mr. FILNER (for himself, Mr. JONES, Mr. ROTHMAN of New Jersey, Mr. CRITZ, Mr. ANDREWS, Mr. FRANK of Massachusetts, Mr. GEORGE MILLER of California, Mr. BARTLETT, Mr. JOHNSON of Georgia, and Mr. KUCINICH):

H.R. 1417. A bill to amend title 10, United States Code, to require the Secretary of Defense to use only human-based methods for training members of the Armed Forces in the treatment of severe combat injuries; to the Committee on Armed Services.

By Mr. ROYCE (for himself, Mrs. MCCARTHY of New York, Mr. JOHNSON of Georgia, Mr. PETERS, and Mr. CARNAHAN):

H.R. 1418. A bill to amend the Federal Credit Union Act to provide certain credit unions with the authority to make additional member business loans, and for other purposes; to the Committee on Financial Services.

By Mr. SCOTT of Virginia (for himself, Mr. HINOJOSA, Mr. JACKSON of Illinois, Mr. GRIJALVA, Mr. PAYNE, Mr. DAVIS of Illinois, Ms. MOORE, and Mr. CLARKE of Michigan):

H.R. 1419. A bill to improve the calculation of, the reporting of, and the accountability for, secondary school graduation rates; to the Committee on Education and the Workforce.

By Mr. JACKSON of Illinois (for himself and Ms. MOORE):

H.R. 1420. A bill to establish a commission to commemorate the sesquicentennial of the American Civil War; to the Committee on Oversight and Government Reform.

By Mr. BOREN (for himself and Mr. COLE):

H.R. 1421. A bill to amend the Water Resources Development Act of 1986 to clarify the role of the Cherokee Nation of Oklahoma with regard to the maintenance of the W.D. Mayo Lock and Dam in Oklahoma; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Natural Resources, 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. BOSWELL (for himself, Mr. BUTTERFIELD, Mr. LOEBSACK, Mr. KING of Iowa, Mr. LATHAM, and Mr. BRALEY of Iowa):

H.R. 1422. A bill to amend the Farm Security and Rural Investment Act of 2002 to extend the suspension of the limitation on the period for which certain borrowers are eligible for guaranteed assistance; to the Committee on Agriculture.

By Mr. COLE (for himself, Mr. BOREN, Mr. SULLIVAN, Mr. LUCAS, and Mr. LANKFORD):

H.R. 1423. A bill to designate the facility of the United States Postal Service located at 115 4th Avenue Southwest in Ardmore, Oklahoma, as the ''Specialist Micheal E. Phillips Post Office''; to the Committee on Oversight and Government Reform.

By Mr. CONNOLLY of Virginia:

H.R. 1424. A bill to improve the Federal Acquisition Institute; to the Committee on Oversight and Government Reform.

By Mrs. ELLMERS (for herself, Mr. ALTMIRE, Mr. QUAYLE, Mr. WU, Mr. HALL, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. GRAVES of Missouri, and Mr. RICHMOND):

H.R. 1425. A bill to reauthorize and improve the SBIR and STTR programs, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committees on Small Business, and Armed Services, 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 Mrs. EMERSON (for herself and Mr. ROSS of Arkansas):

H.R. 1426. A bill to amend the Public Health Service Act to provide for the participation of physical therapists in the National Health Service Corps Loan Repayment Program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HARPER (for himself, Mr. MATHESON, Mr. JONES, Mr. MCKINLEY, Mr. NUNNELEE, Mr. PETERSON, Mr. FILNER, Mr. BLUMENAUER, and Mr. PALAZZO):

H.R. 1427. A bill to amend the Safe Drinking Water Act to reauthorize technical assistance to small public water systems, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HIGGINS (for himself, Ms. TSONGAS, Mr. LEWIS of Georgia, Mr. FILNER, Mr. TONKO, Mr. COHEN, and Ms. MOORE):

H.R. 1428. A bill to amend the Internal Revenue Code of 1986 to extend the Renewal Community program through end of 2012; to the Committee on Ways and Means.

By Mr. MORAN (for himself, Mr. WOLF, and Mr. CONNOLLY of Virginia):

H.R. 1429. A bill to provide for the compensation of furloughed Federal employees; to the Committee on Oversight and Government Reform.

By Mr. NUNES (for himself, Mr. CHAFFETZ, and Mr. PAUL):

H.R. 1430. A bill to require regulated lending institutions, Federal agency lenders, and Government-sponsored enterprises for housing to accept flood insurance coverage provided by a private entity that otherwise meets the requirements for the mandatory purchase of flood insurance to accept such flood insurance coverage as satisfaction of such requirements; to the Committee on Financial Services.

By Mr. PEARCE:

H.R. 1431. A bill to authorize the Secretary of Transportation to grant releases to terms and conditions contained in a deed under which the United States conveyed certain land to Dona Ana County, New Mexico, for airport purposes; to the Committee on Transportation and Infrastructure.

By Mr. SCHWEIKERT (for himself and Mr. PAUL):

H.R. 1432. A bill to require formal rulemaking procedures for rules related to health care reform; to the Committee on the Judiciary.

By Mr. SENSENBRENNER (for himself, Ms. WATERS, Mr. JONES, Mrs. BONO MACK, Mr. DUNCAN of Tennessee, Mr. GRIMM, Mr. WESTMORELAND, Mr. SIMPSON, Mr. SMITH of Texas, Mr. BROUN of Georgia, Mr. THOMPSON of Pennsylvania, Mr. ROSS of Florida, Mr. GOWDY, Mr. GRIFFIN of Arkansas, Mr. FRANKS of Arizona, Mr. COBLE, Mr. GOODLATTE, and Mr. LONG):

H.R. 1433. A bill to protect private property rights; to the Committee on the Judiciary.

By Mr. SHULER:

H.R. 1434. A bill to render inadmissible to the United States aliens who have been convicted of a sex offense against a minor, and for other purposes; to the Committee on the Judiciary.

By Mr. SMITH of New Jersey:

H.R. 1435. A bill to amend chapter 141 of title 10, United States Code, to include disclosures made by Department of Defense contract employees to their immediate employers in the provisions providing protections against reprisals for certain disclosures; to the Committee on Armed Services.

By Mr. SMITH of New Jersey:

H.R. 1436. A bill to amend the Atomic Energy Act of 1954 to require a nuclear power facility licensee to notify the Nuclear Regulatory Commission and the State and county in which the facility is located within 24 hours of an unplanned release of radionuclides in excess of allowable limits, and for other purposes; to the Committee on Energy and Commerce.

By Mr. THOMPSON of Pennsylvania:

H.R. 1437. A bill to amend the Harmonized Tariff Schedule of the United States to make a technical correction relating to stainless steel single-piece exhaust gas manifolds; to the Committee on Ways and Means.

By Mr. DEFAZIO (for himself and Mr. JONES):

H.J. Res. 55. A joint resolution to amend the War Powers Resolution; to the Committee on Foreign Affairs, and in addition to the Committee on Rules, 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. WALSH of Illinois (for himself, Mr. BUCHANAN, Mr. HUELSKAMP, Mr. BISHOP of Utah, Mr. CHAFFETZ, Mr. STUTZMAN, Mrs. HARTZLER, Mr. MARINO, Mr. REHBERG, Mrs. MCMORRIS RODGERS, Mr. BROOKS, Mr. FRANKS of Arizona, Mr. LANCE, Mr. HELLER, Mr. LABRADOR, and Mr. MARCHANT):

H.J. Res. 56. A joint resolution proposing an amendment to the Constitution of the United States relative to balancing the budget; to the Committee on the Judiciary.

By Mr. COLE (for himself, Mr. KLINE, Mr. TERRY, and Mr. MCCLINTOCK):

H. Res. 208. A resolution directing the Secretary of Defense to transmit to the House of Representatives copies of any document, record, memo, correspondence, or other communication of the Department of Defense, or any portion of such communication, that refers or relates to any consultation with Congress regarding Operation Odyssey Dawn or military actions in or against Libya; to the Committee on Armed Services.

By Mr. COLE (for himself, Mr. KLINE, Mr. TERRY, and Mr. MCCLINTOCK):

H. Res. 209. A resolution directing the Secretary of State to transmit to the House of Representatives copies of any document, record, memo, correspondence, or other communication of the Department of State, or any portion of such communication, that refers or relates to any consultation with Congress regarding Operation Odyssey Dawn or military actions in or against Libya; to the Committee on Foreign Affairs.

By Ms. DELAURO (for herself, Mr. PRICE of North Carolina, Mr. FALEOMAVAEGA, Mr. HASTINGS of Florida, Mr. STARK, Mr. CLARKE of Michigan, and Mr. FILNER):

H. Res. 210. A resolution supporting the goals and ideals of Global Youth Service Day; to the Committee on Education and the Workforce.

By Mr. GOHMERT (for himself, Mr. HUIZENGA of Michigan, Mr. GINGREY of Georgia, Mr. BROOKS, Mrs. SCHMIDT, Mr. SOUTHERLAND, Mr. GOSAR, Mr. PENCE, Mr. HERGER, Mr. LAMBORN, Mr. WEBSTER, Mr. WALBERG, Mrs. HARTZLER, Mr. STUTZMAN, Mr. BARTLETT, Mr. BISHOP of Utah, Mr. GIBBS, Mr. DANIEL E. LUNGREN of California, Mr. WILSON of South Carolina, Mr. JONES, Mr. BROUN of Georgia, and Mr. NEUGEBAUER):

H. Res. 211. A resolution expressing support for designation of the first weekend of May as Ten Commandments Weekend to recognize the significant contributions the Ten Commandments have made in shaping the principles, institutions, and national character of the United States; to the Committee on Oversight and Government Reform.

By Mr. JOHNSON of Illinois:

H. Res. 212. A resolution expressing the sense of the House of Representatives that the United States should not intervene in the civil war in the Ivory Coast; to the Committee on Foreign Affairs.

By Ms. KAPTUR (for herself, Mr. LIPINSKI, Mr. SMITH of New Jersey, and Mr. TONKO):

H. Res. 213. A resolution honoring the memory of Poland's President, national leaders, and cultural leaders who were killed in the tragic plane crash at Smolensk, Russia on April 10, 2010; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. RANGEL introduced a bill (H.R. 1438) for the relief of Kadiatou Diallo, Sankerala Diallo, Ibrahima Diallo, Abdoul Diallo, Mamadou Bobo Diallo, and Mamadou Pathe Diallo; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. CONYERS:

H.R. 1409.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Mr. SMITH of New Jersey:

H.R. 1410.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. BILIRAKIS:

H.R. 1411.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8, Clause 1 of the Constitution of the United States, which grants Congress the power to provide for the common Defense of the United States, and Article I, Section 8, Clause 18 of the Constitution of the United States, which provides Congress the power to make ''all Laws which shall be necessary and proper'' for carrying out the constitutional powers vested in the Government of the United States.

By Mr. TERRY:

H.R. 1412.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States

By Mr. DEFAZIO:

H.R. 1413.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. DEFAZIO:

H.R. 1414.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. DEFAZIO:

H.R. 1415.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in

Congress), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. PAULSEN:

H.R. 1416.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8.

By Mr. FILNER:

H.R. 1417.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution (clauses 1, 14, and 18), which grants Congress the power to provide for the general welfare of the United States; to make Rules for the Government and Regulation of the land and naval Forces; and to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers.

By Mr. ROYCE:

H.R. 1418.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 and Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. SCOTT of Virginia:

H.R. 1419.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1 of the Constitution.

By Mr. JACKSON of Illinois:

H.R. 1420.

Congress has the power to enact this legislation pursuant to the following:

13th 14th 15th Amendments

By Mr. BOREN:

H.R. 1421.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of section 8 of article I of the Constitution: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. BOSWELL:

H.R. 1422.

Congress has the power to enact this legislation pursuant to the following:

Article 1 of the U.S. Constitution, section 8, clause 18

By Mr. COLE:

H.R. 1423.

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 establish Post Offices and post roads, as enumerated in Article I, Section 8, Clause 7 of the United States Constitution.

By Mr. CONNOLLY of Virginia:

H.R. 1424.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 18

By Mrs. ELLMERS:

H.R. 1425.

Congress has the power to enact this legislation pursuant to the following:

Art. I, §8, cl. 2 (regulating commerce between the several states);

Art. I, §8, cl. 7 (promoting the progress of science and the useful, by for a limited time granting them exclusive rights to their works);

Art I, sec. 8, cl. 11 and 12 (raising army and navies).

By Mrs. EMERSON:

H.R. 1426.

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 regulate commerce among the several States, as enumerated in Article I, Section 8, Clause 3.

By Mr. HARPER:

H.R. 1427.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. HIGGINS:

H.R. 1428.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of this legislation lies in the power of congress to lay and collect taxes, duties, imposts and excises as described in Article 1, Section 8, Clause 1. With further support from the Sixteenth Amendment, which provides Congress the power to lay and collect taxes on incomes, from whatever sources derived.

By Mr. MORAN:

H.R. 1429.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mr. NUNES:

H.R. 1430.

Congress has the power to enact this legislation pursuant to the following:

Clauses 3 and 18 of section 8 of article I of the Constitution of the United States.

By Mr. PEARCE:

H.R. 1431.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 2 of Section 3 of Article IV of the United States Constitution.

By Mr. SCHWEIKERT:

H.R. 1432.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. SENSENBRENNER:

H.R. 1433.

Congress has the power to enact this legislation pursuant to the following:

The authority to enact this bill is derived from, but may not be limited to, Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. SHULER:

H.R. 1434.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 1 gives Congress the authority to ''provide for the common defense and general welfare of the United States.''

By Mr. SMITH of New Jersey:

H.R. 1435.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill is based is Congress's power under 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 and maintain a Navy; to make rules for the government and regulation of the land and naval forces; and to provide for organizing, arming, and disciplining the militia.

By Mr. SMITH of New Jersey:

H.R. 1436.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill is based is Congress's power under Article I, Section 8, Clause 3 of the Constitution.

By Mr. THOMPSON of Pennsylvania:

H.R. 1437.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution, which grants Congress the power ''to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.''

Mr. RANGEL:

H.R. 1438.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the Constitution.

By Mr. DEFAZIO:

H.J. Res. 55.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States

By Mr. WALSH of Illinois:

H.J. Res. 56.

Congress has the power to enact this legislation pursuant to the following:

Article V of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 3: Mr. UPTON, Mr. NUGENT, and Mr. GRAVES of Georgia.

H.R. 5: Mr. MURPHY of Pennsylvania.

H.R. 27: Mr. TIERNEY, Mr. WILSON of South Carolina, Mr. MCGOVERN, Ms. CLARKE of New York, and Ms. FUDGE.

H.R. 100: Mr. BENISHEK.

H.R. 110: Mr. KUCINICH.

H.R. 114: Mr. UPTON, Mr. RIGELL, Mr. YOUNG of Florida, and Mr. SESSIONS.

H.R. 210: Ms. LINDA T. SÁNCHEZ of California, and Ms. SCHAKOWSKY.

H.R. 402: Mr. WATT.

H.R. 412: Mrs. CAPITO and Mr. ROSKAM.

H.R. 420: Mr. ROONEY and Mr. KINZINGER of Illinois.

H.R. 436: Mr. CARTER, Mr. SIMPSON, Mr. DENHAM, Mrs. LUMMIS, Mr. HELLER, and Mr. HARPER.

H.R. 440: Mr. BILIRAKIS.

H.R. 450: Mr. ROGERS of Michigan.

H.R. 495: Mr. NUGENT.

H.R. 516: Mr. MANZULLO.

H.R. 539: Ms. HIRONO.

H.R. 603: Mr. HINCHEY.

H.R. 604: Mr. HINCHEY.

H.R. 640: Ms. SCHAKOWSKY.

H.R. 653: Mr. MILLER of North Carolina.

H.R. 654: Mr. KILDEE, Ms. LEE of California, and Mr. MILLER of North Carolina.

H.R. 672: Mr. FLEMING, Mr. FINCHER, Mr. BENISHEK, Mr. BISHOP of Utah, Mr. BARTLETT, Mr. RIGELL, Mr. CAMPBELL, Mr. HERGER, Mr. BROOKS, Mr. HARRIS, and Mr. THOMPSON of Pennsylvania.

H.R. 733: Mr. WOLF.

H.R. 740: Mr. ROTHMAN of New Jersey, Mr. STIVERS, Mr. BISHOP of Utah, Mr. GRIMM, Mr. BRADY of Texas, Mr. CHAFFETZ, Mr. KEATING, and Mr. SHERMAN.

H.R. 787: Mr. MANZULLO and Mr. POMPEO.

H.R. 819: Ms. HERRERA BEUTLER, Ms. WILSON of Florida, Mr. ISRAEL, and Mr. HOLT.

H.R. 822: Mr. JONES, Mr. ALEXANDER, Mr. SESSIONS, Mr. MACK, Mr. BISHOP of Utah, Mrs. CAPITO, and Mr. ROONEY.

H.R. 831: Mr. MILLER of North Carolina.

H.R. 854: Mr. BERMAN, Ms. CHU, Mr. CUMMINGS, Mr. CRITZ, Mr. DEUTCH, Mr. DICKS, Mr. GENE GREEN of Texas, Mr. ISRAEL, Mr. LARSON of Connecticut, Mr. MCINTYRE, Mr. NADLER, Mr. NEAL, Mr. PASTOR of Arizona, Mr. QUIGLEY,Mr. RANGEL, Mr. REICHERT, Mr. ROTHMAN of New Jersey, Mr. SCHOCK, Mr. VAN HOLLEN, Mr. WU, Ms. HANABUSA, and Mr. ANDREWS.

H.R. 894: Ms. RICHARDSON, Mr. FILNER, Mr. JOHNSON of Georgia, Ms. WOOLSEY, and Ms. SCHAKOWSKY.

H.R. 923: Ms. ROS-LEHTINEN, Mr. SHULER, and Mr. BURTON of Indiana.

H.R. 942: Mrs. MILLER of Michigan and Mr. BLUMENAUER.

H.R. 966: Mr. CANSECO and Mr. GALLEGLY.

H.R. 984: Mr. STUTZMAN and Mr. CRAWFORD.

H.R. 985: Mr. GRIJALVA, Mr. HONDA, and Mr. GEORGE MILLER of California.

H.R. 998: Mr. CLEAVER.

H.R. 1000: Mr. BRADY of Pennsylvania and Ms. LORETTA SANCHEZ of California.

H.R. 1006: Mr. MARINO.

H.R. 1022: Mr. CLEAVER and Mr. BISHOP of Georgia.

H.R. 1057: Ms. NORTON, Mr. BLUMENAUER, Mr. SARBANES, Ms. MATSUI, Mr. FALEOMAVAEGA, Mr. ELLISON, and Mr. BISHOP of Georgia.

H.R. 1058: Mr. BISHOP of Georgia.

H.R. 1091: Mr. KISSELL.

H.R. 1093: Mr. KINZINGER of Illinois, Mr. DREIER, Mr. LATTA, Ms. JENKINS, Mr. ROONEY, Mr. WEST, and Mr. LUJÁN.

H.R. 1154: Mr. COURTNEY, Mrs. ELLMERS, Mrs. HARTZLER, and Mrs. EMERSON.

H.R. 1161: Mr. FARENTHOLD, Mr. PALLONE, Mr. HULTGREN, Mr. SMITH of New Jersey, Mr. PALAZZO, Mr. ROSS of Arkansas, Mr. SCHOCK, and Mr. THORNBERRY.

H.R. 1179: Mr. FORBES and Mr. NEUGEBAUER.

H.R. 1195: Ms. HANABUSA, Ms. SCHAKOWSKY, Mr. ELLISON, Mr. CUELLAR, and Mr. ROGERS of Alabama.

H.R. 1206: Mr. SCHRADER, Mr. FORBES, Mr. GUTHRIE, and Mr. SULLIVAN.

H.R. 1208: Mrs. NAPOLITANO.

H.R. 1219: Mr. ANDREWS and Ms. ZOE LOFGREN of California.

H.R. 1234: Mr. GRIJALVA and Mr. MARKEY.

H.R. 1236: Mr. BOSWELL, Mr. YARMUTH, Mr. AKIN, Mr. REHBERG, and Mr. HASTINGS of Florida.

H.R. 1259: Mr. MARINO.

H.R. 1273: Mr. LUJÁN.

H.R. 1288: Mr. COBLE and Mr. BRADY of Pennsylvania.

H.R. 1291: Mr. SIMPSON.

H.R. 1297: Mr. BUCHANAN, Mr. COBLE, Mr. DUNCAN of Tennessee, Mr. HUIZENGA of Michigan, Mr. LOEBSACK, Mr. MARCHANT, and Mr. SMITH of New Jersey.

H.R. 1299: Mr. GOHMERT and Mrs. MYRICK.

H.R. 1323: Mr. BURTON of Indiana, Mr. PENCE, Mr. ROONEY, and Mr. MANZULLO.

H.R. 1351: Ms. SUTTON, Mr. BRADY of Pennsylvania, Mr. FRANK of Massachusetts, Mr. HOLDEN, Mr. MORAN, Mr. ANDREWS, Ms. RICHARDSON, Mr. HASTINGS of Florida, and Mr. YARMUTH.

H.R. 1357: Mr. LUJÁN.

H.R. 1366: Mr. FORTENBERRY.

H.R. 1380: Mr. SIRES, Mr. KING of New York, Mr. HEINRICH, Mr. RICHMOND, Ms. HANABUSA, Mr. JACKSON of Illinois, Mr. ROTHMAN of New Jersey, Ms. LINDA T. SÁNCHEZ of California, Mr. DEFASIO, Mr. HIGGINS, Mr. CARSON of Indiana, Mr. MILLER of North Carolina, Mr. ELLISON, Ms. BERKLEY, Mr. AL GREEN of Texas, Mr. CALVERT, Mr. RIGELL, Mr. TIPTON, Mr. HOLDEN, Mr. CROWLEY, Mr. ANDREWS, Mr. WEINER, Mr. FATTAH, Mr. BRADY of Pennsylvania, Mr. BACA, Mr. HINOJOSA, Mr. SMITH of Washington, Mr. CARDOZA, Mr. LANGEVIN, Mr. FARR, Mr. HASTINGS of Florida, Mr. GRIJALVA, Mr. GONZALEZ, Mrs. MCCARTHY of New York, Mr. CARNAHAN, Mr. RAHALL, Mrs. MYRICK, Mr. CARTER, Mrs. EMERSON, Mr. OLVER, Mr. MCDERMOTT, Mrs. LOWEY, Mr. YARMUTH, Ms. LEE of California, Mr. SCOTT of Virginia, Mr. FILNER, Mr. DAVIS of Illinois, Mr. HONDA, Mr. LANDRY, Mr. WILSON of South Carolina, Mr. ROONEY, Mr. KLINE, and Mr. THORNBERRY.

H.R. 1397: Mr. REYES.

H.J. Res. 47: Ms. WOOLSEY.

H. Res. 98: Mr. KISSELL, Ms. FOXX, Mrs. ELLMERS, Mr. DESJARLAIS, Mr. DUNCAN of South Carolina, Mr. CARTER, and Mrs. BACHMANN.

H. Res. 134: Mr. WOLF and Mr. BISHOP of Utah.

H. Res. 137: Mr. PLATTS and Mr. MCINTYRE.

United States of America

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PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, FIRST SESSION

Vol. 157 WASHINGTON, THURSDAY, APRIL 7, 2011 No. 50

Senate

(Legislative day of Tuesday, April 5, 2011)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

The PRESIDING OFFICER. Today's opening prayer will be offered by Rev. Dr. Jeffrey W. Carter, senior pastor of Manassas Church of the Brethren in Manassas, VA.

PRAYER

The guest Chaplain offered the following prayer:

Please pray with me.

Gracious God, from whom all blessings do flow, we give thanks for the opportunity of this new day and the power and possibility within it to do what is noble, trustworthy, and true. We pause to center ourselves upon the importance of this present moment, upon our calling.

May Your spirit of wisdom and discernment descend upon this body as they seek to govern with justice and care. Grant them wisdom and courage as they meet the challenges of our time, knowing they are Your stewards of a democracy and servants of a people. May their decisions answer Your eternal call to guard the dignity of each person, to ensure freedom for all people, and to strive tirelessly for the common good, for it is in our living beyond ourselves that we find the greatest meaning and deepest expression of our faith.

Truly, on this day, may Your grace be upon this Senate, our Senators, their staffs, those who work tirelessly in support of this Chamber, as well as their families. And may Your grace be upon our Nation—diverse, gifted, and united in our affirmation of life and liberty, happiness and peace.

For this we pray. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUYE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 7, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mr. UDALL of New Mexico thereupon assumed the chair as Acting President pro tempore.

The ACTING PRESIDENT pro tempore. The Senator from Virginia.

THE GUEST CHAPLAIN

Mr. WEBB. Mr. President, I rise today to speak about today's guest Chaplain, the Reverend Dr. Jeffrey Carter of Manassas Church of the Brethren, located in Manassas, VA. I am pleased to welcome Dr. Carter, his wife Kim, and their three young daughters—Anna, Grace, and Julie—to the U.S. Senate today.

Dr. Carter is a 1992 graduate of Bridgewater College, located in Bridgewater, VA. He received his Master of Divinity from Bethany Theological Seminary in 1998, and his Doctor of Ministry from Princeton Theological Seminary in 2006. In 2003, at the age of 33, he was appointed senior pastor of Manassas Church of the Brethren. Since 2005, he has also served as lead chaplain for the Prince William County, VA, Fire and Rescue Squad. In addition to his duties with his home church, Dr. Carter also serves as the Church of the Brethren's representative to the World Council of Churches, and is a member of the board of directors for the Brethren Housing Corporation.

Manassas Church of the Brethren was established in 1895, and has served the greater Manassas community for the past 116 years. They offer a wide variety of fellowship opportunities and outreach ministries to their large congregation and residents of the Manassas community.

Through the dozens of missions and ministries at Manassas Church of the Brethren, Dr. Carter has made a profound impact on the lives of many members of my constituency. I am certain that he will continue to guide his congregation for many years to come, and I look forward to seeing the direction of Manassas Church of the Brethren under his leadership.

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, following any leader remarks, the Senate will be in morning business, with the first hour equally divided, with the Republicans controlling the first 30 minutes and the majority controlling the second 30 minutes. Senator HOEVEN will be recognized at noon for up to 25 minutes to deliver his maiden speech to the Senate.

We continue to work to complete action on the small business bill. We are

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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hopeful we will be able to vote on a budget by the end of this week. Senators will be notified when votes are scheduled.

Mr. President, for Members of my caucus, the 12:30 luncheon we have every Thursday has been postponed until 3 o'clock today.

BUDGET NEGOTIATIONS

Mr. REID. Mr. President, approximately 1 hour ago, I was at the White House with Speaker BOEHNER. We had made a joint statement to the press during the nighttime there at the White House, and at that time I was cautiously optimistic that we could complete the work on the people's business to fund the government until the end of this fiscal year—October 1. Now we are 38 hours away from this deadline of the government shutting down, so it is clear from the math that in less than 2 days a decision must be made as to whether the government closes or stays open, whether we put the American people first and reach an agreement, or have, as I will explain in a few minutes, issues having nothing to do with government funding cause the government to shut down.

We met last night, the Speaker and I, with the President for quite a long time, 1½ or 2 hours. The meeting was initially one where the President, the Vice President, Speaker BOEHNER, and myself were present to try to work through these issues. We then went into a meeting with our staffs to try to work through these issues. The numbers are basically there. That is where we are. My staff, the President's staff, and the Speaker's staff worked through the night to try to come up with an appropriate way to end this impasse.

I repeat, the numbers are basically there, but I am not nearly as optimistic—and that is an understatement—as I was 11 hours ago. The numbers are extremely close. Our differences are no longer over how much savings we get on government spending. The only thing—the only thing—holding up an agreement is ideology. I am sorry to say that my friend, the Speaker, and the Republican leadership have drawn a line in the sand not dealing with the deficit—which we know we have to deal with and where we have made significant cuts—not with the numbers that would fund the government to the end of this fiscal year. That is not the issue. The issue is ideology, not numbers.

There are a number of issues, but the two main issues holding this matter up are reproductive rights for women and clean air. These matters have no place on the budget bill. This is a bill to keep the government running with dollars, and they want to roll back the Clean Air Act. The bottom line is this: If we are going to sit down at the negotiating table, as we have, and fund the government, it should be based on government funding.

I know there are some rambunctious new Members of the House of Representatives over there, and there are probably some who have been there a long time who are more senior and who believe, as Republicans, this is their time to shine. But they should do that on a legislative matter, not on a spending bill. They can send the stuff, and we will get to it when we can, to show we can get to things. We have done it on this clean air bill and the very difficult issues dealing with 1099—a government issue relating to the health care bill. It was tough, but we did it. We had a bunch of votes yesterday on EPA funding. We can legislate, and we can do that on issues that are difficult. We showed that this week in the Senate. But no one can realistically think we can walk out of a room and suddenly agree on or focus on an issue that has been around for four decades—this issue relating to women's choice. This is a legislative matter. We can't solve in one night a disagreement this country has been having for four decades. There are very definite sides that have been taken.

I served in the House of Representatives with Henry Hyde, where this all got started. Henry Hyde was the man who started, more than anyone else, the public debate on women's choice. He was dug in as to what he felt was right; others disagreed with him. But the Hyde amendment prevailed, and we have been basically working off that for four decades. For 40 years, we have been focused on that issue. We can't solve in one night a disagreement this country has been having for four decades. It is not realistic to shut down the government on a debate dealing with abortion. It is not realistic, and it is not fair to the American people. We haven't solved the issue in 40 years, and we are not going to solve it in the next 38 hours.

Now is the time to be realistic. We should not be distracted by ideology. We have been distracted by ideology. This is a bill that funds the government. It isn't a bill that should deal with changing the Environmental Protection Agency's rules and regulations. That should be done legislatively. We can't now, on a bill that focuses on the spending of this country, suddenly decide there is going to be a big breakthrough on one side or the other on abortion. It can't happen. It won't happen.

Speaking of distractions, the House is now going to pass a short-term stopgap. It is a nonstarter over here. Doing that is a sure way to close the government. There are no more short-term extensions unless it is a clean continuing resolution to allow us a few more days to work on matters relating to funding the government. The President has told the Speaker that, I have told the Speaker that, and Republicans in the Senate have told the Speaker that we can't pass another short-term CR. It is not only bad policy, it is a fantasy. As I said last night, this is a nonstarter in the Senate. The President told the Speaker that last night. He called and talked to him 20 minutes ago, 30 minutes ago, and told him the same thing. I talked to the President at a quarter to 10, and he told me the same thing.

We have moved so far, and we have given everything we can give. The President is absolutely right, we can't keep funding this government one paycheck to the next, one stopgap measure after another. The United States of America, this great country of ours, shouldn't have to live paycheck to paycheck.

I repeat, this debate that is going on today deals with money; it doesn't deal with ideological issues where both sides have drawn a line in the sand. If the House of Representatives wants to send us matters regarding Wall Street reform, we can debate them here. If they want to send us measures dealing with health care, we can debate them here. If they want to send us measures dealing with EPA, we can debate them here, just as we did yesterday. If they want to send us something here on title X, which is reproductive health for women, we can debate that issue. But it should not be on a stopgap funding measure. So if this government shuts down—and it looks as if it is headed in that direction—it is going to be based on my friends in the House of Representatives, the leadership over there, focusing on ideological matters that have nothing to do with the funding of this government. I think that is a sad day.

As a predecessor of my friend the Republican leader said many years ago—the great Henry Clay—''All legislation is founded upon the principle of mutual concession.'' He was known as the ''great compromiser,'' Henry Clay was. He served in this body and served three separate times as Speaker of the House of Representatives. That is what he said. Isn't this the time to do that? Remember the two words that are so important in what Henry Clay said: mutual concession. We have done far more than anyone ever thought we would do, and we have done it because we believe this government should not shut down.

RECOGNITION OF THE MINORITY LEADER

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

CONTINUING RESOLUTION

Mr. MCCONNELL. Mr. President, my good friend mentioned Henry Clay. He would approve very much of the bill the House will be sending over later today. And the abortion provision my good friend refers to is one Democratic leaders have previously supported. It is a measure that has previously appeared in appropriations bills and a measure that has been previously signed by the President. So obviously that is not what this matter is about.

As the majority leader indicated, the talks are continuing. But two positions

have emerged that are very clear. Throughout this debate, Republicans have consistently said that we prefer a bipartisan agreement that keeps the government running and provides critical funding and certainty for our troops. This is exactly what we have been working toward all along, and that is exactly what the bill the House Republicans are expected to pass today will do.

Importantly, this bill will also include a modest reduction in Washington spending—a reduction well within the range that even Democratic leaders have described as reasonable.

In fact, the bill House Republicans will send over to the Senate today is nothing more than a smaller version of the larger bill that Democrats say they want. So let's be specific, very specific.

The Obama administration and the Secretary of Defense have said they need an annual defense bill. The House bill we will get today does that. It passes the Defense appropriations bill. Senate Democrats have said they want the Government to keep running. The House bill we will get today does precisely that. Democratic leaders have identified a number of cuts they believe are reasonable. The spending cuts in the House bill we will get today go no farther than that. Democratic leaders have said they want no controversial policy riders. That is what we just heard our majority leader talking about. But the policy provisions in the bill we will get today are provisions that members of the Democratic leadership have already voted for and that the President himself has previously signed into law. It will be pretty hard to argue that is controversial.

Here is the bottom line: The bill does everything Democrats have previously said they want. It cuts Washington spending by an amount that Democratic leaders believe is reasonable. The policy prescriptions it contains have been previously agreed to by Democratic leaders and signed by this President. Most important, this is the only proposal out there that keeps the government open, the only one that is coming over from the House.

In other words, if a shutdown does occur, our Democratic friends have no one to blame but themselves because they have done nothing whatsoever to prevent it, since they have produced no alternative to the bill the House is sending over today. This is the only proposal currently on the table that will keep the government open.

There are two options at this point. Democrats can either take up and pass this reasonable bill that falls well within the bounds of what their own leadership has defined as acceptable or shut down the government. That is it, that is the choice. So rather than talking about a shutdown, I hope our Democratic friends join us in actually preventing one. There is only one way to do that, by quickly passing the House bill and sending it to the President for his signature before tomorrow night.

COLOMBIA FTA

Mr. MCCONNELL. Mr. President, the President will meet today with Colombia President Juan Manuel Santos. We understand they will announce agreement on a long overdue free-trade agreement with this important trading partner and our best ally in South America. Republicans have been urging the President to act on this and on other critical trade deals for over 2 years.

The U.S. Chamber of Commerce estimates that trade deals with Colombia, Panama, and South Korea can provide up to 380,000 U.S. jobs. We know this deal alone would create tens of thousands of new jobs here in this country. At a time when millions of Americans are out of work and businesses are looking for opportunities to hire, there was no excuse to slow walk these deals.

We hope today's meeting marks a real step forward in concluding this trade agreement with Colombia. We expect this announcement means the President will be submitting all three trade agreements—Korea, Colombia, and Panama—in the very near future. We look forward to working with him to clear them through the Congress.

I yield the floor.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business with Senators permitted to speak therein for up to 10 minutes each, with the first hour equally divided and controlled between the two leaders or their designees, with Republicans controlling the first 30 minutes and the majority controlling the second.

The Senator from Kansas is recognized.

Mr. ROBERTS. Mr. President, it is my understanding I was granted 20 minutes under the leader's time. If that is the case, I would like assurance.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

FINANCIAL SECTOR REGULATION

Mr. ROBERTS. Mr. President, I appreciate the leadership, as best they can, going into greater detail on the mutual effort to avoid a government shutdown. I know all Members are vitally interested in this, as is the American public. I do happen to agree—probably no surprise—with the Republican leader in his description of the situation, especially in regard to our national security, which I think is exceedingly important.

I have asked for this time now to discuss a related subject. Some may think it is not related but I think it is. It is related to a government—or an economic shutdown, if you will, on many businesses throughout the country, that is already occurring. This is something we hear about from time to time from various industries or businesses or occupations—almost everybody up and down Main Street. I would describe it as a shutdown by regulation or almost strangulation by regulation. That is what I wish to talk about for a moment.

I come to the floor to highlight another area where regulation is having a negative effect on business in my State and all across the country. To date, I have spoken about the impact of regulations on health care and on agriculture and on energy. Today I am here to talk about the regulation of our financial sector. I want to emphasize I am talking about the impact of regulation on our community banks, those banks in each of our towns, often home owned and operated.

Our community banks share the common concern I have heard from businesses in all industries all across my State. The volume and pace of regulations that are coming out of Washington are unmanageable and they add to the costs and divert resources that would otherwise be used to grow their businesses or serve their customers or help the economy in its recovery.

As I have noted in previous remarks, I was very encouraged that President Obama signed an Executive order. I credit him for that. He directed the administration to review, to modify, to streamline, expand, or repeal those significant regulatory actions that he called duplicative and unnecessary, overly burdensome, or that which would have had significant impact on Americans. He even, in an offhand remark, said some of these regulations are actually stupid. I agree with the President and I gave him credit for that.

I was originally encouraged by the President's commitment to a new regulatory strategy. But after reviewing the Executive order I was left with some concerns. Here is why. The Executive order states:

> In applying these principles, each agency is directed to use the best available techniques to quantify anticipated present and future benefits and costs as accurately as possible.

Nobody could possibly disagree with that. It is a good statement.

> Where appropriate and permitted by law, each agency may consider (and discuss qualitatively)—

I am not sure if I understand that in very clear language, but at least I have been trying to figure that out, along with a lot of the people who are on the receiving end of regulations. Then this is the part which I defy anybody to comprehend. ''values that are difficult or impossible to quantify, including equity, human dignity, fairness and distributive impacts.''

As the Wall Street Journal captured in their response to the President's editorial, ''these amorphous concepts are

not measurable at all.'' How on Earth do you make such a determination? This language is, in fact, if anybody could understand it, a very large loophole. Coupled with an exception for the independent agencies such as the FDIC and the EPA, and the subagencies and other regulatory agencies, it has the potential to result in no changes at all.

Here you have an Executive order but you also have an Executive order that has a lot of loopholes in it. That is why I have introduced legislation to put teeth into this Executive order. My bill is called the Regulatory Responsibility For Our Economy Act, and it strengthens and codifies the President's order. Like the Executive order, my legislation ensures that the regulators review, modify, streamline, expand, or repeal the regulatory actions that are duplicative, unnecessary, overly burdensome, or would have significant impact on Americans. But it requires that Federal regulations put forth do consider the economic burden on American businesses, ensure stakeholder input during the regulatory process, and promote innovation.

Today, 46 Members of this body have signed on as cosponsors. That is a testament to the concerns that my colleagues are hearing from their constituents about how the unrelenting tide of regulations now coming from Washington is harming their businesses and our economy. It could be described, actually, as another government shutdown, as I have indicated, by strangulation.

Today I want to call attention to the impact of regulations on the financial services sector, in particular the impact on our community banks. I might add, in discussing this before on agriculture, energy, and health care, we talked to the stakeholders involved in Kansas, the people who are actually involved. It is their suggestions I am repeating and that I have tried to encompass in my legislation.

The financial services sector of our economy is already the focus of substantial regulation. I think everybody understands that. We all support commonsense financial regulations. However, it is important that financial regulations do not become undue burdens, especially on our community banks that are the backbone of Main Street and finance the economic growth in our communities. While I appreciate that many of the agencies with responsibility for regulating the industry are independent of the executive branch, I am hopeful that these agencies are receptive to the President's effort.

While the economic crisis focused attention on the financial services industry leading to the passage of the Dodd-Frank bill, our Nation's community banks that are already shouldering an undue regulatory burden will now bear a greater burden when the hundreds of regulations from this law are implemented. Our Nation's community banks are often small businesses. On average a community bank has 37 employees and approximately $154 million in loans and other assets. The majority of banks in Kansas have an average of fewer than 14 employees. However, they currently comply with 1,700 pages of consumer regulations alone. That is incredible. They must also comply with hundreds of additional pages of regulations regarding lending practices and other banking operations.

According to a summary of the Dodd-Frank act by Davis Polk, this legislation mandates that 11 different agencies now create at least 243 more regulations; issue 67 one-time reports or studies and 22 new periodic reports. Many of these new rules are required to be issued in the next year or two, and financial regulatory agencies have the discretion to issue additional rules on top of those and those required under Dodd-Frank.

This is incredible if not unbelievable. Regulators have already issued more than 1,400 pages of regulatory proposals. Up to 5,000 pages of regulations are expected.

Many will be proposed by a new bureaucracy that is created in the Dodd-Frank act, the Bureau of Consumer Financial Protection. Remember that name. The acronym is CFPB, and it will undoubtedly suffocate a lot of businesses. It will have broad authority to monitor, regulate, and direct the activity of banks. These actions will create additional and significant compliance costs that will impact the ability of every bank to serve its community. These actions have real costs to banks.

According to recent testimony before the House Oversight and Investigation Subcommittee, the CBO Director—the Congressional Budget Office Director—Douglas Elmendorf, said the Dodd-Frank act is expected to impose nearly $27 billion in new private sector fees, assessments, and premiums. This amount includes more than $14 billion in new fees on banks. Guess where that money is going to end up in regards to consumer costs. Our community bankers and their customers are worried about the impact of these new requirements. That has to be the understatement of my remarks. They are frustrated, they are angry, they are upset.

Now, while not every regulation will apply to the community banks, they tell me the rapid pace and volume of new regulations being put forth are placing a strain on many banks' compliance capabilities and are adding significantly to their operating costs. Many banks tell me they are reevaluating whether they can afford to offer some products and services such as mortgage lending. Yes, you have that right. If you live in a small community, and you go to your local bank and you would like to get a loan in regards to financing a mortgage, sorry, they may be out of the business.

It is important to understand that banks do not oppose commonsense regulations. They are necessary to ensure that banks are doing their jobs and that consumers receive the proper information and disclosures that are beneficial to them. The problem is that unlike bigger financial institutions, our community banks do not have a large staff of attorneys or compliance officers to help them navigate wave after wave of these new regulations.

By one estimate, for the typical small bank, more than one out of every four dollars—one out of four—of operating expenses is used to pay for the cost of complying with government regulations. With Dodd-Frank we can only expect that cost to go higher.

One community banker tells me they have five compliance officers out of a staff of less than 100 employees. In speaking with compliance officers, they tell me regulations that are being put forth to implement a range of new requirements are being written too quickly, without sufficient specifics and guidance for banks to implement as intended.

They point to regulations that are duplicative or contradictory but which they must comply with, even if the banker or consumer does not view the regulation as having any value or benefit to the consumer—I might add, even if they can understand it.

Such compliance efforts cost time and money and it is vital that Federal regulators consider the total impact of all regulations, not merely each regulation in isolation, and work to reduce unnecessary regulatory burdens on an already heavily regulated industry.

With these concerns in mind, I would like to call attention to several regulations that highlight the impact of an overly burdensome regulatory environment. I encourage regulators to join the President's effort to pursue solutions to regulations that make it difficult for our community banks to serve their customers, support businesses in their communities, and help grow our economy.

The Dodd-Frank act requires the Federal Reserve to issue a rule for debit interchange fees. Basically, interchange fees are swipe fees that a merchant bank pays to a customer's bank when the customer uses their debit card. In December I joined a bipartisan group of Senators in writing to Federal Reserve Board Chairman Ben Bernanke expressing our concerns with the interchange provision and to encourage the Federal Reserve to ensure that our consumer interests are protected in rate standards that are set.

Our letter outlines ''concerns with the consequences of replacing a market-based system for debit card acceptance with a government-controlled system,'' as well as concerns that the provision will make small banks and credit union debit cards more expensive for merchants to accept than those cards issued by larger banks, and it would likely put them at a disadvantage compared to the large banks that issue those other cards.

In addition, the rule does not consider all of the costs incurred by a bank in actually providing the service,

such as all the costs for fraud control and prevention, network processing fees, card production, and issuance costs, and fixed costs, including capital investments. These are all significant costs for many banks and will be one of the factors they will have to look at when considering whether they even continue to offer any debit card service.

During debate on the debit interchange amendment, supporters presented it as a proconsumer provision, maintaining that the reduction in interchange fees would be passed on to the consumer. Yet there is nothing, nothing in this Dodd-Frank act that requires retailers to pass on any savings from debit interchange fees to their customers. On the contrary, the debit interchange rule will likely result in higher bank fees, a loss of reward programs, or banks may ultimately, as I have said, decide not to offer debit cards to their customers. Some steps are already being considered.

Higher fees or limited choices as a result of such government price controls does not benefit any consumer. That is why legislation I am supporting calls for the Federal Reserve and other Federal financial regulators to slow down and fully study this issue, carefully evaluate the 11,000 comments that were received on this proposed rule.

I am particularly concerned about the estimated costs of the debit interchange rule for our community banks, which is not insignificant. Supporters of the interchange rule say our community banks will not be impacted. Well, I beg to differ.

Consider what I am hearing from the community banks in my State of Kansas. One community banker in a town of just 1,000, whose bank began offering debit cards a few years ago, tells me the interchange proposal will cost his bank $19,000 a year. Two other banks that serve multiple rural communities will see increased costs per year of more than $46,000 and $100,000, respectively. Other banks, including banks in my State, estimate the cost to be in the millions. Ultimately, the loss of income for banks will mean less capital available to lend to borrowers.

I also want to mention the concerns I am hearing about the patchwork of mortgage disclosure requirements. Taken together, existing regulations and anticipated regulations as a result of Dodd-Frank may well have the effect of making it more difficult and costly to provide mortgages to qualified borrowers, reduce lending capacity, and may push some lenders to simply stop offering mortgages.

One example is the SAFE Act. It creates a nationwide mortgaging licensing system and registry for mortgage loan originators. This registry is intended for use by regulators to identify mortgage brokers or lenders who seek to work in a State after being banned from working in a different State. That sounds all right. However, each mortgage loan originator will be required to register with a national registry, obtain a unique identification number, and submit fingerprints for the FBI to conduct a criminal background check.

So if you are in the business of trying to be a mortgage loan originator, you are going to get fingerprinted. Our community bankers tell me their cost to meet the new requirements is roughly $1,000 to $2,000 per loan officer. I know that might not seem like a lot of money to Washington regulators, but it is a tidy sum in rural America.

The cost of compliance will take time and money away from the business of lending and may ultimately be passed on to the consumer in the form of higher prices for a mortgage loan. That is what will happen.

Finally, I want to mention the recent guidance on the overdraft payment programs put forth by the FDIC. At some point most of us have had experience with overdraft programs, perhaps when we forgot to balance our checkbook. In the guidance, the FDIC stated:

> The guidance focuses on automated overdraft programs and encourages banks to offer less costly alternatives if, for example, a borrower overdraws his or her account on more than six occasions where a fee is charged in a rolling 12-month period. Additionally, to avoid reputational and other risks, the FDIC expects institutions to institute appropriate daily limits on customer costs and ensure that transactions are not processed in a manner designed to maximize the cost to consumers.

So while banks offer overdraft protection programs now and take other steps to aid customers in avoiding overdrafts, many are concerned that this guidance put forth by the FDIC is overly prescriptive and goes further than amendments on overdrafts put forth by the Federal Reserve.

Further, banks note that the guidance seems to contradict the intent of the President's Executive order that requires agencies to propose or adopt regulations only upon a reasoned determination that its benefits justify its cost, recognizing that some benefits and costs are difficult to quantify. Banks are concerned that the FDIC guidance is based on outdated information and that the impact of the Federal Reserve's rules on overdraft programs should be reviewed before moving forward with additional guidance in this area.

So while the FDIC is not subject to the Executive order, I certainly hope they would adopt the spirit of the order. In addition, when a customer has a pattern of excessive use of automated overdraft programs, the FDIC states that ''(banks) should contact their customers about a more appropriate and lower-cost alternative that better suits their needs.''

I can remember a bank scandal back in the House of Representatives. If only that bank would have had this protection from the FDIC, none of that scandal would have ever happened.

The FDIC recently provided additional clarification on this guidance that provides some flexibility about how banks reach out to customers and permits them to contact customers by mail as well as in person and by telephone. However, the requirement that banks contact customers who incur six overdrafts in a rolling 12-month period remains a broad overreach of the FDIC's authority, putting the burden on the banks rather than the customer who ultimately bears the responsibility for ensuring that they have sufficient funds in their account to cover their transactions.

In fact, one study shows that 77 percent of customers paid no overdraft fees in the previous 12 months. That same study also showed that for those 21 percent of customers who paid an overdraft fee, 69 percent say they were glad the payment was covered.

Another survey found that 94 percent of those surveyed said they would want a transaction to be covered by their banks even if it resulted in an overdraft fee. This guidance seems to be a clear example of where an agency is overreaching, with little evidence of the need for or effectiveness of such additional guidance.

In closing, I thank, again, Obama for taking the step in the right direction to review Federal regulations that place undue burdens or our Nation's economic growth and recovery. I hope financial regulators will join in this effort to examine rules and regulations that pose significant barriers to our small community banks and their ability to serve their customers and contribute to the growth of their communities.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ALEXANDER. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. ALEXANDER. I ask unanimous consent to speak for up to 15 minutes.

The ACTING PRESIDENT pro tempore. The minority time has only 1 minute 30 seconds at this point and then the majority time has 30 minutes.

The Senator from Tennessee may proceed.

THE BUDGET

Mr. ALEXANDER. Mr. President, if another Senator wishes to speak, I will be succinct. I will try to do mine in a less period of time. I thank the Chair for its courtesy.

I wish to speak on two subjects. First, there has been a good deal of discussion in Washington about making sure we continue to operate the government over the weekend and on into next week while we get about the important business of reducing our debt. Our national debt is an urgent problem. Members on both sides of the aisle understand this, and have said this.

We have 64 Senators who have written the President to say we are ready to go to work on reducing the debt on the whole budget. We have a proposal from Congressman RYAN. We have a proposal from the Bowles commission. We are ready to go to work. The House of Representatives has made a proposal to, for the time being, continue the government while we work on that, and that is eminently reasonable.

I ask unanimous consent to have printed in the RECORD a Wall Street Journal op-ed from April 4 by Gary Becker, George Shultz, and John Taylor that points out that the numbers in the House of Representatives proposal would have the Federal Government spend for the rest of the year basically what we spent in 2008, plus an allowance for inflation. There is no reason, the authors say, why government agencies, from Treasury and Commerce to the executive office of the President, cannot get by with the same amount of funding they spent in 2008 plus increases for inflation. This would be a reasonable first step as we get to the larger issue of how we reduce the debt over a longer period.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Apr. 4, 2011]

TIME FOR A BUDGET GAME-CHANGER

Assurance that current tax levels will remain in place would provide an immediate stimulus.

House Republican budget planners are on the right track.

(By Gary S. Becker, George P. Shultz and John B. Taylor)

Wanted: A strategy for economic growth, full employment, and deficit reduction—all without inflation. Experience shows how to get there. Credible actions that reduce the rapid growth of federal spending and debt will raise economic growth and lower the unemployment rate. Higher private investment, not more government purchases, is the surest way to increase prosperity.

When private investment is high, unemployment is low. In 2006, investment—business fixed investment plus residential investment—as a share of GDP was high, at 17%, and unemployment was low, at 5%. By 2010 private investment as a share of GDP was down to 12%, and unemployment was up to more than 9%. In the year 2000, investment as a share of GDP was 17% while unemployment averaged around 4%. This is a regular pattern.

In contrast, higher government spending is not associated with lower unemployment. For example, when government purchases of goods and services came down as a share of GDP in the 1990s, unemployment didn't rise. In fact it fell, and the higher level of government purchases as a share of GDP since 2000 has clearly not been associated with lower unemployment.

To the extent that government spending crowds out job-creating private investment, it can actually worsen unemployment. Indeed, extensive government efforts to stimulate the economy and reduce joblessness by spending more have failed to reduce joblessness.

Above all, the federal government needs a credible and transparent budget strategy. It's time for a game-changer—a budget action that will stop the recent discretionary spending binge before it gets entrenched in government agencies.

Second, we need to lay out a path for total federal government spending growth for next year and later years that will gradually bring spending into balance with the amount of tax revenues generated in later years by the current tax system. Assurance that the current tax system will remain in place—pending genuine reform in corporate and personal income taxes—will be an immediate stimulus.

All this must be accompanied by an accurate and simple explanation of how the strategy will increase economic growth, an explanation that will counteract scare stories and also allow people outside of government to start making plans, including business plans, to invest and hire. In this respect the budget strategy should be seen in the context of a larger pro-growth, pro-employment government reform strategy.

We can see such a sensible budget strategy starting to emerge. The first step of the strategy is largely being addressed by the House budget plan for 2011, or H.R. 1. Though voted down in its entirety by the Senate, it is now being split up into ''continuing'' resolutions that add up to the same spending levels.

To see how H.R. 1 works, note that discretionary appropriations other than for defense and homeland security were $460.1 billion in 2010, a sharp 22% increase over the $378.4 billion a mere three years ago. H.R. 1 reverses this bulge by bringing these appropriations to $394.5 billion, which is 4% higher than in 2008. Spending growth is greatly reduced under H.R. 1, but it is still enough to cover inflation over those three years.

There is no reason why government agencies—from Treasury and Commerce to the Executive Office of the President—cannot get by with the same amount of funding they had in 2008 plus increases for inflation. Anything less than H.R. 1 would not represent a credible first step. Changes in budget authority convert to government outlays slowly. According to the Congressional Budget Office, outlays will only be $19 billion less in 2011 with H.R. 1, meaning it would take spending to 24% of GDP in 2011 from 24.1% today.

If H.R. 1 is the first step of the strategy, then the second step could come in the form of the budget resolution for 2012 also coming out of the House. We do not know what this will look like, but it is likely to entail a gradual reduction in spending as a share of GDP that would, in a reasonable number of years, lead to a balanced budget without tax rate increases.

To make the path credible, the budget resolution should include instructions to the appropriations subcommittees elaborating changes in government programs that will make the spending goals a reality. These instructions must include a requirement for reforms of the Social Security and health-care systems.

Health-care reform is particularly difficult politically, although absolutely necessary to get long-term government spending under control. This is not the place to go into various ways to make the health-care delivery system cheaper and at the same time much more effective in promoting health. However, it is absolutely essential to make wholesale changes in ObamaCare, and many of its approaches to health reform.

The nearby chart shows an example of a path that brings total federal outlays relative to GDP back to the level of 2007—19.5%. One line shows outlays as a share of GDP under the CBO baseline released on March 18. The other shows the spending path starting with H.R. 1 in 2011. With H.R. 1 federal outlays grow at 2.7% per year from 2010 to 2021 in nominal terms, while nominal GDP is expected to grow by 4.6% per year.

Faster GDP growth will bring a balanced budget more quickly by increasing the growth of tax revenues. Critics will argue that such a budget plan will decrease economic growth and job creation. Some, such as economists at Goldman Sachs and Moody's, have already said that H.R. 1 will lower economic growth by as much as 2% this quarter and the next and cost hundreds of thousands of jobs. But this is highly implausible given the small size of the change in outlays in 2011 under H.R. 1, as shown in the chart. The change in spending is not abrupt, as they claim, but quite gradual.

Those who predict that a gradual and credible plan to lower spending growth will reduce job creation disregard the private investment benefits that come from reducing the threats of higher taxes, higher interest rates and a fiscal crisis. This is the same thinking used to claim that the stimulus package worked. These economic models failed in the 1970s, failed in 2008, and they are still failing.

Control of federal spending and a strategy for ending the deficit will provide assurance that tax rates will not rise—pending tax reform—and that uncontrolled deficits will not recur. This assurance must be the foundation of strategy for a healthy economy.

PRIVATE SECTOR JOB CREATION

Mr. ALEXANDER. Mr. President, last month marked the 1-year anniversary of President Obama signing the health care bill into law. I believe it was an historic mistake. We have talked about the health care law in a variety of ways. One thing we have said is that at a time when our country needs to make it easier and cheaper to create private sector jobs, the health care law makes it harder and more expensive to do so. Someone might ask: How could that happen? This morning I wish to mention a few examples of how it actually is happening, how the health care law actually is making it harder and more expensive to create private sector jobs.

Last September I met with about 35 chief executive officers of chain restaurant companies. According to the Bureau of Labor Statistics, the retail and hospitality industries are the largest employers in the United States, second only to the U.S. Government. Food services and drinking places provide roughly 10 million jobs. Most of these are first-time job seekers and low-income employees—the young and the poor companies that provide a huge number of jobs to low-income Americans.

One of the chief executive officers I met with said his company had been operating with 90 employees on the average, and as a result of the health care law, their goal was to operate with 70 employees. That is fewer jobs. There were many other examples of that around the room.

Many of the attendees are on the National Council of Chain Restaurants. They have significant concerns about the law, and they provided me with specific examples.

One restaurant chain based in Tennessee with worries about the law is a

company called Ruby Tuesday. Ruby Tuesday has 24,000 full-time employees and 16,000 part-time employees.

According to Ruby Tuesday, the employer mandate will cost them roughly $47.5 million—$2000 penalty/per employee/minus the first 30 employees—yet their annual net income last year was just over $45 million. In other words, the cost of the health care law to them equals the entire profits of this multibillion dollar company. Ruby Tuesday says as a result, it will have to reduce its workforce by 18 percent in order to hold their profits even. The company will increase the hours for their full-time employees and reduce their overall workforce in order to reduce the number of people for which coverage would be required.

The problem we are talking about is that the new law requires employers who don't provide acceptable coverage to pay a ''fair share'' penalty of $2,000 per full-time employee. A full-time employee is defined as someone who works 30 hours a week instead of 40. We can see that a company such as Ruby Tuesday, with that many employees, would have a big cost, $47.5 million, which equaled its entire profits for the year.

Another restaurant chain, White Castle, is also concerned. It said that according to their internal estimates, the health care law's provision imposing penalties for employer-sponsored health plans, whose costs to the employee exceeds 9.5 percent of that employee's household income, would be particularly punishing. In its present form this provision alone would lead to an approximate increased cost of over 55 percent of what White Castle currently earns in net income. This devastating impact would cut future expansion and job creation by at least half. The impact would be predominantly felt in low-income areas where jobs are most needed.

A representative of the National Retail Federation testified in February about another large chain quick service restaurant—QSR—and its potential job loss. This company preferred to remain anonymous, but the chain estimates that the incremental cost to comply with the new law is $10 to $15,000 annually per affected restaurant which across the entire system could be $50 to $75 million in incremental costs a year. This would wipe out one-third of that system's profits per year, potentially eliminating 10 percent of its stores, which means hundreds of restaurants and the potential elimination of 12,500 jobs.

There was another example, a large franchise system with multiple casual dining restaurant concepts and projects.

They estimated the average cost per restaurant in their system of the new health care law would be $237,000, which equates to a systemwide cost of providing health insurance benefits to full-time employees of almost $806 million per year. If all of this chain's small business franchisee owners elected to pay the employer penalty instead of providing insurance, the cost would be reduced but to just over still $84,000 per restaurant or a savings of $286 million systemwide. So to cope with the increased costs of the health care law, the employers who are restaurant owners—and these are the largest employers in America, they employ the most people in America except for the U.S. Government—are seeing their costs go up and, as a result, there are fewer jobs for Americans.

Republicans believe it would be better to reduce health care costs step by step so more people can afford to buy insurance instead of expanding a system that costs too much, and we will continue to advocate that position.

The important thing to remember about the law—we have heard it said it hurts Medicare, it adds regulations, raises taxes, and individual premiums are going up—is that it makes it harder and more difficult and more expensive to create private sector jobs at a time when our country should be dedicated to making it easier and cheaper to create them.

I yield the floor.

The PRESIDING OFFICER (Mr. BROWN of Ohio). The Senator from Alaska is recognized.

TAX SIMPLIFICATION

Mr. BEGICH. Mr. President, I rise to speak about the Wyden-Coats-Begich bipartisan Tax Fairness Simplification Act. It is that time of the year again, tax time. Across our Nation, small businesses and families are struggling to unravel the annual nightmare of paperwork required to file their taxes. Across our Nation, small businesses and families are struggling. My wife and I are small business owners so I especially understand how burdensome and expensive the Tax Code and filing process can be for folks at this time of year.

This process is costly and burdensome. The IRS estimates that Americans spend 6.1 billion hours each year filling out tax forms and roughly $163 billion each year on tax compliance. Small businesses are the engine and the backbone of our still recovering economy. We should allow them to spend more time doing what they do best—creating jobs and growing the economy—not filling out burdensome paperwork. This is why I have joined my colleagues from both sides of the aisle, Senators WYDEN and COATS, to introduce the bipartisan Tax Fairness and Simplification Act.

Tax reform has been a long priority of mine. I am happy to be moving forward on this important piece of legislation today. In a nutshell, our legislation simplifies the Tax Code and alleviates many of the burdensome paperwork and costly requirements that are bogging down American families and businesses. Our legislation will allow most taxpayers to file their taxes using a straightforward and shortened 1-page 1040 IRS form. This is an example of exactly what it would look like. Also individuals and families will be able to request that the IRS prepare a tax return for them to review, modify, and sign.

The Wyden-Coats-Begich bill reduces the number of tax brackets for individuals from six to three: 15 percent, 25 percent, and 35 percent. It eliminates the alternative minimum tax which forces millions of taxpayers to calculate their taxes twice and pay the higher amount. In order to make capital investments more cost effective for small business owners, the Wyden-Coats-Begich bill will allow 95 percent of small businesses—those with gross receipts of up to a million dollars—to expense all equipment and inventory costs in a single year. These changes may seem simple and commonsense, but they make a world of difference to our middle-class families and small businesses.

Let's talk specifically about small businesses for a second, people who are keeping our economy going, such as my friend John Brower from Anchorage. John owns and operates Alaska Laser Printing in Anchorage. John works tirelessly, 365 days a year, and is proud of the business he built. When new technology is developing in the printing business, it is always bringing on needs for new equipment. This legislation would allow him to expense all those equipment costs and would truly make a world of difference for John and save him thousands and thousands of dollars in taxes.

I am here to speak for the John Browers and the other small businesses all across Alaska and the country. My view is very simple: Let's quit giving tax breaks to multimillion-dollar corporations. Let's close the corporate loopholes and help small businesses such as John Brower's.

Right now we are facing a $14.3 trillion deficit. We are hours away from a potential government shutdown rather than continuing on a path toward long-term economic recovery.

Our new bill actually promotes economic growth because it allows businesses to spend more time growing and less time worrying about the overly burdensome tax system which we all know only enables tax avoidance. As all of us around here know, tax avoidance means outsourcing jobs overseas. Instead, our legislation incentivizes and enables companies to invest in America rather than incentivizing them to invest overseas.

The legislation also promotes responsible retirement savings and investments by expanding tax-free savings opportunities.

The American Dream Account, whether it is for a new home, education for your children, or health care, provides a unique opportunity to invest in the American dream. Families and individuals alike can make contributions to an account that functions much like

a retirement savings account, an RSA, to work toward purchasing their American dream.

Right now the U.S. corporate income tax rate is the second highest in the world. That puts American corporations at a competitive disadvantage globally. To resolve that, the Wyden-Coats-Begich legislation cuts the top corporate rate from 35 percent to 24 percent. That means American corporations will pay a more competitive rate than corporations based in trading partner countries such as Canada, Germany, and France.

To make the Tax Code fairer and reduce opportunities for individuals and businesses to avoid paying their fair share of taxes, the Wyden-Coats-Begich bill ends a number of specialized tax breaks that favor one business sector or some special interest that has been fortunate to be here lobbying in years past and getting their special deals, making sure everyone is treated fairly but ensuring we are competitive in the global economy in which we now compete.

Our legislation protects and extends important tax deductions for families. The Wyden-Coats-Begich bill retains many of the most commonly claimed individual tax credits and deductions, including deductions for mortgage interest and charitable contributions, credits for children and earned income. Preferences for the Armed Forces, veterans, and the elderly and the disabled will be retained, as will those that help Americans pay for health care and higher education and save for retirement.

The Wyden-Coats-Begich bill also permanently extends the enhancements of the Child tax credit, the earned-income tax credit, and the dependent care credit. The legislation eliminates the current law phaseout of itemized deductions and personal exemptions, allowing all taxpayers to benefit fully from their deductions and exemptions.

Finally, our legislation requires banks to identify all individuals who benefit from foreign accounts by name and nationality and to withhold 30 percent of all passive income, such as interest on capital gains, sent to any individual who disguises his or her identity.

Tax reform is a bipartisan issue, hands down. Republicans, Democrats, our President, the OMB Director, and many others all across this country have called for it. So let's do it. Let's stop punching holes in an outdated system and make real tax reform happen. Tax reform is about creating jobs, growing the economy, and supporting our families and businesses for the future.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The assistant majority leader is recognized.

Mr. DURBIN. Mr. President, I commend my colleague from Alaska. I do not know the particulars of his bill, but as I listened to his description of it, it is long overdue. Simplifying this Tax Code so the average American believes it is fair and understandable is essential for the integrity of our tax system.

I have always said there is one law we can pass which would result in tax simplification overnight, and that would be a requirement that every Member of the Senate and House prepare and file their personal income tax returns. It is a humbling experience. A few years ago, in Springfield, IL, when my accountant passed away, I decided, as a lawyer and a Senator: I will do it myself. I spent the whole Sunday afternoon, and then Monday went begging for help. I thought to myself: Mine is not that complicated. It should be a system that is much simpler and more direct and fair.

I thank the Senator for stepping in to meet that challenge. The Bowles-Simpson Commission talked about tax reform as one of the central elements to dealing with our deficit and expanding our economy. I think I might add to that: fairness in the way our taxes are treated. So I thank the Senator for his leadership on that issue.

Mr. BEGICH. I thank the Senator.

BUDGET NEGOTIATIONS

Mr. DURBIN. Mr. President, we are now in the countdown phase as to whether this government of the United States of America—the most prosperous Nation in the world—is going to shut down, turn out the lights, close its doors, and walk away. That could happen tomorrow night at midnight. If it does, it is an unmitigated disaster. There is no winner. No political party can claim they come out ahead in this exercise. It makes us all look bad—deservedly so.

So this morning I called into a local radio station in downstate Illinois, and the host said: You ought to hear the phone calls, Senator.

I said: I can guess what they are saying. What is wrong with those people in Washington that they can't sit down and reach an agreement? They are supposed to be our leaders. They are supposed to work out our problems. They are not supposed to throw up their hands and throw a tantrum.

That is, frankly, what will happen if we close down this government. Now, I think there are ways for us to reach an agreement. There are certain issues on which we all agree. Let me tell you what they are.

Our deficit and debt are serious national problems. They threaten our future, and they leave a legacy to our children and grandchildren we cannot defend. In order to reduce our deficit and our debt, we need to change in Washington. We need to cut spending, we need to be honest about it, and we need to tell the American people, whom we represent, what it means. Some of it will require sacrifice, but on both sides of the aisle there is no argument over what I just said. We need to cut spending, and we need to reorder the priorities of government.

But there is something more we need to do, and I credit two Minnesota legislators who wrote a letter to the New York Times a few weeks ago, who, I thought, in a few words put it together. This Democrat and Republican wrote in and said: We are facing a fiscal crisis in our State, and what we have discovered is, we can't tax our way out of it. We can't cut our way out of it. We need to think our way out of it. We need to find ways to deliver essential services to the American people in a more cost-efficient way. We need to stop the duplication, waste, and inefficiency that are clearly part of our government today.

So where are we? We are involved in negotiations, primarily between the majority leader, HARRY REID of Nevada, and Speaker JOHN BOEHNER of Ohio. They are trying to work out an agreement so we can move forward and finish this year's funding. It is 6 months and a few days, but it is critically important we get it done. They are close. In fact, I would say—and I just asked Senator REID if this was a fair representation—the dollar amount of this negotiation is all but completed. The dollar amount is all but completed, meaning that both sides have agreed how much we will cut spending for the remainder of this year.

To give credit where it is due, to Speaker BOEHNER and the House Republicans, there are significant cuts in their initiative in this area they can point to as part of the agreement. On the other side of the ledger, I think at the end of the day we will be able to say, as Democrats: Yes, we supported spending cuts, but we drew the line where we thought it was important for the future of this country. We made sure the cuts were not too deep in job training programs for unemployed and new workers in America. We made certain the cuts were not too deep when it came to education, particularly for children from low- and middle-income families. We made certain the cuts were not too deep when it came to medical research and the basic competitive research necessary for the American economy and businesses to expand—and a host of other things. But those three major areas of job creation, education, and research we fought for, and at the end of the day I think we can point with pride to the fact that most of those are going to be largely protected.

So we can both walk out of the room with some satisfaction that after all of this time, we have reached the point where the dollar amounts are in basic agreement—I am not going to say in total agreement but in basic agreement.

So why am I not standing here saying with certainty that the government will not shut down? Unfortunately, now the House Republicans have decided this is no longer a battle over the

budget deficit; it is a battle over issues—issues that do not relate directly to the spending of our government or the size of our deficit.

One of the things they are insisting on is a group of riders that are part of H.R. 1, their budget bill, which restrict the authority of the Environmental Protection Agency in Washington to deal with environmental issues.

I totally disagree with the House Republican position on this, and they are insisting on it. I would commend to them to pick up that always scintillating volume, the CONGRESSIONAL RECORD, from yesterday and read what happened on the Senate floor. Yesterday, on the Senate floor the Democratic majority agreed with the Republican minority, and we called four amendments on the EPA. In fact, we said to the Republican leader, Senator MCCONNELL: Write your own amendment. We will call it to the floor, and we will vote on it. It was a sweeping amendment which took the authority away from the EPA when it came to greenhouse gas emissions. I think that is the wrong position, but Senator MCCONNELL had his right to offer it.

He got 50 votes in favor, 50 votes against. It failed, but we had the debate. We are not ducking this issue, I say to Speaker BOEHNER. We have faced it. We have voted on it. This Chamber has spoken on that issue and had three other debates and votes yesterday on EPA. None of those proposals got more than a dozen votes, but we have had the debate. We are not running away from it.

So to insist now, as part of any budget agreement, we accept the House position on the EPA is to ignore the obvious. The Senate has spoken. The Senate has debated and voted, and it is clear where we stand.

The second issue Speaker BOEHNER insists has to be part of this package is one that troubles me because it goes to the heart of some basic health programs for people across America. It is the title X family planning program.

Speaker BOEHNER's approach would eliminate the entire title X family planning program. How big an expense is this? Mr. President, it is $327 million.

Since 1970, title X funding has provided men and women in every State with basic primary and secondary health care, including annual exams, cancer screenings, family planning, and testing and treatment for sexually transmitted infections. In 2009, title X-funded providers performed 2.2 million pap tests, 2.3 million breast exams, and over 6 million tests for infections, including HIV. Title X services prevent nearly 1 million unintended, unplanned pregnancies each year, almost half of which would otherwise end up in an abortion.

Family planning programs such as title X not only give men and women command over their lives, they save us money. Every public dollar invested in family planning saves us almost $4—$3.74 to be exact—in Medicaid-related expenses. If we ended title X, as Speaker BOEHNER and the House Republicans insist, it would result in more unintended pregnancies and, sadly, more abortions, and it would result in more than 5 million women losing access to basic primary and preventive health care.

We are prepared to debate this. If the House Republican position is that we need to close these clinics across America and we need to eliminate access to basic primary health care to literally millions of women and men across America, I am ready for the debate. But to hold up this budget negotiation, to insist that unless the House Republican position of eliminating title X is accepted, we can't reach an agreement—we have to shut down the government? Does Speaker BOEHNER really propose we shut down the government of the United States of America unless we are willing to cut title X family planning programs and health clinics and close the doors of health clinics across America? Is that what the last election was about? I don't think so. I think the American people said in the last election: Get serious about the deficit and start working together and stop your squabbling. Those were the two basic messages I took out of it. Well, we are getting serious about the deficit because we are nearly in full agreement on the dollar cuts necessary for the remainder of this year.

I don't remember the last election being a referendum on whether poor people and children in America would have access to health care at title X clinics. H.R. 1 included an amendment from a Congressman from Indiana that barred Planned Parenthood from receiving any Federal funding, including Medicaid reimbursements, CDC grants, and teen pregnancy prevention program funding. Planned Parenthood health centers provide comprehensive care to millions of low-income and uninsured individuals each year. Forty-eight percent—1.4 million—of their patients are on Medicaid and would lose access to their primary care.

This provision is presented as a means to prevent Planned Parenthood from using Federal funds for abortion. However, Federal law already prohibits the use of Federal dollars for abortion—that is not the issue—except, under the Hyde amendment, which goes back decades now, in cases of rape, incest, or if the life of the mother is threatened by the pregnancy.

Abortion counseling represents 3 percent of Planned Parenthood's services. Yet this amendment, this rider from Congressman PENCE, would ignore that. Ninety percent of the care provided at Planned Parenthood is preventive care—cervical and breast cancer screening, family planning, sex education, and the treatment of infection.

If this amendment were enacted, most of the 800 health centers in the United States and 23 centers in Illinois, including in my hometown of Springfield, would be forced to close.

This prohibition on Planned Parenthood funding is a rider on the House budget bill that is now the stumbling block for an agreement on deficit reduction for the remainder of the year and keeping the government open. It is ridiculous that Planned Parenthood, which receives title X funding, should be such a target and should be an obstacle to an agreement.

We understand the conscience clause restrictions that are in the law when it comes to the issue of abortion. That is not what this is about. This is about family planning. And those of us who personally oppose abortion believe women should be given the information and opportunity to take care of themselves and make their own family decisions. That is what Planned Parenthood is about. This amendment would close down those clinics across America. I believe that is a move in the wrong direction.

We can work together, and we should, to deal with this budget deficit.

PAUL RYAN is a Congressman from Janesville, WI. I know him. I like him. We worked together for almost a year on the deficit commission. He is a bright, hard-working young man and chairman of the House Budget Committee. He has proposed a plan for the budget for the next 5 to 10 years. It is not a plan I agree with, but I respect the fact that he put the time in to prepare it. The reason I don't agree with it is that, unlike the Bowles-Simpson commission, the budget plan Congressman RYAN has proposed does not really deal in a comprehensive and fair fashion with the challenge of the deficit. Here is what I think and the commission believed: If we are serious about the deficit, we need to put everything on the table—everything.

What Congressman RYAN has done on the Republican side is to say we are not going to put on the table any savings from the Pentagon over the next 10 years. That is hard to imagine—$500 billion-plus a year we spend at the Pentagon and no savings? While we are cutting programs in every direction, we can't find a way to protect our men and women in uniform, keep America safe and secure, and eliminate the obvious waste of money that goes on with much of the contracting in the Pentagon? Of course we can. I am sorry Congressman RYAN doesn't see that. I do, and I believe it should be part of the conversation.

Secondly, there is no suggestion of any revenue at all as part of the solution. In fact, Congressman RYAN goes in the opposite direction and continues the Bush tax cuts for the wealthiest Americans. If we are worried about explaining to our children and grandchildren how we can leave them this debt, how can we explain Congressman RYAN's position that would have us borrow over $1 trillion over the next 10 years to give tax cuts to the wealthiest people in America? How can we explain to our children that we are going to go to China to borrow money to give tax

cuts to wealthy people in America as we cut our deficit? That is his approach. I don't think it is complete and balanced.

There is a better way. We need to look back to the Bowles-Simpson commission, the deficit commission, and we need to move forward, after we finish this debate on the budget for the rest of the year, in a comprehensive and bipartisan fashion.

For months—literally for months—I have been engaged in a bipartisan effort with some colleagues in the Senate. We are trying to come up with something. I don't think everyone will applaud it. I know some of my colleagues will hate it. But it is going to be an honest approach to dealing with the deficit for the next 10 years. It is going to have the same Bowles-Simpson goals of $4 trillion in deficit reduction and will include all of the major elements of our government in the conversation. I think that is the only way to honestly approach this. We can reach that debate once we get this immediate problem resolved.

So the point I wish to close with is this: We are at a moment here where we can resolve this issue, keep our government open, and move into the larger debate about our deficit in the years to come. It is morally a historically imperative debate, but in order to get beyond it, I hope Speaker JOHN BOEHNER, whom I respect as well, will accept the obvious. His riders on the Environmental Protection Agency were debated and voted on in principle already in the Senate yesterday. It has happened. We are not avoiding it. Second, their rider relating to zeroing out funding for Planned Parenthood under title X funding is one we will take up at some point. We are not running away from it. But it is one that shouldn't stop the function of this government. It would be impossible to defend closing down our government, and all of the hardship that would follow, over that one rider—or two riders—they are insisting on.

Let's move toward reducing the deficit, but let's also reduce the political rancor. Let's put some of these issues, which have been around for decades, off to another day. Let's make sure we consider them—and we will—but let's move forward now to keep this government open. Let the American people at the end of this week look at us and say: In the end, they got it right. We didn't like the way they reached this point, but they didn't do the irresponsible thing and walk away from their responsibilities. They accepted their duties, they kept the government functioning, and now they can roll up their sleeves and deal honestly with this deficit.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEAHY. 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. LEAHY. Mr. President, I wish to take a moment to describe to the American people and actually Members of both bodies of Congress what is going to happen to our troops and their families if the collapse of the budget negotiations forces the government to shut down. We look at charts and graphs and numbers, but let's talk about the reality.

While I am sure many understand that most government services will halt, it is also important to understand that some government operations will not shut down. In particular, our men and women on Active Duty and in the National Guard and Reserves will continue to serve, but they will do so without pay. At a time when we ask them to fight two wars, to help stay the slaughter in Libya, and to keep peace around the world, another burden is going to be added to their shoulders: They are going to be asked to do it without a paycheck.

Some of those in our Armed Forces—many of them—do not have savings to fall back on in hard times. Many family members are overseas fighting for America while their families are living back here. They are living paycheck to paycheck to pay for their groceries, to pay the car payments or the bills for a sick child or rent or a mortgage, while the other member of the family, the one who earns the paycheck, is over facing the possibility of dying on the field of battle. And now we tell them: Oh, stay right out there and fight. By golly, we are proud of you for fighting. Sorry we can't pay you. Because Members of Congress and the White House can't come together and deal, we can't pay you.

You and your family may not be able to buy groceries, or your child may not get the medical care needed, but, boy, are we proud of you; if you get killed, we will give you a medal.

Come on. Like so many Americans, some of those who serve in the military live paycheck to paycheck. They depend on their pay each month to put food on the table and keep a roof over their families' heads. Certainly, mortgage lenders are not known for accepting excuses when the monthly payments come due. But excuses are all that some Members of Congress can offer for why they will not come to the table and make sure our men and women in uniform get the pay they have earned.

This is not bumper sticker sloganeering government. This is what happens. It is so easy for people to stand up and sanctimoniously state that we are doing this for the good of the country. You are doing it and you are harming the families of our men and women in harm's way.

It is especially disturbing that the hard times that now are in prospect for our troops have been completely avoidable. The possibility of a government shutdown is very real because a relative few are willing to play politics and brinkmanship at a time when the public wants basic, unadorned statesmen. They want Republicans and Democrats to act as though they also have a stake in the course of our government. The American people want Congress to do its job, and that is certainly not too much to ask. Those who are insisting on their way or no way should pause to reflect on what their intransigence means to our troops and their families and, in fact, to every American.

The decision to put politics ahead of the American people is reckless and imposes real hardship on real people. It is crueler still knowing that some of our troops, already facing fears of death or injury and sleepless nights in forward operating bases, must now add paying the electric bill and feeding their families to their list of daily worries.

I have been with some of those troops in Iraq and Afghanistan. They have enough on their minds. They have enough they face every single hour of every single day—especially every single night. They should not have the added worry of whether their families will be able to pay their bills.

Naturally, as cochair of the National Guard caucus, I worry especially for the Vermont National Guard troops who are currently forward deployed to locations throughout the world. Many of them come from our small towns and cities in Vermont and they face these very fears.

In shutting down the government, an ideologically motivated faction in Congress is willing to breach our most fundamental pact with these men and women. We have always said, ''protect our Nation overseas, and we will protect your loved ones at home.'' Who can justify violating that pact with the men and women in uniform?

Some in Congress are already seeking cover, claiming they have put forward plans to fund the Pentagon and our troops. But, of course, even these transparent political ploys would not pay many of our intelligence personnel, our brave and dedicated forward deployed consular staff and officers and others—many of whom work side by side with our troops. Not to mention the vast number of individuals working in communities across the Nation to support our overseas operations. Every one of these dedicated public servants and every one of our troops deserves to be paid for a day's work. Our troops, their families, and those supporting them have enough to worry about without needlessly being pushed to the brink of a costly government shutdown.

I hope that, as we sit here in our plush offices, with our staff and everything we ever want, being well paid as Members of Congress, we let the reality sink in. The distinguished Presiding

Officer has spoken about this many times. The reality is that men and women—the families throughout our country—are being severely hurt. Let's not forget that.

Mr. President, we are seeing some in the other body, reacting to the ire of a minority of vocal, anti-government extremists who make no secret of their desire to shut down the government even while complaining that the government is not doing enough for them, proposing reckless cuts in programs that are vital to job creation and to national security.

Many in the other party are masters at blaming others for a budget deficit and debt they created during the last administration—self-proclaimed fiscal conservatives who, in a few short years, racked up a trillion dollar deficit by borrowing the money for two wars, something that was never done before in the history of this country. Their idea was to cut taxes for millionaires, cut taxes for companies that ship jobs overseas, cut corporate taxes, and borrow the money to pay for the wars while causing the debt to skyrocket. They burned through the Clinton era surpluses and embarked on a massive borrowing binge—and they think they can lecture us on fiscal conservatism.

Any mention of the consequences of what is being proposed is carefully avoided, but the American people should know the facts.

There are many examples. The catastrophic earthquake and tsunami and the nuclear crisis in Japan, as well as the popular uprisings and violence in North Africa and the Middle East, demonstrate once again the essential role that our Embassies and consulates and our foreign assistance programs play in protecting the safety and security of American citizens and our allies.

Our Republican friends have been urging drastic cuts to our international operations and programs, even though they, in total, comprise a mere 1 percent of the Federal budget—1 percent—and have no appreciable impact on the deficit.

Yet when a natural or manmade disaster occurs overseas and Americans are affected or an American is arrested and locked in a foreign jail, those same critics of these programs immediately expect the State Department and the U.S. Agency for International Development to leap into action.

In Egypt alone, at least 75,000 Americans were living, working and studying when that country erupted in civic unrest and airports and train stations were jammed with throngs of frantic people trying to leave the country. Thousands of Americans turned to the U.S. Embassy in Cairo. Our consular officers worked around the clock to help them, including a group of Vermont students, one of whom had lost his passport.

Just last week, another Vermont student was released after 2 weeks in a Syrian jail, thanks to the persistent diplomacy of U.S. Ambassador Robert Ford and other U.S. Embassy officials, as well as the Syrian Ambassador to the United States, Imad Moustapha, who helped convince his government that a mistake had been made. My office worked closely with them, as is customary when a constituent is in trouble in a foreign land.

As every Member of Congress knows, there are countless examples such as these, involving Americans from every State, which are not reported in the press.

As the international affairs budget faces deep cuts in fiscal year 2011 and in the future, it is important to be reminded of the invaluable assistance provided by the State Department and USAID to American citizens abroad, their families in the United States, and others impacted by foreign crises.

It is also important to be reminded that Members of Congress and the American people cannot have it both ways. You cannot on the one hand support drastic budget cuts, and at the same time expect the agencies that are losing personnel and resources to be able to respond as needed to help Americans when disaster strikes.

Today the crushing demands on the State Department for American citizen services are unprecedented. In the past month alone, the Department has issued travel warnings and alerts related to political unrest or natural disasters in six countries. Americans rely on their State Department for current, accurate travel information.

Since the earthquake and tsunami, U.S. consular officers in Japan and Washington have worked ceaselessly to assist Americans in Japan, and the U.S. Embassy in Tokyo deployed teams to the Tohoku region to locate American citizens and help them find transportation away from the devastated areas. USAID sent search and rescue teams and emergency response experts to Japan.

They were doing the same thing a little over 1 year ago in Haiti, after the catastrophic earthquake there.

As much of the world's attention has shifted to Libya, the State Department continues to closely monitor the situation in Japan, including the impact of the damage to the nuclear powerplant, and to provide updated detailed travel warnings and information for Americans considering travel to Japan.

Throughout North Africa and the Middle East, to prevent chaos and suffering at borders and surrounding areas, the State Department and the USAID have provided food, water, and other humanitarian aid to refugees and internally displaced persons.

It is regrettable that despite these realities, so many in Congress support reckless cuts in operations for the State Department and USAID. It makes no sense to wait until these agencies can no longer function effectively before we recognize that we cannot ignore events beyond our borders, and that the services Americans expect from their government cost money. In fact, the cost of everything—fuel, transport, rent, communications, and security—is going up, while budgets are being cut.

An unfortunate trend is taking hold here. Demand cuts in spending and in the taxes to pay for it, while expecting that it will not affect the government services you take for granted.

The world is a dangerous place and unanticipated disasters of every kind are occurring with remarkable frequency. American citizens are spread far and wide around the globe, and they rely on the State Department and USAID to protect their livelihoods and their security every day. For that, the people who serve in these agencies deserve our thanks and our support.

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

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

JOB CREATION

Mr. HOEVEN. Mr. President, I would like to speak this afternoon about an issue that I believe is of paramount importance to our efforts to restore America's economic vitality and to control our debt and our deficit. I would like to talk about jobs.

I wish to begin, however, by telling you a little bit about my home State of North Dakota. That is because today, while much of the Nation is greatly challenged by recession and joblessness, North Dakota is strong—arguably the strongest we have been at any time in our history. The reason is jobs.

Last week, we learned that North Dakota—at 3.7 percent—once again has the lowest unemployment rate in the Nation, a distinction we have held since June of 2008. Nationally, the picture is much different. As I speak, nearly 14 million Americans are still out of work, and the rate of unemployment is hovering at nearly 9 percent, where it has been for many months. Another 8 million Americans are underemployed, working part-time because their hours have been cut or they haven't been able to find a full-time job. Sadly, 1 million more have stopped looking.

Make no mistake, America has a budget problem because of too much spending but also because America has a jobs problem. I ask you: How do we generate revenues to help balance our budget, pay down debt, and provide the essential services people need without raising taxes? Jobs. How do we empower people to access affordable health insurance and quality health care without intrusive government programs? Again, jobs. How do we help secure Social Security and Medicare for our seniors and future generations? Jobs.

If we put 10 million of those 14 million unemployed workers back on the job, at the average national wage of about $45,000, it would generate more than $50 billion in additional revenues

for the Social Security trust fund and an additional $13 billion for Medicare every year. Obviously, that would make a huge difference for both those programs.

Clearly, to fully address our current economic predicament, we need to create jobs and lots of them. Those jobs will be created by the private sector—not by government, by the private sector. But to help our entrepreneurs and businesses create them, we must build the best business climate possible.

Ten years ago, in North Dakota, we set a course to do that. Beginning in 2001, when I first took office as Governor of North Dakota, we made conscious policy decisions that would, over time, grow and diversify our economy and create thousands of jobs for our citizens. First, we set out to build the best business climate possible, forging a legal, tax, and regulatory climate that would attract investment and stimulate innovation.

Second, we developed a roadmap for success—an economic development strategic plan that targeted industries where North Dakota holds natural advantages owing to our resources and our people.

As part of our larger strategy, we also developed a comprehensive energy policy, called Empower North Dakota, which worked aggressively to develop all of our State's natural resources and energy resources, both traditional and renewable. We even established a North Dakota Trade Office, a public sector-private sector partnership that helps market North Dakota products and services around the world to bring new dollars into our State.

As a result of these efforts, between 2000 and 2009, North Dakota's economy grew at an annual average GDP growth rate of 6.4 percent, so that by the end of the decade we had grown by 75 percent. That compares to a national growth rate over the same time period of 41 percent.

All that work to cultivate overseas markets worked too. Our exports of farm machinery, aircraft parts, biotech products, and other North Dakota goods grew by more than 300 percent in 10 years. That compares to a national growth rate of just over 60 percent. As a result, we balanced our budget year in and year out. Today, we have no general obligation debt, we have a substantial surplus, and strong reserves to secure our economic future.

Furthermore, to get there, we not only held the line on taxes, but we reduced them. We reduced property tax and we reduced income tax. Over the decade, we generated nearly 15 percent growth in total employment, encompassing almost every sector of our economy and every region of our State. At the same time, we boosted per capita income from 84 percent of the national average in 2000, well below the national average, and today we are above the national average—at 103 percent—in per capita income. We have moved up from 37th among all the States to 17th in terms of our ranking among the 50 States.

The Wall Street Journal, Newsweek, the New York Times, USA Today, the Economist, Forbes, Money magazine, even the London Times, all have written about North Dakota's progress. Joel Kotkin, in a recent Wall Street Journal piece, called North Dakota's approach ''sensible thinking'' about the economy. Last year, the U.S. Chamber of Commerce ranked North Dakota as No. 1 among all 50 States as the Nation's top overall economic growth performer and job creator and not for the year but for the decade.

The things we did in North Dakota are not unique to our State. The principles we used are based on common sense and a belief that the American economy is the engine that drives the car. We can create jobs and lift our Nation out of the financial quandary we are in if we have the will to act and if we focus tirelessly on the kinds of things that create jobs and opportunity for our people.

To do that, I would like to propose a three-part strategy to get America working again. First, we need to create a legal tax and regulatory climate that gets business investment off the sidelines and gets people back to work. Second, we need to rein in spending and control our debt and deficit. Third, we need a comprehensive, progrowth energy policy to fuel our economy, reduce our dependence on foreign energy, and create good jobs for American workers.

Let's go through each of these very straightforward recommendations, starting with the need to create a strong business climate for America with the kind of legal tax and regulatory certainty that investors need to create jobs. That means passing legislation that will eliminate or modify unwarranted or misguided regulations that are impeding business investment and stifling innovation in our country.

That effort is already underway in the Senate. Senator PAT ROBERTS of Kansas has offered a bill called the Regulatory Responsibility for Our Economy Act, which I am proud to be a cosponsor of. This bill will give the force of law to a Presidential Executive order issued earlier this year that proposes to review ''rules that may be outmoded, ineffective, insufficient, or excessively burdensome, and to modify, streamline, expand or repeal them,'' in some cases.

If passed, our bill will make sure we will take a clear-eyed look at the rules and help restore regulatory certainty to the markets.

When we talk about unwarranted laws and regulations, however, we don't need to look too far into the past; we need only look to recently enacted laws that impede job creation and sap economic vitality.

Last year's Federal health care bill, for example, included a 1099 reporting provision that introduced a new level of bureaucracy and expense for America's nearly 28 million small businesses—the very engines of job creation in this country. Small businesses have created 64 percent of all the new jobs in this country over the past 15 years, and they account for more than 97 percent of all employers.

If we expect them to create jobs and get our economic engine going again, we need to reduce their regulatory burden, not bury them under burdensome new mandates such as the 1099 reform. That is why I and a bipartisan group of Senators, led by MIKE JOHANNS, signed on to a bill that just this week eliminated this onerous provision in last year's health care law and sent it off to the President for signature. I wish to commend my good friend, Senator JOHANNS, for his leadership and his hard work on this important issue.

But that is not the only feature of last year's health care bill that is undermining our business climate, driving up health care costs, and limiting choice for consumers. Punitive lawsuits and defensive medicine are inflating the cost of health care for American consumers by as much as $100 billion every year. Yet the health care bill that is now being implemented across our country doesn't reduce these costs. We need tort reform that will help make health care more available and reduce costs.

Similarly, we need to expand competition among health insurance companies. More competition will give consumers more choice and expand the pool of the insured, thus creating further downward pressure on the cost of premiums. Just as important, by reducing health care costs and the regulatory burden on American businesses, we can help them reduce costs and do what they do best—create jobs.

Competition works to our advantage not only in markets at home but in global markets as well. Another way to strengthen our economy and get job creation going again is by promoting more international trade. Smart trade agreements can restore America's competitive edge, create more income for American citizens, more opportunities for American entrepreneurs, and more foreign dollars to help balance our trade deficit and our budget.

They can also help us turn around our trade imbalances with countries such as China, South Korea, and the European Union. We have multibillion dollar trade deficits with all of them—$23 billion with China in January alone.

We can start the process of turning these deficits around by ratifying impending trade agreements with South Korea, Colombia, and Panama that have been languishing for 3 years.

Our trade imbalance with South Korea alone last year was $10 billion, but the agreement awaiting approval right now could create up to 250,000 American jobs. On the other hand, if we fail to act, we stand to lose 380,000 jobs to the European Union and Canada, which have already completed

their own trade agreements with those countries.

With bipartisan support for these agreements, there is no reason for further delay. We need to act.

Empowering American businesses and entrepreneurs to do business around the world is just common sense, and that common sense is precisely what we need to apply to all our Nation's challenges. I can give you a good example in my home State of North Dakota. Right now, we are facing serious flooding in the Red River Valley, and for some time we have been working to fight chronic annual flooding in the Red River Valley, which includes the city of Fargo, one of our region's most dynamic economic engines.

Part of government's role in creating private investment and economic development is securing and protecting infrastructure so businesses can thrive. In the case of Fargo and the Valley, the Federal Emergency Management Agency—FEMA—has found it necessary to buy out houses in that area because it is more cost effective than protecting them year in and year out.

When the Agency buys out a property, however, it has a hard-and-fast rule prohibiting building structures on that property—even flood mitigation structures—to prevent development that might require future protection from flooding. It is a reasonable ban in some, maybe in many, cases but certainly not in all.

As a consequence of the rule, every year the Federal Government helps to pay to build temporary levees to protect homes along the Red River, and every year we are compelled to tear those levees down again after the flood, at great expense to the government and, ultimately, of course, great expense to the taxpayer. Everyone knows that permanent dikes would clearly be more cost effective and save money for the local, State, and Federal Government. Residents know it, FEMA knows it, local officials know it. But under current law, there is nothing they can do about it.

That is why I will be introducing legislation called the FEMA Common Sense and Cost-Effectiveness Act of 2011, to give the Agency the flexibility it needs to make commonsense decisions in these cases. Building those levees once and leaving them in place will provide better flood protection for people and for property, better fiscal stewardship, and save taxpayer dollars.

That is important. Because good fiscal stewardship is now a matter of pressing, decisive consequence for America's future. That is why the second thing we need to do, of no less importance than building a good business climate, is to reduce spending.

We need to control spending by the Federal Government. Here, the numbers speak more clearly than words. Revenues this year are projected to be—revenues, now—$2.2 trillion. At the same time, current spending by the Federal Government is more than $3.7 trillion, leaving a deficit of $1.5 to $1.6 trillion.

To meet that shortfall, we are borrowing 40 cents of every single dollar we spend, and our debt is growing at the rate of $4 billion a day. Every dollar used to service the national debt is a dollar that will not be used to build America's infrastructure, that will not be used to keep Social Security solvent, that will not be used to reduce taxes on American businesses so they can create jobs and raise the standard of living for American workers. That is why I and 63 other Senators—32 Republicans and 32 Democrats—sent a letter to President Barack Obama earlier this month urging him to show leadership in those efforts to achieve comprehensive deficit reduction.

It is also why I and 46 other U.S. Senators announced last week that we were cosponsoring a bill to create a balanced budget amendment to the U.S. Constitution. I thank our leader, Senator MCCONNELL, for leading that effort. Nearly all States have been bound for years by a constitutional provision to keep spending within their means. This amendment requires that the Federal Government do no less. It would cap spending and balance our budget, but it also allows an appropriate exception for times of war. At the same time, it provides a transitional pathway to implement the law and protect programs such as Social Security and Medicare for our seniors and future generations of Americans.

To put this into perspective, the cost of serving America's debt over the next 10 years under the President's proposed budget—$992 billion—is more than the entire Social Security deficit for the decade, which is about $600 billion. In fact, fixing our debt and deficit involves not only setting priorities and cutting discretionary spending, which we are already working hard to do and we need to work hard to do, but also addressing the three entitlement programs: Social Security, Medicare, and Medicaid, which account for more than 60 percent of Federal spending. We need to undertake a bipartisan effort to reform these important programs in a way that safeguards our seniors and other vulnerable individuals now while protecting the solvency of these programs for generations to come. We need our President to engage with us in this process. We can do it, we must do it, and we need to start now.

My third recommendation is that we begin the process of building a comprehensive energy policy for the Nation, an ''empower America'' plan, if you will, that promotes the development of all of our Nation's vast energy resources, both traditional and renewable. Creating a comprehensive energy policy is especially important because our entire country—our entire economy and consequently job growth—depends on affordable and abundant energy.

A few weeks ago, the U.S. Chamber of Commerce released a study identifying 351 stalled energy projects nationwide that are costing the American economy $1.1 trillion in lost economic impact and, more importantly, nearly 2 million jobs annually. By impeding our energy industry, we are impeding one of the most potent areas of prospective job growth. Yet Congress has not passed a comprehensive energy policy in our country in years, and frankly I don't know that we can wait any longer for that single sweeping master plan that will do it all at once. We need to build it as expeditiously as we can.

In North Dakota, we built Empower North Dakota over a decade, piece by piece, and saw firsthand the power of energy development to boost our economy. By embracing Empower North Dakota, our State alone has realized $12 billion in new energy-related investments since 2005. With the right kind of energy policy, imagine what the impact would be for our Nation.

To expedite the process of building that energy policy on a national level, I am working with Leader MCCONNELL and the entire Republican Conference to create the kind of legal and regulatory climate our country needs to jump-start America's energy sector and create jobs. For example, this week, I, along with other Senators, cosponsored an amendment introduced by Senator MCCONNELL to the small business authorization bill. Based on legislation offered earlier this month by Senator INHOFE, which I and others cosponsored, this legislation sought to curb the EPA's authority to regulate greenhouse gas and encourage domestic energy development. A permanent measure such as this is needed to provide the certainty businesses need to make billion-dollar investments in new energy projects and, more importantly, create the good-paying jobs a robust energy sector can provide our country. Our measure won 50 votes yesterday but failed to gain the 60 necessary for passage.

We need to continue to work with our colleagues across the aisle to pass this legislation or legislation like it because impeding the energy industry is not a Republican problem or a Democratic problem, it is an American problem. It is a challenge we need to step up to and solve. That is why, in a similar bipartisan effort, I am working with Senator JOE MANCHIN to support the EPA Fair Play Act to create more certainty and more energy investment for our country.

I have also asked the Energy Information Administration to conduct a focused analysis of regulations that could be impeding the development and growth of the Nation's domestic energy production in an effort to find more ways to create rules of the road that will encourage energy companies to invest billions and to build our energy future in America. Increased domestic energy production is a three-fer. We not only promote economic vitality, but we reduce our dependence on foreign sources of energy and we create jobs.

The reality is that we can do all of these and more. We can provide a commonsense legal and regulatory environment, a favorable business climate for our industries. We can build a comprehensive energy policy that leverages all of our vast energy resources together with good environmental stewardship. We can reduce spending, and we can live within our means. We can pay down our debt and leave our children a strong financial legacy instead of a large debt. These are all things we can do and we must do for our Nation. We need to work together, my fellow Senators, to do just that, for the strength and financial well-being of our country today and for the benefit of future Americans for generations to come. The future is truly in our hands.

Madam President, I yield the floor.

The PRESIDING OFFICER (Mrs. HAGAN). The minority leader.

Mr. MCCONNELL. Madam President, I congratulate the junior Senator from North Dakota for his initial speech here in the Senate and say to all of our colleagues that it should be no surprise that he was sent here by the people of North Dakota by an overwhelming margin. During his 10 years as Governor, the State enjoyed extraordinary success. At a time when many States were struggling financially, North Dakota had bulging surpluses and low unemployment, almost entirely as a result of the outstanding job then-Governor HOEVEN did in representing the people of North Dakota. So, as I say, it is no surprise that they sent him to join us here in the Senate by an overwhelmingly large majority, and I congratulate him on behalf of all of our colleagues on his initial speech.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Madam President, I, too, rise in congratulating the Senator from North Dakota on his maiden speech. I have known then-Governor HOEVEN for quite some time. His wife and my wife have been very good friends.

What you heard is basically a background of the success he has had in the leadership of his great State. What you don't know is his ability to reach across the aisle in a bipartisan manner.

I can only say that JOHN is a dear friend, and JOHN is the type of personality we need in this body to mend this partisan gridlock in which we find ourselves. I cannot tell you how pleased I am to still be a colleague of his, and I look forward to many years of success working together, reaching out, finding the problems we have, addressing the problems, and then, like a good Governor, taking them on and making some good decisions, as he has done so well in North Dakota.

So, my good friend, it is so good to have you here. Congratulations.

Mr. HOEVEN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TESTER. I ask unanimous consent that the order for the quorum call be rescinded.

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

BUDGET NEGOTIATIONS

Mr. TESTER. Madam President, this week I got an e-mail from a first grader in Missoula, MT, 7 years old. Her note read:

> Senator Tester, please pass a budget so that I can go to Yellowstone National Park this weekend, or at least wait until Monday to shut down the government.

I get a lot of letters and calls reminding me what is at stake. Yet some of our colleagues continue to put politics ahead of doing what is right. I will always remember that e-mail from Missoula. Even 7-year-olds expect us to get our job done. They expect us to work together to pass a budget. They expect us to work together to make responsible cuts. They expect us to make sure we don't put our government and the entire economy on life support. That is exactly what will happen if some in Congress let the government shut down. They will fail all of us.

If drawing a line in the sand becomes more important than working together, I think that is a shame. Of course, we can't afford the status quo either. We all know the problem. Everyone wants to point fingers. I could spend my time pointing at those who thought it was a good idea to put two wars we are fighting on the taxpayers' credit card or those who squandered a $128 billion budget surplus in a matter of months about 10 years ago. But I will leave it at this: Our debt and spending problem is not something that we got into overnight, and it is not something we will get out of overnight.

It is not going to be fixed by slick talking points ginned up by Washington, DC, consultants. It will not be fixed by symbolic gimmicks. It certainly will not be fixed by irresponsible decisions such as ending Medicare as we know it. It will not be fixed by gutting student financial aid or physical infrastructure. Those create jobs now when our economy needs it the most.

Our spending and debt problem will be fixed by embracing a responsible, credible, long-term strategy to cut our debt; to cut spending, discretionary and mandatory—right now we are talking about cuts to only 12 percent of the budget known as discretionary spending—to strengthen our entitlement programs so they work for future generations; to reform our Tax Code so it is fair and sustainable; and to cut our defense where we can afford to cut.

We owe it to all Americans to get the job done. But we owe it to them to get the job done responsibly, and that is going to require some buy-in. But we have done it before.

During the Great Depression, people endured incredible sacrifice. But they had inspirational leadership to challenge them to grow their way to prosperity. In World War II, they worked together and made sacrifices at home to build the machinery that helped us win victory. That momentum also created a powerful middle class. The attacks of September 11 brought us together again, and again we grew strong.

When we work together, we succeed. It is in our DNA. It is what makes us the strongest, most innovative nation in the world. Now we have to summon that strength and determination again, to lead our way out of our economic challenges. It will not happen with gimmicks. It is going to take responsible decisionmaking, compromise, and shared sacrifice.

Several of our colleagues in the Senate are already leading the way. I compliment Senators CHAMBLISS, COBURN, CONRAD, CRAPO, DURBIN, and WARNER. They are working on a bipartisan strategy to cut debt and cut spending. Their plan will include cuts to discretionary spending. It will make our entitlement programs stronger. It will propose cuts to defense spending. And it will include tax reform.

Last year, Senator Alan Simpson and Erskine Bowles led a bipartisan commission in outlining a smart, long-term, credible strategy for cutting debt and spending. Senator Simpson and Mr. Bowles say they had 14 reasons for volunteering their time on the Debt Commission. Between them, they have 14 grandkids.

While I may not embrace every component of their plan, I applaud their hard work, their leadership, their patriotism. Their hard work is a solid blueprint we are already building from. I am ready to join them, and so are many of us in this Chamber. We need to do it.

Montanans are patriots. They are ready and willing to follow our lead in providing a fair Tax Code that provides certainty and fairness. They are willing to share in the pain of responsible spending cuts that will not take our economy backwards. They know we can afford to make cuts in defense. They know we need to fix—but not dismantle or privatize—our entitlement programs.

What is the alternative? Well, we may find out the hard way if folks are not willing to work together to reach agreement by midnight tomorrow. Shutting down the government means our troops in Iraq and Afghanistan will not get their paychecks on time—even though they will still be serving us.

This week, I heard from a soldier deployed in Afghanistan. He said he would be OK in a short shutdown because he has some savings. But if their paychecks stop coming, a lot of his fellow soldiers will be hurt. Many have lower ranks. Many have pressing financial obligations such as mortgages and car payments, kids to take care of. They would get the short end of the stick.

We have a duty to make sure the people who fight for us in harm's way do not have to worry about something as simple as getting a paycheck. That is why today I signed on to an important piece of legislation to ensure American troops on active duty continue getting paid if the government shuts down.

But Members of Congress are a different story. If the government shuts down, we do not deserve to get paid, plain and simple. I want to say thanks to my colleagues for unanimously approving our measure to prevent congressional pay during a shutdown. Now the House needs to follow our leadership. If they fail, and if I still get a paycheck, I am going to give it back.

A shutdown also means the government does not honor business contracts. That would cost jobs. It means the IRS suspends refunds. A Republican shutdown means new home loan guarantees will stop. It means the SBA stops approving business loans. Patent processing will be suspended. And it means Social Security, Medicare, and veterans' benefits checks could be delayed. Right now, in Montana, there are 1,240 veterans' benefits claims that are outstanding. If the government shuts down, those 1,240 veterans' claims cannot be addressed, and a 7-year-old in Missoula, MT, will not be able to see her national parks this weekend. We cannot afford that. Nobody deserves it. We can do better, and we will.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BLUMENTHAL). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. VITTER. Mr. President, a few weeks ago, as we were debating whether to move to this bill now on the floor, I sent a letter to the distinguished majority leader, Senator REID, and I was joined by several of my colleagues. We made a real simple point. The simple point was this: We have a spending and a debt crisis. We need to act and we need to act now. So rather than continue to bring up various cats and dogs bills, various matters that aren't related to that crucial, central spending and debt question before us, we should focus on the task at hand. We should focus on our greatest challenge: meeting this spending and debt challenge.

Unfortunately, the distinguished majority leader did not heed that call. He proceeded with this bill. For the reasons I outlined, I and the other signatories of the letter voted against moving to this bill. Unfortunately, now, as we are on the eve of a potential government shutdown, I believe what has transpired has sort of made my point again. Why haven't we been focused on that crucial spending and debt challenge like a laser beam, to come together, to offer sensible solutions to avoid these eleventh or even twelfth hour negotiations? Because here we are and here we go again: Another crisis, another eleventh or twelfth hour negotiation; another potential government shutdown.

While I am sorry we didn't focus like a laser beam on this central challenge sooner, now that we are here, I come to the floor to urge my colleagues to do what is reasonable and sensible and adopt what the House of Representatives is about to adopt, which is a plan to at least keep the government functioning smoothly for another week as we try to resolve the situation for the entirety of the remainder of the fiscal year.

So I strongly support this 1-week continuing resolution that I believe will very soon pass the House. We all say we are against an unnecessary government shutdown. I certainly say that and mean it. If we all say it, and if we all mean it, I believe we will support this sensible measure as we try to come to an agreement—all of us—on a plan for the remainder of the fiscal year.

This 1-week CR would keep the government functioning smoothly. It would avoid those disruptions and threats that are concerning to many Americans. That sensible, commonsense plan would also offer significant cuts to the current level of spending, $12 billion of cuts.

What is important is those cuts are not very controversial. They come out of proposals mostly from the Democratic side. They mostly come out of the President's own budget proposal or the Senate Democratic plan for cuts or a series of nonpartisan suggestions made by the Congressional Budget Office. So I think it is reasonable to look to those sources of proposed cuts and work from those lists, and that is what this proposal does.

The only other matter included in the proposal is two relatively noncontroversial so-called riders: one about Guantanamo Bay, which is pretty much current law right now because of language in the Defense authorization bill, and a second regarding abortions performed in the District of Columbia.

With regard to that second rider, again, this should be relatively noncontroversial, particularly since this very language was in full force and effect from 1996 until 2009. It was the law for that extended period of time. President Bill Clinton signed that ban into law six times. President Barack Obama signed that very language into law in 2009. Vice President JOE BIDEN voted for the legislation, including this DC abortion funding ban language, seven times since 1995. Even minority leader NANCY PELOSI on the House side voted for legislation including this language 14 times. Here, the distinguished majority leader, Senator REID, voted for legislation including this language 10 times since 1995.

So, again, this is not extremely controversial, and it is certainly no reason to shut down the government. So, in summary, I am sorry we haven't been focused on this central challenge and this central issue for the last 2 weeks as I had urged along with my colleagues. I think we should focus like a laser beam on spending and debt, and I think we should have been doing that for the last several weeks rather than bringing the bill before us onto the floor. But we are where we are.

Given that, I hope we will do the reasonable, commonsense thing and continue negotiations for the rest of the fiscal year, but, in the meantime, pass the 1-week measure about to be passed by the House of Representatives. It continues the operations of the government. It also funds the Department of Defense for the entire fiscal year. It takes what should be beyond politics off the table. It protects our military. It gives full funding for our military men and women. It gives them certainty. We should all be for that. It cuts $12 billion from current funding levels but takes the vast majority of those cuts, again, from the President's own list, from Senate Democrats' own list, and from a nonpartisan list from the Congressional Budget Office.

It only includes two so-called riders which have been granted wide acceptance in the past, including being passed, voted on, and supported by Senator REID, NANCY PELOSI, Barack Obama, JOE BIDEN, and others multiple times since 1996. That is a reasonable path forward. That is a responsible way to prevent a government shutdown as we continue to negotiate for an overall resolution of this matter for the remainder of the fiscal year.

I hope all of us, Democrats and Republicans, will listen to the American people and do the reasonable, commonsense thing and move forward in a reasonable way as we negotiate on broader issues in good faith. I hope we will pass this 1-week measure at a minimum right now as we continue to look for an overall resolution for the rest of the fiscal year.

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

The PRESIDING OFFICER (Mr. CARDIN). Without objection, it is so ordered. The Senator from New Jersey is recognized.

Mr. MENENDEZ. I ask unanimous consent to speak as in morning business for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator is recognized for 15 minutes.

Mr. MENENDEZ. Mr. President, I rise to express my strong concerns about the direction Republicans and the tea party want to take our country, beginning with an irresponsible

Government shutdown simply for the sake of pursuing a social agenda and continuing their reckless budget plan that will devastate seniors and those most vulnerable over the next decade while rewarding millionaires with even more tax breaks. I look at this Republican budget put out by Chairman RYAN and it is a proposal that takes $1.5 trillion out of health care for seniors and children and gives it to the wealthiest, but it does not even limit subsidies for special corporate interests or big oil. In so doing, it fundamentally resets our values and turns back the clock on the progress we have made to protect our parents and grandparents, seniors and children in this country and keeps the playing field reasonably level.

But even before that discussion, I wish to make a few things clear about the implications of shutting down the Government and what we on this side have already cut from the President's budget to reach an agreement. We started this year with $41 billion less in spending than the President requested. Plus, in March we cut another $10 billion below last year's funding levels, including the complete elimination of 33 Federal programs. In total, we have offered $33 billion in cuts for the remainder of the current funding year, which ends in September.

But the most radical elements of the Republican Party will not take yes for an answer. They say we have not come far enough, which in tea party terms means we have not given them everything they want. So they will shut down the Government rather than take yes for an answer.

I saw a picture on the front page of one of the papers with a tea party banner that said: ''Shut her down. Shut her down.''

I thought we were here to make sure we kept the Government going. It is clear their real reason for shutting down the Government is to promote a social agenda that is not acceptable to the broader part of the country. They are willing to shut down the Federal Government, put our economy, our small businesses, our veterans at risk and potentially delay tax refunds for millions of American families, all simply to make a political point and to try to impose the social agenda of a minority on the majority.

Shutting down the Federal Government over a woman's right to choose or the Federal Government's ability to enforce laws that protect our children's health, in my view, takes irresponsibility to a whole new level. Even the Speaker of the House himself has said a shutdown will ''end up costing more than we save.'' The Speaker is right. It would cost about $8 billion every week or .2 percent of GDP every week the Government is shut down.

The Speaker is right on the substance, but he has not yet been willing to lead and deal with the tempest in the tea party on his right, threatening to cut this economic recovery short to satisfy a narrow, rightwing political agenda.

At a time when small businesses are just beginning to get access to capital they need to create jobs for American families, a shutdown will result in $400 million in capital each week not going to small businesses through the SBA loan program and will throw the engine of small business job growth into neutral when we want it to be in overdrive.

In the last shutdown, more than $1 billion in small business loans to 5,200 businesses were delayed, so we know what small businesses are in for if we have another shutdown. This is not the time in our recovery efforts to say no to helping small businesses put people to work.

In housing, the FHA loan process, which accounts for 30 percent of the housing market, will be interrupted just as we enter the height of the spring home-buying season in my State of New Jersey. With prices low and so many houses on the market, this is not the time to prevent 15,000 homeowners from getting a home loan every week, more than half of which are for new home purchases that would reduce the inventory of the surplus properties.

Now, because Social Security is a mandatory funding program, seniors and the disabled will continue to receive their checks. But if we let the tempest in the tea party shut down the government, interruptions at the Social Security Administration could delay changes in people's benefits and payments. In just 4 days of the last shutdown, 112,000 new claims for Social Security retirement and disability benefits were not taken and over 800,000 callers were unable to reach the Social Security Administration. Certainly in this economy, this is not a time to leave those who rely on Social Security with nothing.

With the tax season upon us, it is certainly not the right time to delay tax refunds families are anxiously awaiting in order to make ends meet, put into the economy, and help the recovery keep going.

It is not the time to shut down 368 National Park Service sites, the Smithsonian, the Statue of Liberty, the monuments, museums, and national parks across the country which, in the last shutdown, lost 9 million visitors and the tourism revenues to those communities. Given that our last shutdown occurred in the dead of winter, we can expect a shutdown in the midst of spring breaks and high tourist season to have a much larger impact on tourism revenues and the wallets of families who have already booked trips to national parks and planned visits to national monuments and museums. To put it in context, if we shut down the government for 5 weeks, we could lose up to $1.2 billion based on the $12 billion visitors brought to the national park communities last year.

If the tea party continues to insist on a government shutdown, military paychecks would be delayed at a time when military families are struggling with multiple deployments and struggling like everyone else to make ends meet. They will ultimately get paid but only when the shutdown is finished. In the last shutdown, more than 400,000 veterans saw their disability checks delayed. Now, let's not repeat that mistake when more of our wounded sons and daughters are returning home from two wars raging abroad every day.

If the tea party continues to insist on a government shutdown, clinical trials of lifesaving drugs will be halted and new patients will not be accepted into clinical research programs at the National Institutes of Health.

If the tea party continues to insist on a government shutdown, they will put our entire economy at risk. As a matter of fact, business leaders have said that a shutdown could result in higher interest rates and chaos in the markets. Every week, 350 import licenses could be delayed, resulting in holding up billions of dollars in American exports at a time when we need those exports to help fuel the recovery. During the 1995 shutdown, $2.2 billion in U.S. exports could not leave the country because thousands of export licenses could not be issued.

Ivan Seidenberg, the CEO of Verizon, who is also the chairman of the Business Roundtable, said:

> I don't think any of the CEOs would welcome a government shutdown. Problems for business would run from contracts being postponed to disruptions in the supply chain.

John Engler, president of the Business Roundtable, said:

> Business would face the danger of the law of unintended consequences. Interest rates could rise and there could be turmoil in financial markets.

This would all happen because Republicans, being held hostage by tea partiers, have rejected $33 billion in spending cuts for this year because they did not get all they wanted, because they are not getting their way on unrelated, extraneous social issues such as women's reproductive rights and enforcing laws on our books to protect our children's health. They simply will not take yes for an answer because yes on spending cuts is not really their only goal. Spending cuts is not why they are trying to shut the government down.

I would remind our colleagues that democratic governments are not about total victory. Authoritarian governments do that, not democracies. In democracies, we are all fairly elected to represent our constituents. We all have a view. We all have a vote. We all have an obligation to govern and legislate for every American, not just for those who hold the views of the tea party. With all due respect, tea partiers claim to love our right to free speech and yet clearly do not believe anyone's views other than their own are acceptable.

I say to our colleagues, we all have deeply held beliefs. Defending them and shouting them from the rooftops is

easy, but listening to those who disagree with us and working on the differences is the hard work of government.

I remind my colleagues on the other side that the word ''congress'' is derived from a Latin verb meaning ''to walk together.'' We have already made cuts to the President's budget. We have already made real cuts in this year's spending. We have offered a reasonable compromise that seeks even more cuts but, more importantly, a compromise that seeks common ground, not capitulation, and neither should our colleagues expect capitulation. All we ask is that those on the other side do what is right and act in the broader interests of the Nation, not shut down the government, disrupt services, and put the economic recovery at risk, all to satisfy a narrow political agenda.

I know there was a lot of fanfare on the Republican budget proposal that was put out as we look to the next fiscal year. In my view, it is by far one of the most partisan, ideological, and fundamentally destructive budgets I have seen in my time in Congress—destructive of fundamental protections for every American and for what we have come to accept as fundamental protections that are uniquely American.

It fundamentally takes $1.5 trillion out of health care for seniors and children, and it gives it to the wealthy. It would take health care from seniors and children rather than take subsidies from special corporate interests such as big oil companies. If Republicans got their way, New Jersey residents would lose $34 billion in health benefits, and almost 400,000 New Jerseyans would see their coverage cut entirely.

The Republican proposal talks about cutting taxes, but in reading it, I find only two groups whose taxes would be cut: the rich and those who are even richer. Corporations and millionaires and those soon-to-be millionaires will keep all of their recent tax giveaways and would actually see their tax rates slashed by 30 percent. This proposal loses $700 billion on the revenue side over the next 10 years by extending the Bush tax cuts, particularly to the wealthiest in the country, and trillions more by slashing tax rates for corporations and millionaires. Those making more than $1 million a year will see tax cuts of $125,000 each from the tax cuts and tens of thousands of dollars more from proposed rate cuts, while people in my State would lose $34 billion in health benefits, and 400,000 New Jerseyans end up without health coverage at all.

This budget proposal shifts the balance to the wealthy and makes cuts that do not reflect our values as a people and as a nation. At the top of the list of Draconian Republican cuts is Medicare. Let's for a moment look at the logic of the Republican budget proposal when it comes to Medicare, a program that since 1965 has protected seniors and made sure no older American would be without health care when they need it the most.

In 1965, we passed Medicare. Why? Because senior citizens could not get health insurance. And the reason health insurance companies would not take the risk of insuring older Americans, who, logically, would need to see doctors and receive treatment more often than younger Americans, is rather clear. Even if there were such a plan, the cost would be prohibitive for a senior on a fixed income. So we created Medicare, and today it is one of our most successful programs. No senior is left without access to lifesaving, life-enhancing drugs or the care they need.

What are the Republicans proposing in this budget? They are proposing to end Medicare as we know it. In fact, they want to privatize Medicare, and they say their privatization plan is just a way of asking wealthier seniors to pay more. But let's ask ourselves, logically, how much do we think an insurance company will charge in premiums to a 65-year-old American male who may have had a heart attack or heart ailment or suffers from diabetes. How outrageous do we suppose the premium will be, and how much of a voucher will that 65-year-old American need to purchase even a minimal health care plan? That logic escapes me. Today, buying a private plan on the open market for a self-employed, middle-age couple can cost as much as $18,000 a year. The average retiree in America is living on about $19,000 a year. So, again, the logic escapes me. The fact is, this proposed privatization plan for Medicare completely overlooks the history of why we needed Medicare in the first place. It illogically assumes insurance companies will provide quality health care coverage at a huge discount to older Americans. If that is not wishful thinking, I don't know what is.

Let me close by simply saying that it is time to make sure this government stays open, it is time to make sure we don't thrust the economy backward, and it is time to ultimately ensure that those who have given service to this country, such as the men and women in uniform, don't get hurt, and that we do by coming together on a reasonable budget.

EXTENSION OF MORNING BUSINESS

Mr. MENENDEZ. Mr. President, I ask unanimous consent that there be a period of morning business until 5 p.m., with Senators permitted to speak for up to 10 minutes each.

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

The Senator from Utah.

BUDGET NEGOTIATIONS

Mr. LEE. Mr. President, I could not agree more that we should not have a government shutdown. I could not agree more that we need to take steps to protect and improve our economy. I could not agree more that we need to take steps to make sure our brave uniformed men and women are fairly compensated and otherwise treated. I must, however, express my profound, albeit respectful, disagreement with my colleague, the junior Senator from New Jersey.

This is not a possible shutdown that we are facing as a result of the Republican Party or as a result of the tea party. As a lifelong Republican and as a founding member of the Senate Tea Party Caucus, I can tell you unequivocally that there is not one member of this body, nor is there one member of the Senate Tea Party Caucus who wants a government shutdown, certainly no Republican. From the outset, Republicans have attempted to bring forward proposals to make sure we do not get into a shutdown.

The question we need to ask ourselves is, Why does the President of the United States, President Barack Obama, want a government shutdown? Let's ask a few questions.

Why was it that a few months ago, after the election but before the new Congress took over, when the President had both Houses of Congress under the control of his party, why did he opt not to pass a full budget for fiscal year 2011? That was the first seed he sowed in the direction of a government shutdown. I submit it was one that was either irresponsible on the one hand or deliberate and malicious on the other, intending to bring about a sequence of events that would culminate inevitably in a government shutdown.

No. 2. Even after the new Congress convened, after the balance of power shifted completely in the House of Representatives and after a number of seats in this body shifted and the new Congress convened in January of this year, the President did not bring forward something that could attract both Houses of Congress to approve and that he could fund the government with for the balance of the year. He instead chose to operate on a series of continuing resolutions. We are now moving up against what I believe will be our seventh continuing resolution if it is passed. What we have from the President is radio silence in the direction of what we need to do to move forward.

A number of us have suggested all along in this process that at a point in time in America when we have a national debt approaching $15 trillion, at a point in time when we are adding to that debt at a staggering rate approaching $1.7 trillion a year, it does not make sense and it is not responsible to continue, even in small increments, perpetuating that degree of reckless, perpetual deficit spending.

What we want to see more than anything isn't any specific set of social issue legislation. It is not any specific degree of spending cuts. It is instead a plan, some plan that will move us in the direction of a balanced budget, that will put us on track so we might once again enjoy the benefits of a balanced budget, so we might again enjoy the

day and age when we don't have a debt-to-GDP ratio well in excess of 90 percent. We know when we have a debt-to-GDP ratio in excess of 90 percent, it slows economic growth by as much as half every year, costing our economy as many as a million jobs every single year. This ultimately is about jobs. Our sprawling debt kills jobs and kills economic growth necessary to create jobs.

So, no, this is not a quixotic quest for perfection. This is a quest for that which will suffice to get us back on track toward fiscal responsibility.

I mentioned two seeds the President has planted to lead to a shutdown, the first being his refusal to push through a budget for the entire year, fiscal 2011; the second being his reliance on continuing resolutions. The third seed he sowed, one I am not sure we will be able to get around this time, much as we wish to, is his threat in the last hour or two, his promise to veto the continuing resolution the House is expected to pass this afternoon. It may have passed moments ago. He is threatening to veto that before it even gets over here. One must wonder, why does the President want a shutdown.

We have to remember, these are not drastic changes that have been proposed. In fact, they are not even sufficient to get us back on track so we can say this heads us in the direction of an eventual balanced budget. These are minor cuts. Yet the President insists on moving us inevitably, inexorably in the direction of a shutdown.

While we are on the subject of addressing a false blame placed on the Republican Party and the tea party, I care to address the accusation made by various of my colleagues, an accusation I believe made in ignorance and that, in any event, is manifestly incorrect with regard to the tea party. This is a movement whose views are not extreme. What is extreme is a $15 trillion debt we are adding to at a staggering rate of $1.7 trillion a year. That is extreme, as is what has happened in the last few years, including the U.S. Government takeover of everything from our banking industry to auto manufacturing to our health care industry. Those things are extreme.

The tea party movement is something that is shared by many Americans, regardless of whether they appear at a rally of any kind. It is a spontaneous grassroots political phenomenon that simply recognizes our Federal Government has grown too big and has become too expensive.

We need to do something about that. Many of us who consider ourselves part of the tea party movement and believe the best solution, perhaps the only solution, is to return to that 223-year-old founding document we call the Constitution, look to those powers that are identified as something within the exclusive ability, the exclusive power and control of the Federal Government. The more we do that, the more we believe we can turn to constitutionally limited government of the sort that can operate on a balanced budget.

This is not necessarily even a politically conservative movement. It is neither conservative nor liberal. At the end of the day, it need not be Republican or Democratic. It is simply American. It recognizes this country was founded upon the principle that national governments, as they become large and powerful, have a certain tendency toward gaining an excess of power and spending an excess of money, and to prevent a form of tyranny. A national government can function best when it has limited enumerated powers of the sort we granted the Federal Government a couple of centuries ago, powers including things such as national defense, establishing a uniform system of weights and measures, regulating trademarks, copyrights, and patents, and so forth. Included in that list we won't find anything about a government takeover of health care or manufacturing industries or the banking industry.

This is neither liberal nor conservative, neither Republican nor Democratic, and it certainly isn't extreme. It is simply American. It is what makes us great. It is part of what has created the strongest economy and the greatest civilization the world has ever known. At the end of the day, as those who have planted quite deliberately the seeds for an inevitable shutdown seek to blame others, we have to remember the seeds they have sown, and we have to be willing to cast blame where blame is due.

The blame here cannot and, as long as I am standing, will not be placed at the feet of the Republicans or of the tea party. We do not want a shutdown. We will do everything we can to fight against it. If we have one, it will be because the President of the United States and members of the other party in this august body have refused to put forward a palatable, defensible budget.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. DEMINT. Mr. President, I associate myself with my colleague from Utah. I appreciate the clarity of his remarks. I wish to add to them.

I am glad we have some folks here today listening in. There is probably no other place in the country we can hear so much nonsense as we will hear on the Senate floor today. Unfortunately, we just heard that from the colleague before my colleague from Utah.

The House just passed another resolution to fund the government, fund the military for the rest of the year, pretty much at a figure we have all agreed on. It includes funding for 1 week to keep other aspects of the government open, and it makes some very modest cuts to our budget. Most of these have been agreed to in advance. But there seems to be one sticking point. This bill would prohibit using taxpayer money to fund abortions in DC.

My colleague who spoke a minute ago said this is an invasion of reproductive rights. I am here to tell colleagues that no one has a reproductive right to use somebody else's money for an abortion. That is all this is about. Not only taxpayers' money, but we are borrowing money to do something at a time when the country is nearly broke that Americans disagree on, and it violates the conscience of many Americans.

But my colleagues on the other side have decided to make this the crucial issue. Either Republicans agree to use taxpayer money for abortions or they are going to shut down the government. And they say we are emphasizing social issues. This is not just a social issue. It is an American issue. Even people who support abortion support the idea that taxpayers should not be forced to pay for it. It is a small request. The cuts are small. But it is clear, as the Senator from Utah just said, this shutdown has been planned by the President and the Democratic majority for a long time, believing they can win the PR battle, thinking that Americans are too stupid to figure it out. I am confident, as we go into this, that Americans are much smarter than my Democratic colleagues. I think they are going to figure out how irresponsible the President has been, how much lack of leadership there has been in the Senate, trying to blame Speaker BOEHNER in the House who controls one-half of one branch of government for a shutdown, when last year, when the President controlled the whole government, we didn't pass a budget. We didn't fund any aspect of government. This landed in the lap of a new Congress which still includes a Democratic majority here in the Senate.

There has not been one bill from the Senate that the Democrats agree on. The President has not sent down one funding request we could vote for. We don't have a bill proposed by Senator HARRY REID today that we can vote for to keep the government open. Yet he is saying what the Republicans on the House side are sending over is not good enough.

The House just passed another bill. Fifteen Democrats voted for it. If we had 15 Democrats in the Senate who were reasonable, we wouldn't have to deal with this ridiculous, irresponsible government shutdown. I don't know what else Republicans in the House could do. They sent over, over 40 days ago, a bill that would have funded the government through the rest of the year with very nominal cuts. It was set up to fail in the Senate. We have yet to have hardly any debate on the issue. During all this time we have spent less than 3 hours of debate on the most important issue in the country. We spent the last couple of weeks on a small business bill. I bet no American could tell us what we are even talking about. Before that we spent a couple of weeks on a patent bill—anything we could do

to avoid the responsibility of debating the most pressing issue in this country.

I also have to take issue with what the Democrats are trying to do with the tea party. I remind them that many tea party members are Democrats. They are Independents. They are Republicans. Many of them have never been involved with politics before. Many are Hispanic and African American. They are all Americans. But they are concerned about our country. They seem to be able to do something we can't do here. They add and subtract. They understand we can't keep spending more than we are bringing in and expect the country to survive. We even brought up a resolution—the Senator from Utah did—to have a sense of the Senate that we should balance our budget. Just about every Democrat voted against that. That means there is an intent to bankrupt our country. Because there is no way around it; if we keep spending more than we bring in, we will bankrupt the country.

That is the course this President has put us on. That is the course Senator REID and the Democratic majority want to keep us on. When we try to do even modest, nominal reductions in spending to change the trend line, they are coached, as Senator SCHUMER has said, to call it extreme and to blame it on the tea party. Americans are smarter than that. I think my colleagues are getting ready to figure that out.

We come down to the bottom line the Senator from Utah mentioned. Why are they doing this? They look back to 1997, back in the 1990s, and they think they can win the PR battle. Even more importantly, the President needs a distraction. The focus on the President now is revealing a lack of leadership in domestic policy and foreign policy. He has led us into a mess in Libya. He has led us into a domestic mess and has us on a course to bankrupt the country. He is trying to take over health care. And all those unions and other people who were advocating for it are now asking for waivers. There have been over 1,000 waivers, people who want to get out of this health care bill. The financial reregulation Dodd-Frank bill is threatening to hurt the economy even more. The President needs a distraction. This is a choreographed distraction to close the government down, to draw attention, to try to shift the blame from a President who has been AWOL from leadership and has very little political courage.

That is what we need right now across America. That is what Americans are asking us to do, to keep fighting, be bold. This is not a matter of partisan politics as much as it is a matter of national survival. We have to make some hard decisions. We can't keep spending more than we are bringing in. We have to do what families do, tighten our belts, balance the checkbook.

These are not radical ideas. All we have to respond to is what the House has passed today. Senate Democrats who control this place have not offered any solution. The President has not offered a solution. I suspect we will not even be allowed to vote on the one option we have, what the House sends over here. Yet they think Americans are so stupid that they can come to the floor and blame Republicans who have no control over the situation except to send us what they think is best from the House.

That is what they are doing. They need to be applauded. Speaker BOEHNER has done everything he can to try to work with all parties here to responsibly keep the government going and at the same time to recognize we cannot keep this reckless spending the President has been doing the last couple of years. This is an urgent and serious matter that I am afraid is being played as a PR game by the other side.

The misrepresentations I heard just before about the budget being proposed on the House side are very difficult to swallow. The truth is very rare in this body. I hope all Americans will take the time to look at what is really going on because this is all a blame game, and the Democrats are counting on Americans not to pay attention, to take their cues from the national media.

We are going to do everything we can to keep the government open, to responsibly respond to what the voters told us last November, and not to play the blame game with the other side. But this is being played as a game instead of a matter of serious national survival, a serious national issue. But the bill we will hopefully have a chance at least to debate that the House just passed will take our No. 1 responsibility, to defend our country, fund our troops, and make sure that is done for the balance of the year. We can argue about the rest next week, but let's fund our troops this week and do what we were sent here to do.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. HUTCHISON. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. HAGAN). Without objection, it is so ordered.

Mrs. HUTCHISON. Madam President, I ask unanimous consent to add the following Senators as cosponsors to S. 724: Senator MANCHIN, Senator UDALL of Colorado, and Senator ROCKEFELLER.

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

Mrs. HUTCHISON. Madam President, that brings to 43 the number of bipartisan Senators, including the Presiding Officer, who are supporting the bill that will assure that our military personnel are paid even if there is a government shutdown.

We all realize the stress that a military person and a family are under if that military person, especially, is deployed overseas. We have troops in Afghanistan. I was talking to my staff a minute ago, and he heard from one of his friends in Afghanistan, on his ninth deployment, who had heard about our bill and he thanked us for realizing there might be a delay in the military pay and for trying to address it if, in fact, the government is shut down. His ninth deployment, and he is worried about whether he is going to be paid on time so his family, with a 1-year-old child, will be able to make sure and pay the mortgage on the first of the month. Oh, my gosh, what are we thinking here?

I think there are certainly legitimate disagreements about the spending and the budget. I am one who believes we should be cutting the spending. I think the ways to get there are certainly legitimate areas of disagreement. There should be one matter on which we do not disagree and that we would unanimously pass in this Senate; that is, in the event the government does shut down because the sides are still apart when the deadline comes Friday night, that our military get their paychecks, and those who are serving our military overseas or wherever with food service and the things that are done by civilian employees serving the military, that they, too, would show up for work and they would be paid.

We cannot have somebody thinking: Oh, golly, now, I wonder if I am supposed to show up to serve the military meals in Afghanistan or in the base in Iraq or the police station where our troops are embedded. Are we going to ask those questions? I hope not. I hope that if there is one thing this Congress and this President can agree on, it is that there should be no question that the mother at home with the 1-year-old child whose husband is on his ninth deployment in Afghanistan will not worry that she will have that, hopefully, direct deposit so she can pay her mortgage on time.

S. 724 is very simple and very clear: that our military will be required to come to work, which will be no doubt for them, and they will be paid on time. The same goes for anybody serving the military where it is essential for the service of the military. We have almost 100,000 people in Afghanistan today. We have 47,000 in Iraq. There are a lot of people who are serving under great stress and doing a great job under very trying circumstances. I hope this Senate, if, in fact, the government shuts down, can speak very clearly.

I don't think we can wait until 11 o'clock Friday night to make that determination. The processing of the bills and the direct deposits and all that is right now because the paychecks are imminent. It is about 1 week until the paychecks come, but we have a process and we need to ensure the process is going forward.

We know the House, as we speak, is debating the 1-week continuing resolution. It does have the funding for the

Department of Defense until the end of the fiscal year. The President has said he will veto that because of the riders in the bill, which means we could be facing a government shutdown. I don't want the government to shut down because I don't think we even know the real consequences to the thousands of people who are affected, to the veterans who get benefits and live benefit to benefit or the military personnel, of course, and those in the Department of Defense.

Many of us are trying to make the decisions as to who is essential in our offices. It is very hard to do the constituent services when we are involved in a government shutdown. I can't tell my colleagues the number of emergencies I get: people who have loved ones overseas who can't get visas, can't get back, who lost passports. We have so many calls where people need services. So we have to select what are the essential services. These are all things people are not aware of that will happen when there is a shutdown of government.

So I hope we can come to an agreement. If, in fact, we have an agreement—and some people are saying we do for the top-line spending; I haven't heard it yet, so I don't know if that is the case—but if the leaders have made a decision that there is now an agreement on that, I hope we will be able to act and not have a government shutdown.

I also hope we will be able to pass a long-term continuing resolution. It is high time people know what they can contract for, what government services are going to be ongoing and at what price, at what funding level. Nobody would run a small business this way. Nobody would run a corporation this way: Well, we can't agree, so we will just have a week-to-week continuing resolution in a business. Nobody would do that.

I think we have to be focused on the big picture. We have 6 more months in this fiscal year, until October 1. We need to make sure we get this out of the way so we can focus on what is truly going to make a difference in terms of whether we can get this deficit down and get the debt off the plates of our children in the future, and those will be the reforms that will be tied to the debt ceiling. If we don't have reforms, that is when we should draw the line in the sand and say we are not going to have the debt ceiling lifted without the reforms in place that will allow us to not hit that $14 trillion number in the future. I hope we will have a 10-year plan that would start lowering the deficit every year over 10 years so eventually we would have it down to a reasonable amount as compared to our gross domestic product. That would provide the credibility to the rest of the world that we are going to meet our obligations, that we will not default, and that we would be taking hold of our financial situation in this country. That would be the prudent thing to do. I hope we will all be able to work together to do it.

As of now, I think the important thing for this Senate to do is to pass S. 724 that now has 43 cosponsors. It is a bipartisan bill that says the military should not have to worry about a government shutdown. That should be the last thing on their minds. They should be protecting themselves from harm in Iraq and Afghanistan and their families should be able to do the best they can to support their families while their loved ones are overseas. I hope there will be a time going forward when we can pass this bill in short order—not at 11 o'clock Friday night but in the next day or so—if, in fact, we are not able to see our way to passing the 1-week continuing resolution that would prepare us, hopefully, for the long-term continuing resolution to get this fiscal year out of the way and let us focus on next year's budget, which starts October 1, and the long-term reform that is going to be necessary to start cutting our deficit significantly.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. SESSIONS. Madam President, I understand our Democratic leader is meeting with the Republican Speaker of the House and the White House and working to try to establish the funding level we will have for the rest of this fiscal year that ends September 30.

Let me explain, briefly, how we got here. Our Democratic majority in the Senate failed to pass a spending level last year—failed to pass a single appropriations bill last year and, at the start of the fiscal year, voted a continuing resolution for 5 months. In the course of all that, there was a national election and the most driving force in that election was the American people's deep concern about reckless Washington spending and surging debt that they know is endangering the American economy, can reduce growth, cause a debt crisis and put us on an unsustainable path and burden our children and grandchildren with massive debt, the likes of which we have not seen before.

The continuing resolution that passed at the start of the fiscal year carried us 5 months of the 12-month fiscal year. I suppose, after the shellacking the big spenders took last fall—the biggest shellacking in 80 years—huge numbers of individuals got elected to the House and a large number to the Senate who are committed to containing spending—there should have been no doubt that when we came to decide how much spending we would have the last 7 months of the fiscal year, that there would be proposals to reduce spending. The House responsibly came forward with H.R. 1, which calls for a reduction of spending by $61 billion over the last 7 months of the fiscal year, and it was sent to the Senate. The Senate has done nothing. We have a vote on the bill. Actually, more votes were obtained in the Democratic-controlled Senate for the Republican House bill than votes achieved for the Senate Democratic bill. Ten Democratic Senators were uneasy with the bill the Senate majority produced because it only reduced spending by $4.6 billion. Have they forgotten what happened in November? Have they forgotten that projections continue to grow throughout the year, and instead of a $1.3 trillion expected deficit this year, the numbers have grown to $1.4 trillion in debt added to our country this fiscal year ending September 30?

Did not the American people expect us to do something? One would have thought this $61 billion reduction is somehow the end of the world. We have been fighting ever since.

We have had a series of short-term continuing resolutions so the government does not shut down. Why should the government shut down? Because under our Constitution, if the Congress does not fund a government entity, the entity does not have a right to exist. It can't go out and operate as a government entity if it has not been funded by the Congress. So we have a serious problem. I hope our colleagues reach an agreement. I hope Senator REID and Speaker BOEHNER can reach an agreement, but I am uneasy about it. Frankly, I am not happy about some of the things that have been occurring.

Let me read for my colleagues what Senator REID, our Democratic leader, has been saying. You know we want to have a compromise, they say. Why don't you guys all get together and be nice to one another? Well, we should, and we do, even though we sometimes are pretty aggressive in our debates. But it is a bit much when Senator REID says the tea party is trying to push through its extreme agenda—issues that have absolutely nothing to do with funding the government.

He goes on to say:

> They have made a decision to shut down the government because they want to make it harder, for example, for a woman to get a cancer screening.

I have asked myself: What in the world could he be talking about there? My staff thinks the only thing he could be referring to is the proposal to reduce funding for Planned Parenthood, the largest abortion provider in America.

He goes on to say:

> Do they really want to shut the government down because the tea party doesn't want scientists to make sure the air we breathe is clean and pure?

Give me a break.

He goes on to say:

> This is a time we don't have to fight over the tea party's extreme social agenda.

They had a tape of my good friend, Senator SCHUMER, and he had to back

down from it, but everyone agreed to use the word ''extreme.'' So they called everybody ''extreme.'' They had a press conference and it got picked up. One of our fine Democratic colleagues was talking about the extreme Republicans, and then he said the extreme Republicans, ''my good friends.'' Good for him. Give me a break. There are other statements like that. The Democratic leader in the House, NANCY PELOSI, said:

> The GOP Ryan budget is a path to poverty for America's seniors and children and a road to riches for big oil.

One of the Congressmen said that the Ryan budget ''puts yet another brick in the wall between the haves and the have nots.''

Senator CONRAD, chairman of the Budget Committee, of which I am the ranking member, called that budget ''unsustainable and unreasonable.''

Well, we have a problem in America. The debt in this country is dangerous. We are coming out of the recession, and we need to continue growth. We need to continue job creation. It is not as good as a lot of people say, but it is improving. It has been slower than most recessions for us to recover. But Alan Greenspan, Erskine Bowles, Bill Gross at PIMCO bond company, the largest in the world, who has stopped buying U.S. Treasury bonds and sold all his U.S. Treasury bonds, and Moody's have all warned us that we could be facing a crisis in short order. We need to make some changes.

Also, all of this is being conducted under an atmosphere that is affected by the budget for fiscal year 2012.

Chairman RYAN and his fabulous Budget Committee in the House have produced a very good budget. It is a courageous and long-term budget which deals with the unsustainable course of Social Security and Medicare and Medicaid. He proposes solutions that save those programs and protect our seniors. They put us on the right trajectory. That is what has been hammered as some extreme document.

What has the Senate produced? Nothing. The Senate hasn't produced anything, nada. This is most troubling. But what has the other party, who is required to submit a budget—the Budget Act requires the Senate to produce a budget, and it requires the House to produce a budget, and it requires the President to submit a budget. The President, a week late, submitted a budget.

Mr. Erskine Bowles and Alan Simpson tell us we are facing the most predictable economic crisis in our Nation's history as a result of the debt we are running up. We cannot continue this. It is unsustainable. Mr. Bernanke says we are on an unsustainable course.

What did the President do? What kind of budget did he propose? His budget increases spending every year. It increases discretionary spending every year. It increases taxes by $1.7 trillion. It doubles the debt in 5 years and triples it in 10 years. It is unsustainable. It is, in light of the circumstances we face today, unacceptable. He provides no suggestion whatsoever to save Social Security, which is moving into an unsustainable course, nothing whatsoever to fix or strengthen Medicare or Medicaid, all of which every expert in the country agrees are on dangerous paths that cannot be sustained. It is stunning.

Interest on our debt last year was $200 billion. We borrow the money we don't have. Interest last year was $200 billion. This year, we are going to spend $3.6 trillion and we are going to take in $2.2 trillion. Forty cents out of every dollar we spend is borrowed. This is the third straight year with a $1 trillion-plus deficit. These last 3 years, we are averaging $1.4 trillion in deficits per year. The highest we ever had before that was $450 billion.

The lowest budget deficit, projected by the President's own budget office, scored by the CBO, in 10 years would be $740 billion. Worse, it is going up in the outyears. In the tenth year, under President Obama's budget, the deficit would be $1.2 trillion. And the reason the numbers dropped was always there—based on the projection that our economy will continue to rebound, nothing that the President has done. His spending levels increased under the budget.

Therefore, I believe and I honestly think that the President's budget, in light of the warning and the danger this debt is posing to America, is the most irresponsible budget ever presented by a President of the United States. It is stunningly damaging. It is unacceptable. It accelerates the unsustainable path we are on. As Congressman RYAN, chairman of the House Budget Committee, said, it makes it worse than the unsustainable baseline numbers we are operating under now. It makes it worse.

The Republican House has produced a good budget, the President has produced a budget that is unacceptable, and our Democratic colleagues in the Senate have produced nothing. They just want to complain. They want to make these kinds of attacks: punishing working families; another brick in the wall between the haves and the have-nots; denying women the right to have breast exams and cancer screening; extreme social agenda—extreme, extreme, extreme. Be sure to use that word, ''extreme.'' I don't believe the American people are going to buy this or that they are going to be taken in by the big spenders. They weren't last fall when 64 new House Members were elected who are committed to restrained spending, and I don't believe they will in the future.

Some think that Republicans will get blamed for shutting down the government if they don't have an agreement. Let's talk about that.

As a matter of compromise, the House has sent over another bill, H.R. 1363, that would extend funding for another week and allow the negotiations to continue for another week, and that will reduce spending by an additional $12 billion. That bill also funds the Defense Department through the end of this fiscal year so that they are not hung out there with CR after CR, and so that the Defense Department, the people who defend our country can have confidence in the funding level for the rest of the year. H.R. 1363 is here in the Senate. The House passed that legislation so the Senate can pass a permanent fix for the rest of the fiscal year or it can do 1 more week and we can continue to talk. It is hard for me to imagine how the Republican House, which has sent two good pieces of legislation over here, ought to be blamed when the Senate has passed nothing. They brought up nothing.

It is a bit odd to me also that the President said, ''I am going to veto it.'' I saw a commentator this morning say that the President wants to act like a good daddy and try to get the Senate and the House together and put his arm around them and be the person who brings them all together. Maybe that would be good if it would happen. It looks as if he has taken that hat off and is threatening to veto even a 1-week extension of spending that funds the Defense Department.

Why? One experienced Senator told me: I will tell you why. Senator REID may not have the votes. He may not want to vote on the 1-week CR. A lot of his Members are getting tired of this. They know we have to reduce spending and we need to fund the Defense Department. If it came up on the floor, maybe a lot of Democratic Senators would vote for it and it would pass. Maybe they can work out some of these agreements if we have another week.

I am just saying that some people think all of this sound and fury is politics. I guess there is some politics in it; that is hard to deny. But this is not the normal political squabble between Republicans and Democrats. We really do face a debt crisis. We really have a responsibility.

President Obama's own debt commission pleaded with us to do something about the systemic threat we face from our surging debt that could knock down the growth and progress we are just beginning to feel a little bit here. It could kick us back. Alan Greenspan, former Chairman of the Federal Reserve, and as Erskine Bowles, a chairman of President Obama's debt commission and President Clinton's former chief of staff, have said that nothing could be more devastating to the country than if we had a debt crisis. They are warning us to do something now, not just a short-term spending level for the rest of this fiscal year but the budget for the next year. They tell us we have to deal with the entitlements, the long-term danger they present, as well as the short-term spending levels. I believe Congress knows that.

Some say the American people don't believe in cuts; they talk about cuts, but they don't believe in them. I don't

think so. I believe Mr. Christie is hanging in there in New Jersey, and Governor Cuomo in New York is proposing serious reductions in spending. His popularity is strong. In Alabama, my State, Dr. Bentley, our new Governor, just announced that the discretionary spending levels would be cut by 15 percent the rest of this fiscal year. Nothing we are proposing is close to those kinds of spending reductions they are talking about in Alabama. We are going to have to do some spending reductions. It is going to be meaningful, significant, and it will be difficult to deal with. We should do it carefully.

If we bring down this level of spending, it will have a transformative impact. For example, if you take the $61 billion and you did what the House said—reduce the spending level $61 billion—that reduces the baseline of Federal spending by $61 billion, and over 10 years we will save $860 billion. That is real money just from reducing baseline spending by $61 billion. We have to think in terms of 10-, 20-, 30-year budgets because, as it gets in the outyears, the dangers are even worse.

I believe we can do this, and I believe the American people are ready to face up to these challenges.

I salute my colleagues in the House for presenting a budget that is honest. If you want to know what kind of challenges we face, look at that House budget because it deals with them. The budget the President submitted is filled with gimmicks. When the CBO analyzed the President's budget, it found over $1 trillion in gimmicks. CBO found that his debt projections were off by over $1 trillion because of gimmicks.

I think Congressman RYAN's budget is honest. Not only that, it deals with the long-term threats to our economy and our finances. It is something we ought to consider. If my colleagues have different ways to achieve some of the things he achieves in his plan, let's hear them, let's talk about them. Let's make sure seniors are not going to get hammered and unfairly treated in any way. We can do that. We ought to have an open and fair debate.

The only people who have stepped up and have shown leadership so far have been the members of the House Budget Committee. The President's budget is irresponsible, and the Senate has done nothing. It is time for us to get together, get our act together, finish the funding for this fiscal year, reduce spending every dollar we can, and do a budget for next year that puts us on a path to a sound economy where growth can occur and jobs will be created.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HATCH. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. KLOBUCHAR). Without objection, it is so ordered.

Mr. HATCH. Madam President, earlier today the House of Representatives passed H.R. 1363, a 1 week continuing resolution that will pay our troops and keep the government running.

It is a pretty sad commentary on the willingness of the White House—and my colleagues on the other side of the aisle—to get serious about spending, that we have even arrived at this point.

We need to be clear about a few things in this debate.

First, we are here because Democrats did not do their job last year. Among the most basic responsibilities of Congress—in fact its core constitutional responsibility—is to take up and pass a budget and fund the core functions of the government for the year.

Last year, Democrats had the majority in the House of Representatives. They had a filibuster proof majority in the Senate. And, of course, they had the White House.

But they were so tied up with pressing matters like passing a $2.6 trillion health care bill that the American people did not want, that they never got around to passing a budget.

And then in the fall, as the bottom fell out of public support for the Democrats, they were too interested in salvaging their majorities and trying to spin ObamaCare that they never funded the government.

So that is why we are here.

We are debating a spending bill for fiscal year 2011.

It is April of 2011.

Fiscal year 2011 started in October of last year.

It is very simple.

Democrats did not do their job, and so they left it to the new Republican majority in the House to fund the government for fiscal year 2011.

The Republican-led House got to work. They passed H.R. 1.

Now I know that it is in the Democratic talking points to call this bill extreme, but what exactly did it do?

When you strip away the ideology and the rhetoric about this so-called dangerous and extreme bill, what exactly did it do?

Here's what it did.

It reduced non-defense discretionary spending by $61 billion. That is a big number, but let's put this in perspective. This year we are scheduled to spend $207 billion just on interest on the debt.

This year we have a projected budget deficit of $1,600 billion.

And this year, the Federal Government is on pace to spend $3,800 billion.

So H.R. 1 was proposing $61 billion in reduced spending by a Federal Government on pace to spend $3,800 billion.

You all have heard the old joke.

When someone is asked if they got a haircut, they respond I got them all cut.

In this case what the Republicans are proposing is like going to the barber and getting just one of the hairs on your head trimmed.

The Democrats call this bill draconian.

But as one person put it, the spending reductions in this bill are equivalent to ordering a Big Mac, a large Coke, and a large fry, and then eating the whole Big Mac, drinking the whole Coke, eating 98 of the 100 fries in the bag, taking a bite of the 99th fry, and then leaving the rest. That is hardly a crash diet.

But to hear Democrats talk, Americans would starve if H.R. 1 passed. That is not an exaggeration. Former Speaker PELOSI suggested as much just yesterday.

To hear Democrats talk, this is Armageddon. To hear them talk, this $61 billion in spending reductions is so onerous, America will never be the same.

Americans aren't buying it. The people of Utah, and people around the country, understand that if the Senate were to accept the full $61 billion in spending reductions, life would not only go on, no one would notice any difference at all.

Let's look at this a different way. Nondefense discretionary appropriations have been hiked up by 24 percent in the last 2 years, and 84 percent if you count the stimulus bill. But to hear Democrats talk, even beginning to roll back this explosion in government spending is akin to shredding the Declaration of Independence. Give me a break. The bottom line is that the cuts in H.R. 1 are more than reasonable. People who are remotely serious about reducing the size of government should accept them in full.

But the White House, and their Capitol Hill allies, do not seem to have gotten the message that Americans want to roll back spending. Instead, they are playing politics. They have calculated that if the government shuts down—if Senate Democrats refuse to pass and the White House refuses to sign a bill to reduce spending—the Republicans will be left holding the bag. They think that history will repeat itself, and just as in 1995, the public will blame Republicans for a government shutdown.

Even the New York Times might not be able to carry that much water for the President and his Democratic allies.

The American people get this, and they are saying enough is enough. If the White House and its Capitol Hill allies think they can force a government shutdown and blame Republicans, they must have zero respect for their constituents. The last week of negotiations has proven yet again that big spending is in the Democrats' DNA.

They are congenitally incapable of reducing government spending, so much so that they are even willing to shut down the government.

In the words of John Blutarsky, ''when the going gets tough, the tough get going.''

But when the going got tough on these negotiations, the Democrats were missing in action.

The President jetted off to a couple of fundraisers. And his Capitol Hill allies turned to the rankest of political smears.

The incoming chairwoman of the Democratic National Committee, who until about 5 minutes ago was scolding Republicans for their lack of civility, hit the ground running and claimed that the budget proposed by House Republicans for next year is a death trap for seniors and a tornado through nursing homes. So much for an adult conversation.

The Democratic Congressional Campaign Committee was quick to fundraise off of these spending fights,.

In an e-mail to their dare-I-say extreme base, they claimed that Republican negotiators are engaged in blackmail and blamed tea party citizens for the shutdown, rather than the Democratic leadership that refuses to pass the fiscal year 2011 spending bill and move on.

I will tell you what. They might have an easy time raising money by smearing conservative Republicans and blaming them for this mess. But this is fool's gold, because they are going to have a heck of a time explaining to our men and women in uniform why it is that they refused to pass a bill that would make sure they are paid.

Because the Democrats in this chamber will not accept the modest spending reductions in H.R. 1, the House took up H.R. 1363 today. This is a continuing resolution that will fund the government for a week, prevent a shutdown, and fund the Department of Defense through the end of the year, making sure that our servicemen and women receive their paychecks and that our national security is not compromised.

The ball is in the court of this body's leadership.

The President has now made it clear that he is willing to shut down the government rather than pass this CR.

They have issued a Statement of Administration Policy suggesting that they will veto this continuing resolution if passed.

If the President wants to go off this cliff, I can not stop him.

But I would encourage my Democratic colleagues here that they do not need to follow him off that cliff.

Now, their leadership is saying that it will oppose H.R. 1363 because it eliminates taxpayer funding of abortions in the District of Columbia.

In the end, I cannot believe that they would shut down the entire Federal Government in order to appease the most radical pro-abortion members of their left-wing base.

We will see what happens.

Maybe the Senate will do the prudent thing and pass H.R. 1363.

But I am not holding my breath.

The $61 billion in spending reductions passed by the House months ago is equivalent to 1.6 percent of total projected federal spending. Americans tighten their belts much more than this every day, but Democrats are acting like these cuts are the end of the world.

I would say that the leadership on display from the White House on this issue is pathetic, if there was any on display at all.

Because the White House has showed zero leadership on the issue of spending and government bloat, because it has refused to make the decisions that would force the Federal Government to live within its means, we are in this unacceptable situation of a potential government shutdown. Our Nation is broke. We have to stop spending money we do not have.

But on this most critical of issues the President has been missing in action.

His advisers seem to be treating this exercise like it is a no-stakes Harvard Law seminar in multiparty dispute resolution.

But the stakes could not be higher.

This situation calls for leadership, but we are getting nothing from the White House.

It is time for real leadership that keeps the government running while cutting spending.

I urge the Senate to adopt H.R. 1.

In the alternative, we should adopt the House-passed short-term CR.

There is no need for a government shutdown.

Democrats who think that clever strategists and professional politicos can spin the American people into thinking this is the Republicans' fault, even though it was the Democrats who walked away from the from the table, should remember last year's experience with ObamaCare.

Reluctant Democrats in the House and Senate were told by the same strategists and professional spinners that ObamaCare could be messaged in a way so that it would benefit them.

Today there are many former House and Senate Members who wish they had not bought that snake oil.

If the government shuts down, no amount of spinning is going to convince Americans that this was the fault of anyone other than the President and Democratic congressional leadership who have refused to make any meaningful reductions in Federal spending.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. NELSON of Florida. Mr. President, have you ever noticed when someone points their finger and says ''it is all your fault, it is all your fault,'' did you notice that there are three fingers pointing back at them?

Here we have the blame game going on. What we have is politics at its worst. In trying to govern a country that is large and diverse and complicated, as our country is, you have to have people of good will who will come together to build consensus, who will respect each other's opinion, who will respect each other, and realize that their opinion may not be the only opinion.

That is what we have that is leading us to this point. We have folks who are saying, it is going to be my way or no way. And because of the vote structures, 60 votes required here in order to pass anything out of 100 Senators, we are coming to the precipice, and we are about to fall off.

It is not supposed to work this way. You can have people who sharply disagree about a particular issue, but when it is time to build a consensus and get it done, you have got to have that capability of coming together. Some people use the word ''compromise.'' But compromise has a dirty connotation. It should not. It is the glue of solution making. And that is what this world's most deliberative body for over two centuries has done so well, is come together to build consensus to govern the country. Notice something else. You do not govern from the political extremes. If the political extreme says, it is my way or the highway, you cannot build that consensus in the middle. Thus, that is the situation we have gotten into. A radical, in this case—we have had it on the left end of the political spectrum in the past, but that is not what this is. This is a radical rightwing agenda that is saying, from the House of Representatives, it is going to be their way or no way or they are going to shut down the government.

That is a sad state of affairs. That is saying we cannot come together and agree and reach a solution. So what is going to be the consequence? Well, do you realize when the government is shut down and people are out of work, this does not just affect Federal employees? What about those employees in the private sector whose business depends on being frequented by Federal employees? For example, someone whose business suddenly goes down, are they going to be able to pay their rent?

What about the poor person who is suddenly not going to have a paycheck and they are not going to be able to pay their mortgage? Do you think their bank is going to work with them in order for them not to be in default?

Wait. Let's back up. Look at the experience of my State, Florida. How many banks have worked with people who have been unemployed who have not been able to pay their mortgage, and the banks are not working with them?

So if we go out of the government being functioning, and all of the activities of government, what about the airlines? Certain essential employees will have to operate the air control towers and TSA for security. But do you think the people who are not going to be able to work in the Federal Government in the hemisphere of aviation, do you not think that is going to ripple through the economy in this example of the airlines?

What happens if there is that lapse of safety and this time an airliner does

not land safely as we have had where people have fallen asleep in the tower?

Let's talk about our military. At the end of the day the other side is saying, oh, is it not awful that those of us on this side are not going to pay the military? We are going to vote over and over to pay our military. Our leadership is going to make consent requests over and over to pay our military if we are going to be shut down.

What about our intelligence apparatus, the very apparatus that in far distant lands gets a snippet of information that is passed through the governmental centers that allows us to avert the terrorists from ever doing the attack in the first place? Is that going to be affected? Oh, essential personnel will be there. But what about some of those extended personnel we rely on for our intelligence apparatus?

Ladies and gentlemen, we are not only playing with fire, we are playing with superheated fire. What about GABBY GIFFORD's husband, the commander of the next space shuttle mission? They are supposed to launch April 29. Are all of those workers at the Kennedy Space Center who are preparing the next to the last space shuttle flight going to continue that preparation? Are they going to lay off the astronaut crew because they are not essential as they are training in split-second, very precise training?

Is CAPT Mark Kelly, United States Navy, going to be able to command that mission to take the final components up to low-earth orbit to connect those final components of the International Space Station? What kind of effect is that going to have and be felt throughout the NASA centers all over the country?

What about the Securities and Exchange Commission? What about the banking regulators? What about the Internal Revenue Service going after the people who are trying to defraud us? Do you know that we have prisoners in the State prison system in Florida—more than any other State—who have been putting in fake income tax returns and getting refunds? We have finally got the IRS working with the State prison system, and they are going to shut that off in the next week. Are we going to be able to stop that fraud upon the taxpayer? What about the fellow who just received a $250,000 IRS refund check, and he has not even filed his income tax return, because somebody has stolen his identity and put in a fake return, and fortunately the check got to him, not to the shyster. Are we going to have those IRS personnel to continue to go after that? You can go on and on.

What about our court system? What about the administration of justice? This is what we are facing.

Rigid ideology, in some cases placed on top of excessive partisanship, is now bringing us almost to our knees. If we shut down at midnight tomorrow night, and if we go through the weekend, guess what is going to happen to the Asian financial markets come Sunday afternoon, Sunday evening here, when it is Monday morning there, and those Asian markets open up. Oh, and by the way, have not the people of Japan suffered enough? The 20 or so ships we have over there trying to assist the people of Japan, are they going to have to go on furlough too?

This is the time, as the Good Book says, for people to come. Let us reason together. This is the time for people of good will—and there are plenty of those people who are Members of the Senate—on this side of the Capitol and on the other side of the Capitol to come together. Come, let us reason together.

I yield the floor.

The PRESIDING OFFICER (Mr. FRANKEN). The majority leader is recognized.

EXTENSION OF MORNING BUSINESS

Mr. REID. Would the Chair be kind enough to announce, are we in a period of morning business?

The PRESIDING OFFICER. We are in morning business until 5 o'clock.

Mr. REID. I have cleared this with the Republican leader. I ask unanimous consent that the Senate extend the period of morning business until 9:30 p.m. tonight, with Senators permitted to speak for up to 10 minutes each during that period.

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

The Senator from Illinois.

BUDGET NEGOTIATIONS

Mr. DURBIN. Mr. President, like the majority leader, I was here the last time there was a government shutdown. I never believed it would reach that point. I certainly didn't believe it would be a long shutdown, but it turned out to be over 2 weeks before it was over. It was a period of profound embarrassment for all of both political parties who served in Congress that it had reached a point where our efforts to find common ground had failed, and we had basically failed by closing down the government and calling an end to basic government services.

The Senator from Florida went through a partial list. The list could go on and on. What about the Federal Bureau of Prisons. Men and women who risk their lives every day guarding the most dangerous people, what is to happen to them as we shut down the government? He raised questions about our efforts to monitor terrorist activities. Those efforts are not only exclusively among the military. He mentioned the intelligence-gathering operations of the United States. I don't think most people outside our walk of life have any idea how many men and women get up every single morning, monitoring transmissions of information, monitoring activity all around the world, looking for that one shred of evidence that there is something dangerous about to occur. These are Federal Government employees, subject in many respects, many of them, to a government shutdown.

In the Department of the Treasury is a foreign assets desk that monitors every single day the movement of money, looking for evidence of drug cartels and terrorist activities and criminal activity in the United States and around the world. They share that information with law enforcement at every level—State, local, and international—to keep us safe. These are Federal employees affected by a government shutdown. We just learned our Secretary of State is canceling a major conference on Tuesday, bringing in leaders from around Washington and the world to talk about critical issues, because of her fear that the Department of State will be shut down on Tuesday. We also know, in embassies all around the world, men and women literally risk their lives to be there representing the United States, offering their services for Americans and others in terrible circumstances, and they are going to be subject to a shutdown, skeleton crews.

We ask ourselves: Is this necessary? Have we reached a point where there is no alternative? The answer is there is an alternative. The alternative is for people of good will to come together and find common ground.

I am closer to the position of Senator REID because I know, I have followed his conversations, his reports on the negotiations. I am certain of what I say. When it comes to the dollar amount for budget deficit reduction, we are virtually in agreement. The differences are minuscule. We have agreed on the amount of spending to be cut. That is no longer a matter of debate.

What happened in the last 24 hours is a dramatic shift away from the budget deficit discussion. Now Speaker JOHN BOEHNER, who is my friend, on behalf of his caucus, is arguing it is no longer about the budget. It is no longer about the deficit. It is no longer about cutting spending. It is about a social agenda, some issues.

No. 1, Speaker BOEHNER insists we have to accept language from the House which says the Environmental Protection Agency will basically shut down its operations when it comes to certain environmental hazards such as greenhouse gas emissions. Some of us think that is a catastrophic decision, a disastrous decision. The House Republican caucus voted for it, the Republican majority. Now they are saying to us: Accept it.

Yesterday, we debated that issue. We debated it in the Senate for many hours. The Senator from Florida was here. We had four separate votes on the issue of taking the power away from the EPA. The first amendment offered received seven votes in the affirmative. The second one received seven votes in the affirmative. The third one received 12 votes in the affirmative. The fourth

one failed with a 50–50 rollcall vote, offered by the Republican leader. Has the Senate spoken on this issue? It has. If I remember correctly, under the Constitution that both House and Senate Members are sworn to uphold, there are two Chambers. We disagree profoundly with the House Republican position. For Speaker BOEHNER to now insist that despite all the debate and activity, it is a ''take it or leave it'' on taking away the powers of the EPA is not only unreasonable, it is unfair and totally unrelated to the issue of budget deficit reduction.

But there is a second issue. The second issue, which I find hard to believe they are now making the fulcrum of the decision on whether we shut down the government, is whether we should shut down the access of people across America, particularly poor women and children, to primary health care in clinics. They have an amendment under title X which would basically stop the funding for access to private health clinics funded by that program. What kind of services do these clinics offer? They offer cancer screening, breast cancer screening, screening for infectious diseases. The basic care we provide to women and families across the country would be shut down by the provision the Republicans in the House insist we agree on if we want the government to stay open and do business. Is that what the last election was about? I missed that part. I missed the part where the tea party stood and said: We are for fiscal sanity, and we want to close down the access of women to basic health services. I don't remember that at all.

I welcome that debate. In the next hour or two or perhaps tomorrow morning, we are going to offer to the Republicans, if they want to debate on the floor that rider that is in the House approach, let's have the debate. Let's have the vote. It isn't as if we are ignoring it. We are prepared to face it and vote on it. I know what the outcome will be, and I think the Speaker knows as well. He is going to lose. So why are we allowing this ship of state to founder over two social issues, closing down the EPA's function and closing down women's access to health care?

That is where they are. It is no longer about the deficit. All the deficit hawks and all the speeches we have heard, that is over. I find it hard to believe there are actually people who think a government shutdown is a good thing politically. There was a statement printed in the Washington Post this week on April 5:

> Republicans gave the speaker an ovation when he informed them . . . to begin preparing for a possible shutdown.

An ovation? So some people in that caucus apparently believe a government shutdown is a good thing. Some of them, Congressman PENCE of Indiana, has been forthright and direct. Let's shut it down, he says.

How do we answer the basic question posed so many times: What does that do to the reputation of the United States around the world, that our government is going to shut down? What does it do in terms of the state of our economy which is coming out of a recession, trying to put people back to work? We know what the predictions are. Any government shutdown will reduce economic growth at a time when we desperately need more economic growth and more jobs. The longer the shutdown goes on, the worse it is in terms of unemployment and economic growth. We also know that even though some Republicans in their caucus were cheering on the idea of a shutdown, basic services essential to the operation of this government and the safety of our Nation will be in peril and danger. People who literally give their lives in service to the country will be wondering from day to day and hour to hour whether we will continue to finance the government.

The clock runs out at midnight tomorrow night. Between now and then, I hope Speaker BOEHNER comes to his senses and appeals to his Republican caucus and tells them we cannot have everything. Take what we have, this cut in spending, this reduction in spending, which is a step in the right direction. I hope he will say it to even those who are cheering the idea of a government shutdown. It is not the right thing for America.

It is time for men and women of both political parties to stand and to represent the best in this country, to make the concessions that keep us moving forward. We have plenty of work to do beyond this. I am leaving here to go to a meeting to discuss a bipartisan approach to dealing with our budget problems way beyond the next 6 months. If we are going to create an environment for bipartisan cooperation, it does not start with a government shutdown. If there are any Republicans who believe this is a sound strategy, that somehow this will endear them to the American people, I think they are making a mistake. A shutdown could cost the government dearly, and it could certainly cost the United States in its reputation around the world. I don't want to see that occur.

I yield the floor.

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. CORNYN. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. CORNYN. Mr. President, sometimes when my constituents come to Washington I tell them: Welcome to the District of Columbia, 68 square miles of logic-free environment, where perception is reality.

I can't think of anything more surreal than the situation we find ourselves in with the House of Representatives having passed an appropriations bill that would keep the government open while negotiations continue and would fund our men and women fighting now three wars around the world to make sure they get paid.

I have also had occasion to tell my constituents that Washington, DC, is a lot like Disneyland. It is a fun place to visit, but it is not real. When we get in trouble, when Members of Congress get in trouble is when they think Washington is real because it is not. What is real is what is back home, where people have common sense, try to solve problems working together, rather than play endless political games.

I find it outrageous that Senator REID, the majority leader, and the President of the United States would refuse to fund pay to the men and women in uniform by threatening a veto to the House bill sent over here. We know that unless Senator REID and the President agree to keep the government open, they will be responsible for the shutdown of the Federal Government and all the disruption that goes along with it.

After the government shuts down, we are still going to have to pass an appropriations bill at some level to keep the government functioning. A shutdown doesn't solve anything, except cause disruption, concern, and heartburn among a lot of good people about whether they will get paid. First and foremost among those are our men and women in uniform.

The President has threatened to veto the troop funding bill, which is H.R. 1263, by saying: ''This bill is a distraction.'' That is according to the President's own Statement of Administration Policy issued by the White House earlier today—''a distraction.'' An attempt by the U.S. House of Representatives to make sure our men and women in uniform are being paid while they are fighting three wars around the world is a distraction to the President of the United States. That is outrageous. That is irresponsible. That is an abdication of Presidential leadership, and I hope the President will reconsider because funding our troops is not a distraction, it is a responsibility. A veto threat is not what they deserve nor what they should be hearing from the Commander in Chief.

About 1 in 10 people who wear the uniform of the U.S. military calls Texas home. Those Texans are among the roughly 100,000 U.S. troops currently deployed in Afghanistan, many of whom are serving multiple deployments away from home and away from their families. Some of them are, for example, members of the Texas Army National Guard's 176th Engineer Brigade headquarters that is currently handling engineering projects for about one-half of the country. Other Texans are among the roughly 40,000 troops still deployed in Iraq. Some of these are members of the Texas Army National Guard's 36th Infantry Division

headquarters that is currently providing command and control for about one-third of that country.

Texans are also supporting the mission in Libya, although many are perhaps unclear about what the mission is. Texans are onboard more than a dozen Navy vessels currently providing humanitarian assistance off the coast of Japan.

The President's threat to veto funding for these troops is irresponsible and shows his willingness to risk a shutdown of the government and deny them the pay they are entitled to rather than to accept responsibility and to face the fiscal facts.

For nearly 200 days, our Federal Government has operated without a budget because of an irresponsible approach to one of the most basic functions of the Federal Government: to keep the lights on, to keep the government operating, and to accept responsibility for those decisions.

We know Democrats, while they controlled the White House and both branches of the legislature, the House and the Senate, failed to pass even a budget last year—even a budget. Every family in America, every small business, everyone other than the Federal Government and Congress has to operate on a budget, but only Washington could continue to spend money it does not have—about 40 cents on every dollar. Yet I would say the President remains either oblivious to that fact or, I think probably more accurately, in denial about the fiscal crisis that is impending and is apparently unwilling to try to work across the aisle to try to address it.

I think it is imperative that the majority leader allow the Senate to vote on the House-passed measure, which we could do by unanimous consent if not today then tomorrow before the looming shutdown tomorrow night. It is clearly in Majority Leader REID's hands, and it is in the hands of the President of the United States if he would withhold his veto, allow negotiations to continue, and to make sure our troops were funded as they should be.

The troop funding bill would fund the Department of Defense through the end of the fiscal year, and it represents a bicameral, bipartisan agreement that was reached last December on funding of the Department of Defense. It is past time for this legislation to be enacted, particularly given that in the months that have passed since December, America now finds itself engaged in a third war—entered into without congressional authorization, without any clear mission and, frankly, only 21 percent, according to a recent poll I saw, actually believe the mission is clear. Well, I am with the other 79 percent. I do not know what the mission is.

The President said it was a humanitarian mission, although when he obligated the U.S. military to go in he immediately outsourced the responsibility for it to NATO, which did not have the assets and the resources in order to protect the rebel forces who continue to be killed by Qadhafi's troops.

The President said Qadhafi must go. Yet he is doing nothing from a military perspective to accomplish that goal. What does that do to America's stature and reputation in the world community? What other tyrants are watching this President say Qadhafi must go, and yet have this President unwilling to do what is necessary to remove him from his office?

Well, I think it not only damages American prestige, it emboldens other tyrants like Qadhafi, and it does not solve the humanitarian crisis in Libya.

Well, some have said—and the majority whip was here talking about so-called riders that accompany this piece of legislation, but let me first say what this troop funding bill also does. It cuts $12 billion in additional spending. When 40 cents out of every dollar the Federal Government has spent is borrowed money, and we are spending money we do not have, doesn't it make sense to cut Federal spending? Well, I think it does. I think anybody who thinks we can continue business as usual is just deluding themselves, living in a la-la land that has no bearing, has no semblance with reality.

This bill would also keep the government operating for another week. This would avoid the shutdown that would occur tomorrow night, and it would allow for more time for bipartisan negotiations to occur.

So far as the so-called policy riders go, prohibiting taxpayer funding of abortion in the District of Columbia, well, that has been supported by both Republicans and Democrats in the past. President Clinton signed similar legislation six times. Vice President JOE BIDEN and Senator HARRY REID have voted for it many times; and President Obama himself signed this same provision into law in 2009.

This troop funding bill also prevents Guantanamo Bay detainees from being transferred to the continental United States. I think if there ought to be a consensus about anything, it is that we do not want dangerous terrorists detained at Guantanamo Bay, Cuba, transferred to the United States. This bill prevents that.

This language is virtually identical to existing law that was included in the National Defense Authorization Act. This bill also includes full funding for our commitment to the U.S.-Israel Memorandum of Understanding for fiscal year 2011 and was passed Thursday afternoon, this bill, by a vote of 247 to 181 in the House of Representatives.

I do not know what could be any clearer than if President Obama were to veto this legislation—after it was passed by the Senate—that closing the government would be on their hands.

Mr. President, may I ask how much time I have remaining?

The PRESIDING OFFICER. The Senator has used 10 minutes.

Mr. CORNYN. Mr. President, I ask unanimous consent for an additional 3 minutes.

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

Mr. CORNYN. So this bill has been passed by a substantial majority in the House of Representatives. For Senator REID to say he will refuse to take this up or President Obama to say—if it were passed in the Senate—that he would veto it is irresponsible, and the shutdown of the government would clearly be on their hands.

This demonstrates a very disconcerting trend that we are seeing of a failure of leadership at the highest office in the land; that is, the President of the United States—a President who goes to Brazil and talks about, well, I am for free trade, yet has been sitting on the Colombia Free Trade Agreement, the South Korea Free Trade Agreement, the Panama Free Trade Agreement since he entered office, a President who says he is for bringing down the price of gasoline, for making America less dependent on imported energy from abroad, and goes to—believe it or not—Brazil and says: It is great you are going to be drilling for more oil offshore in Brazil. And do you know what. We are going to be one of your best customers—in other words, saying one thing in America and doing another thing abroad.

This is the same President who appointed a fiscal commission that reported in December of 2010, which documents the sobering reality of the debt crisis we are facing in this country and what we must do responsibly to deal with it on a bipartisan basis, but in his State of the Union Message, in his budget he has presented, it is not even mentioned.

We know we have important issues to deal with. This is the most immediate one ahead of us. But this is small compared to the bigger issues we are going to have to deal with in just a month or two, which is the debt ceiling. America has maxed out its credit card, and the President is asking us, the Treasury Secretary is asking us to raise the credit limit to allow us to continue to borrow more money.

We know that is an unsustainable path. We know the American people are sick and tired of the typical gamesmanship and the ''gotcha'' politics in Washington, DC. What they want, I truly believe, is for us to work together on a bipartisan basis to solve the problems in front of us and not to kick the can down the road, not play a game of ''gotcha,'' setting up our political adversaries for the next election in 2012. That is what this smells like. That is what this looks like.

This is irresponsible on the part of the President. It is irresponsible on the part of the majority leader to fail to take up this bill and to allow us to vote on it tomorrow to prevent the shutdown of the government. It is irresponsible to threaten our men and women in uniform, fighting three wars across

the globe, with being deprived of their paycheck by our failure to act, by the President's commitment to veto any legislation that were to be passed on a temporary basis to stop this government shutdown.

I hope the American people will call, write, e-mail, I hope they will let their representatives know that is unacceptable and that Congress must act tomorrow in advance of the deadline; and if the Senate does pass the bill, that they communicate to the White House, by every means necessary, that, Mr. President, you shall not veto pay to our troops while we are fighting three wars. To do so not only is an abdication of your responsibility as Commander in Chief, but it is an abdication of the leadership people expect from the President of the United States.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I know we are rotating back and forth. I am the only one on the Senate floor, I think, who is requesting time. I ask unanimous consent that I be recognized for, let's say, 15 minutes. I probably will not use that much time, but I ask that unanimous consent.

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

Mr. INHOFE. Mr. President, let me, first of all, speak in response to what the Senator from Texas talked about. This is very significant. I happen to be maybe one of the few who voted against the last three extensions that were requested—these 1-week extensions. That is no way to run government. I understand that.

But this one is different, and I rejoiced when I saw we had an opportunity to pass a 1-week extension that would do three things: No. 1, substantial cuts—not these just imaginary things we have been talking about—No. 2, continue the funding for what we must do in Israel for the end of this fiscal year; but, most importantly—and I say this as the second ranking member of the Senate Armed Services Committee—this would be a huge help to our military so there would be certainty, they would know what we are going to be doing between now and the end of this fiscal year. That absolutely has to be done.

It is unimaginable to me that in the middle of what I call two, maybe three conflicts right now that we are not lining up and making sure we have the funding that is necessary for what is going on in Afghanistan and other places where we have our troops in harm's way. It is something that is inexcusable, and I just cannot believe there is going to be a veto.

In spite of the veto threat, this is our opportunity to have time to be fiscally responsible, and I hope we are.

COTE D'IVOIRE

Mr. INHOFE. That is not why I am here, however. I want to be sure that something I have been talking about over the last days has now come to a peak where we must do something.

I have been concerned about what is happening in Cote d'Ivoire, in west Africa. I am very close to the situation. I have had occasion to be there over the last few years nine different times. I know the President is there, the current President and his wife, Laurent and Simone Gbagbo. I was familiar with the election that came around, so I have been on the floor talking about what I believe should happen there, that we should call for a new election. Unfortunately, the United States and our State Department—I will be very critical of them—have joined with the United Nations and with France in taking the side of Alassane Ouattara from the north who was the challenger, who has been challenging this administration now for at least 10 years that I know of.

I got a scathing reply from the Ambassador to the United States from France. I am not going to read it. I am not going to enter it into the RECORD. It doesn't make any sense. I only wish to respond to a couple of things in that letter. First of all, they talk about the fact that this was a legitimate election and it was certified properly and it was in accordance with the Constitution of Cote d'Ivoire, and I don't believe that. I will respond to that by saying the independent electoral commission did not fulfill its constitutional mandate to announce the final provision vote tallies within 3 days. That is what the Constitution says in the country of Cote d'Ivoire and west Africa. It announced then, almost 16 hours after it was constitutionally mandated, to report them to the Constitutional Council. It is my understanding it is the Constitutional Council of Cote d'Ivoire and not the electoral commission which certifies and declares the winner of Presidential elections.

On three occasions now I have talked about this election and the abuses that were taking place. In one case we had information that was given to me by members of the opposing party to President Gbagbo where they submitted that in one of the five regions in the north—let's keep in mind the challenger, Ouattara, is from the north, a Muslim area up there. They had, in five of these regions—in one of them—149,598—and I showed how it was calculated. I showed the actual results that were there from the electoral process, and this was just one of five northern cities. But when the total was officially reported in the total vote column, Ouattara received 244,000 votes, a difference of almost 95,000 votes.

If you do your math and you say this happened in all five of these areas in northern Cote d'Ivoire, that would be more than enough to declare—enough mistakes that would take the election away from the duly reelected President, President Gbagbo. If you don't want to get into the weeds that far, all you have to do is look at the results they had. In that election they came out with the results that said Gbagbo in those northern precincts—we call them precincts, they call them something else—that they actually had thousands and thousands of votes in what we would call the primary, but when the primary runoff came up, he got zero votes. That is a statistical impossibility. So I have given all those things to our State Department, and I haven't gotten any positive response.

In the accusations in the letter the French say he refused to accept—he being Gbagbo—refused to accept proposals by the African union, a high-level group, while these proposals have been formally accepted by President Ouattara. It is not true, just flat not true. As late as March 27 the African Union sent former Cape Verde Foreign Minister Jose Brito to mediate between Ouattara and Gbagbo. Gbagbo accepted the mediation, Ouattara didn't.

I have a whole list of the accusations that were made and my response to these accusations, and I am going to be submitting them at this portion in my presentation in lieu of reading them at this time. I ask unanimous consent that they be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

INHOFE FACT CHECK ON FRENCH EMBASSY ''FACT SHEET''

(From the French Ambassador, April 6, 2011)

French say:

Fact Sheet on Côte d'Ivoire
(April 6, 2011)

''After many delays, including on the part of then-President Laurent Gbagbo, a presidential election was held in Côte d'Ivoire last fall. Since then, its results have been certified by the local monitoring mission and acknowledged by the international community, including the United States, the European Union (EU), the Economic Community of West Africa States (ECOWAS), and the African Union (AU).''

Inhofe responds:

In fact the Independent Electoral Commission did not fulfill its constitutional mandate to announce the final provisional vote tallies within three days. It announced them almost 16 hours after it was constitutionally mandated to report them to the Constitutional Council. And it is my understanding, that it is the Constitutional Council of Cote d'Ivoire and not the Electoral Commission which certifies and declares the winner of presidential elections. It seems that this election was not carried out in accordance with the constitution of Cote d'Ivoire.

In addition, there is evidence of massive electoral fraud in the rebel held north. I submitted this evidence in two letters to Secretary Clinton and am awaiting a response to these specific allegations.

I also submitted an electoral document showing official regional electoral returns, where it shows Ouattara receiving a total 149,598 from one of five northern cities. But when the total is officially reported in the total vote column, Ouattara receives 244,471; a difference of 94,873 votes!

The evidence submitted to Secretary Clinton includes tallies of precincts where, in the first round of voting, President Laurent Gbagbo received multiple thousands of votes, but in the second round he received zero votes. That is a statistical impossibility.

From all the evidence I now have gathered, I am convinced that it is mathematically impossible for President Gbagbo to have lost the election by several hundred thousand votes. And if a similar amount of fraud exists in the other four regions of the rebel-held north, Gbagbo is actually the winner of the presidential election.

French say:

''Since the results, former President Laurent Gbagbo has not only refused to acknowledge the results, and listen to the will of the people of Côte d'Ivoire, but actually dismissed several initiatives, including by the AU, ECOWAS and other African leaders, to avert any bloodshed and find a peaceful solution of the crisis. Most recently, he again refused to accept proposals by the AU High Level Group, while these proposals have been formally accepted by President Ouattara.''

Inhofe responds:

Not true. As late as March 27, the African Union sent former Cape Verde foreign minister Jose Brito to mediate between Ouattara and Gbagbo. Gbagbo accepted the mediation, but Ouattara rejected it!

French say:

''This deadlock has precipitated a deterioration of the humanitarian situation. In addition, it has led to growing violence, of which the first victims have been civilians, in spite of the presence on the ground of the U.N. Operation in Côte d'Ivoire (UNOCI). It is in this context that the United Nations Security Council adopted its Resolution 1975 on March 30. This decision was adopted unanimously, including with a positive vote from the United States and the three African members of the Council (namely, Gabon, Nigeria and South Africa). It stresses the protection of civilians, and the need to prevent the use of heavy weapons in this regard, as a key element of the impartial implementation of UNOCI's mandate.''

Inhofe responds:

There is no evidence that President Gbagbo ordered the shelling or killing of civilians in Abidjan or throughout the country. He has repeatedly denied it, and it is in fact actions by forces under the control of Ouattara who have carried out military and terrorist actions. This consisted of attacks upon police and Army forces by ''invisible commandos'' and the outright offensive launched from the north that has led to the present crisis.

French say:

''In Côte d'Ivoire, French forces are acting on the basis of an international mandate given by U.N. Security Council, in support to the internationally constituted U.N. peacekeeping operation (UNOCI).''

Inhofe responds:

Focus should be on the word ''peacekeeping''. Unfortunately, the United Nations and French forces are not engaging in peacekeeping, but war-making.

French say:

''Most recently, their intervention has been strictly consistent with Resolution 1975, and responded to a request to President Sarkozy by UN Secretary-General Ban with a view to support UNOCI as it enforces its mandate. In particular, French forces' intervention in Abidjan has been strictly consistent with this goal, and designed to neutralize the heavy weapons used against civilian populations and UN personnel in Abidjan.''

Inhofe responds:

Not true. Abidjan is a densely populated city of four million people. In this urban environment, the collateral damage caused by the attacks by UN and French attack helicopters and ground troops has caused hundreds if not thousands of civilian casualties. Specifically, hundreds of youths supportive of President Gbagbo formed a human shield around the presidential palace in an attempt to halt the Ouaratta and French offensive. No one knows how many of these youths have been killed by UN and French forces.

French say:

''In the context of its commitment to the protection of civilians and the fight against impunity in Côte d'Ivoire, as in the rest of Africa and worldwide, France reiterated its calls for an immediate halt to all violence against civilians, and underscored that the perpetrators of these crimes must be held accountable before a court of law. France welcomes President Ouattara's pledge in this regard.''

Inhofe responds:

The only reported slaughter of civilians has been perpetrated by Ouattara forces. This occurred in the western town of Duekoue where up to 1000 people were massacred by the Dozos, traditional hunters who fought alongside Ouattara forces. This has been confirmed by the United Nations and Human Rights Watch.

French say:

''France is looking forward to the end of the current violence, and hopes that the constitutional and democratic order will eventually prevail. It is for president Ouattara and the people of Côte d'Ivoire to find the political solutions that will favor a democratic, peaceful, prosperous and reconciled nation.''

Inhofe responds:

Not true. President Gbagbo has called for an immediate cease-fire several times and has been ignored by Ouattara, the UN and French forces. The killings can come to an immediate end if these forces agree to a cease-fire.

Conclusion:

This past Wednesday, April 6, marked the 17th anniversary of the 1994 Rwandan genocide. We now know that UN General Secretary Koffi Annan and others knew of the extend of this violence early on, but did nothing about it.

We all want to prevent another genocide from occurring.

That is why the United States must call for an immediate ceasefire to prevent Ouattara and his rebel army from committing more mass slaughters of the Ivoirians.

Lastly, I renew my request to Senate Foreign Relations Committee Chairman Kerry requesting that he convene a hearing as soon as possible into the atrocities committed by forces loyal to rebel leader Ouattara, as well as into what I believe were flawed elections that gave legitimacy to his claim of the presidency.

Mr. INHOFE. I came to the conclusion that on Wednesday, April 6—that marked the 17th anniversary of the terrible thing that happened in Rwanda, the genocide—and we have information that actually Secretary General Kofi Annan had knowledge of that. It wasn't shared. We didn't have warning, and we all know 800,000-plus people were brutally murdered in Rwanda during that genocide.

What I wish to do now is make sure we are on record in warning the United States, France, and the United Nations what is going on right now.

First of all, if we look—they say it is all decided, everyone has made up their minds, yet President Obiang—President Obiang of Equatorial Guinea. He is also the current President of the African Union, or the chief of the African Union. He is on record saying that Africa must be allowed to manage its own affairs, and this is a quote:

> Africa does not need any external influence. Africa must manage its own affairs.

This is the President who is the head right now of the African Union.

President Sarkozy has said—so there is no doubt about whether he has authorized his troops to go in there and participate in these raids that have taken place, two of them that I will describe in a minute. French President—this is reported on BBC News—Nicolas Sarkozy said in a statement he had authorized 1,600 strong French Licorne forces in the country.

That shows definitely, and I don't think anyone is questioning that. Here is another one:

> One source said soldiers from a 1,000-strong French Licorne force—

This is a very strong force—

> in the Ivory Coast has been deployed in Zone 4, in the south of the city.

I think also it is important to see that France has authorized its military—and I am reading now from the same report:

> France has authorized its military to participate in a United Nations operation in the Ivory Coast to protect civilians against escalating violence there. The Elysee Palace said the operation aimed to neutralize heavy weapons belonging to troops loyal to President Gbagbo.

So he is talking about sending them in. Of course, I think most of us—I will go ahead and read one more thing here that I think is significant: ''French helicopters opened fire on a military camp in Abidjan on Monday.''

That is going to go down in history as ''Black Monday.''

If anyone wants to see what was happening with helicopters and rockets firing on all kinds of targets near the palace in the residence in Abidjan of Ouattara, go to my Web site. We have pictures of that.

> Earlier, French President Nicholas Sarkozy said he had authorized France's military to join a U.N. operation against forces loyal to Ivory Coast's Laurent Gbagbo.

So, clearly, they are the ones who had—I want to say this: There are two major assaults on Cote d'Ivoire. I mistakenly thought that the French were involved in the one in a city called Duekoue. I find out later that they weren't. They were supporting, of course, Ouattara—the forces that were there, but they did not have a direct participation in it. A man named Guillaume Ngefa, who is the head of the United Nations mission in Cote d'Ivoire, said that Ouattara's forces had carried out the killings in Duekoue, and we have pictures—I am quoting them now:

> We have pictures. We have evidence. This is retaliation.

That is what the deputy head of the mission in Cote d'Ivoire of the United Nations mission said.

Then: ''We have credible reports of serious abuses being committed by Ouattara's side.'' That came from Corinne Dufka, a Human Rights Watch researcher based in Dakar, Senegal. It is raising very serious concerns.

Then further quotes. It goes on and on. I will enter all of these quotes into the RECORD.

But the bottom line here is that Ouattara's forces are the ones that were involved in Duekoue when they—the estimate they have right here is that—it comes from Patrick Nicholson, a spokesman for the Catholic aid agency Caritas, saying that an agency team in town last week on a routine aid mission had found a lot of dead bodies. ''We estimate between 800 and 1,000 dead,'' Nicholson said in a telephone interview from Rome.

They are primarily killed by gunshot, though some of the wounds were made by machetes. I don't think they were killed in crossfire.

It is interesting, because the forces of President Gbagbo had left that area of Duekoue a week before all of that happened. So that had to have happened with those forces that were Ouattara's. Well, anyway, I am still quoting from this, which was printed in the Washington Post:

Ouattara's forces have also been accused of carrying out reprisal killings and extrajudicial executions of prisoners during their march to the capital.

Gbagbo's forces had vacated a week before.

We have pictures showing the French flags that were on the major massacre that took place and that was the one that took place on Monday night. I have already said all of this on the floor. We have talked about this and the problems.

One thing I haven't mentioned is one of the first things Ouattara did when he marched on Cote d'Ivoire in the south and on Abidjan is to turn to release all of the prisoners in one of the major Abidjan prisons—that is some 5,000 prisoners—and military sources loyal to the incumbent leader Gbagbo said the doors of the MACA prison—that is the big prison in that area—were opened by forces loyal to the President, Presidential claimant Alassane Ouattara, in the midst of an offensive aimed at Gbagbo.

Afterwards, they go into detail as to hearing the gunfire; in other words, releasing prisoners to fight against the sitting President.

Residents near the jail said thousands of youths streamed out of the prison, which had the capacity of 3,000 prisoners, but was believed to be holding over 5,000, into the neighborhood in Abidjan.

We heard gun fire early this morning and afterwards the doors of the prison were opened and prisoners were left shouting for joy.

That is something I have not had in the RECORD before.

One of the things I have to repeat that I have stated before—let me ask the Chair how much time I have remaining.

The PRESIDING OFFICER. The Senator has 1 minute remaining.

Mr. INHOFE. I request an additional 10 minutes.

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

Mr. INHOFE. I wish to speak about one of the testimonials in Duekoue.

I spot four pigs eating something dark in a charred courtyard. Standing by a newly dug mass grave, a UN soldier from Morocco is choking with rage and grief. I asked him if any of the dead are children. He nods and begins to sob, quietly, into his facemask.

This is something that has been happening again. We talked about this before. I don't want to abuse the time we have, but a few minutes ago I got a notice from somebody I happen to know and he says:

I must admit that it was very difficult. This day too—

we are talking about in the last few hours—

has been very confusing with the rebels parading in the streets stealing and dispossessing people of their goods. This is what makes it very dangerous because it is a no law zone. Hundreds of people have started leaving town avoiding the danger in Abidjan.

That is what is happening right now. The report we have now recently is that the Ouattara rebel army is deploying death squads, and I will read from this because I think it is very important that we get this down right, because I am going to make some accusations here that maybe have never been made in recent history on this floor.

I have just received devastating news about the situation in Cote d'Ivoire.

I have been told that there are ''death squads'' roving around the streets of Abidjan ''disappearing''—

they used the word ''disappearing''

supporters of President Gbagbo.

Do they kill the supporters of President Gbagbo? Probably so, but they use the word ''disappearing'' because there is no accounting of it.

These death squads are led by soldiers of Ouattara's rebel Army. They have already killed 400 people in the last few hours.

I am talking about contemporary, right now.

If we do nothing, this soon will include the murder of President Gbagbo and his wife Simone. Ouattara's armed rebels are supported militarily by the United Nations and the French government. I call on UN Secretary General Ban Kee Moon and French President Sarkozy to condemn and halt immediately these ''death squads.'' If they do not, I charge that they are complicit in allowing these death squads to operate freely on the streets of Abidjan.

It also calls for immediate cease-fire.

I will conclude and say that I remember well, because I was around when this happened, and when we knew—some people knew, we didn't know in advance, what was going to happen in Rwanda. President Kagame didn't know what was going to happen in Rwanda. Kofi Annan of the United Nations apparently did know what was going to happen and elected not to say anything about it, so that they weren't warned and 800,000 mutilations later, we know what the genocide was all about. We know now. We know the death squads are there. The death squads have already killed, according to these reports, some 4,000 people in the last few hours.

If we don't do anything about it, I have in my own mind—I feel very certain that those death squads run by Ouattara's rebel army will reach the hiding place of President Gbagbo and his wife Simone and their family, and they, too, will be murdered. If we don't do anything, we have been warned that can happen. We can intervene and stop the death squads roaming around in Abidjan in the country of Cote D'Ivoire.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant editor of the Daily Digest proceeded to call the roll.

Mr. INHOFE. 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. INHOFE. Mr. President, I ask unanimous consent to be recognized as in morning business until such time as somebody else comes in and wants the floor.

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

BUDGET NEGOTIATIONS

Mr. INHOFE. Mr. President, I didn't get a chance to elaborate on the subject that was covered by the Senator from Texas, Mr. CORNYN. I think it is very important when we are faced with the shutdown of the government. I happened to be here in 1995, and I remember, frankly, it wasn't as bad as everybody said it was going to be. This is something that is totally avoidable now. We have an opportunity to do a 7-day extension that would take care of the military's needs, and I think it is important to do so.

I wish to also mention the vote that took place yesterday—the last vote; we had four—having to do with the over-regulation, I will call it, of the Environmental Protection Agency. The first three amendments before they came to mine were offered by Democrats for whom I have a great deal of respect. In each amendment, they made it clear that the author—all Democrats—thought it was not the place for the Environmental Protection Agency to do what Congress is supposed to be doing in terms of regulation of greenhouse gases.

The votes were overwhelming in terms of the fact that they didn't have Democrats supporting them because they were temporary fixes. The only real vote that took place was on mine.

I introduced legislation several weeks ago, in concert with my colleague over in the House of Representatives, FRED UPTON, to take out from the Environmental Protection Agency the jurisdiction of regulating greenhouse gases. We all know how it happened. We know that since 2003, Members of this Senate have introduced legislation to call for cap and trade under the assumption that catastrophic global warming is taking place from anthropogenic gases, and we have been able to defeat all of those.

So while there has been a real effort by this administration to regulate greenhouse gases and do it by legislation, when they finally realized that wasn't going to happen, that they were not going to be able to garner sufficient votes to pass a bill that would allow for a cap-and-trade system—by the way, the cap-and-trade system would have amounted to between $300 billion and $400 billion a year as a tax increase, which would have been the largest one in the history of this country.

When President Obama decided—in the wisdom of both the House and Senate—we were not going to pass anything that would be a cap-and-trade bill, he said: That is fine, we will do it through regulation.

That is how this whole thing started. So the effort was for the EPA to come up with an endangerment finding which would say that greenhouse gases—anthropogenic gases, methane—were dangerous to health. Well, this has to be based on science.

I remember asking the Director of the EPA, Lisa Jackson, whom I respect—I said: If you are going to have an endangerment finding, it has to be based on science. What would that be? Well, it was the IPCC, which, for the edification of anybody who is not aware, is the United Nations. They are the ones who started this whole thing, and they are the ones who would be in a position to try to force the regulation.

Anyway, the time has gone by now, and since that time, we have almost unanimity in this body and in the other body, also, that we don't think the EPA has the ability or the authority to regulate greenhouse gases and to do administratively what we refuse to do through our own bills we pass.

That is where we are today. One of the things I am thankful for is that my amendment got 50 votes. It was 50–50, pretty much down party lines. But the people who are voting against my amendment are saying: We want to have the EPA have this authority—the authority of overregulation of not just the oil and gas industry but all other industries also. The primary target for them would be fossil fuels.

The fact that we have oil, gas, and coal—by the way, there is a fairly recent finding by the Congressional Research Service that we have the largest reserves in the United States—recoverable reserves—of oil, gas, and coal of any country in the world. This is not something you hear on the other side.

We have heard President Obama say several times that we only produce 3 percent of the oil and yet we use 25 percent or whatever it is. Those are proven reserves. The difference is that a proven reserve means you have to drill and prove it is there. But the government won't let us drill. I am talking about the east coast, the west coast, the gulf, the northern slope—83 percent of our public lands are off limits. If we were to open that up, we could be completely independent of the Middle East for our ability to run this machine called America. That is why this issue is very important.

I have already served notice, but I will do it again to make sure it is clear. While we needed 60 votes, we only had 50 votes. I am going to put that amendment on as many bills as come up so we have an opportunity for people to know the seriousness of this problem.

I suggest to you—and I will not name names—that if people, prior to this vote, would have called different individuals, the staff would have responded: Well, we don't know how our Senator will vote, but he will certainly take your comments into consideration.

Now we know because we have the votes in so that we can say which ones did vote for it, and anybody who didn't vote for my amendment is saying they believe the EPA should have that total control that we refuse to give it through legislation.

Anyway, it is not over yet. In fact, I think that was a major milestone, a victory. We now know who is for it and who is against it. I know there will be another 10 Members who will see the light and realize that we still—it is fine, I am for all of the above, for the renewables—wind, sun, thermal—as well as the fossil fuels. We need all of the above to become totally independent and be able to run this machine called America. That is what is coming up. I am happy we have taken the next step, and I look forward to making another step after that.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant editor of the Daily Digest proceeded to call the roll.

Mr. UDALL of Colorado. 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. UDALL of Colorado. Mr. President, I rise at this late hour in the afternoon to join many of my colleagues who have come to the floor today to express growing frustration with the politics as usual in the Capitol. I say ''politics'' not ''policy'' because I think we should be focusing on policies that will get our country back on track.

I have to say, people who are watching the debate are witnessing potentially an impending government shutdown that I think is needlessly being forced on the American people. That is whom we are, after all, here to serve. I know the Presiding Officer feels that strongly. I am not the first person to highlight how disturbing our long-term fiscal picture has become, but what is equally frustrating is the disservice being done to the American public by this current debate on our budget—a budget, by the way, for the second half of 2011. It is not a budget debate we need to have on 2012 or the longer term challenge the Simpson-Bowles Commission pointed out.

We ought to be focusing on supporting economic development and job growth. While we are doing that, I believe the Senate and some Members of the House of Representatives continue to seek sustained confrontation and seem to me to be interested in shutting down the government as a misguided statement that they are serious about debt reduction. It seems they want to pick a fight for a fight's sake while our people, the U.S. citizens, will be left to pick up the pieces from a shutdown.

The latest demands have not been about funding the government at all. I think we have common ground on what the number ought to be. The fight now seems to be on controversial abortion and climate change issues. I do not understand it. We have this tentative agreement to cut billions from current spending levels, but the Speaker of the House seems to continue to demand we ought to focus on controversial climate change issues.

These are hot-button issues. Why we would insert them in an unrelated budget debate when there is so much at stake is beyond me. I understand we want to show the American people we are serious about deficit reduction. I am. I know the Presiding Officer is.

In Colorado, people see straight through this latest ploy. What do abortion and climate change have to do with finding a compromise on keeping our government running? Nothing. They have nothing to do with that. It strikes me the debate has become increasingly ideological and increasingly about sending a partisan political message, one that leaves the American people paying the price.

We have had 13 straight months of private sector job growth. We have added 1.8 million jobs in that time. But our economy is still fragile, and way too many Americans, way too many Minnesotans, way too many Coloradans are struggling. I have no doubt a government shutdown at this time would create a counterproductive effect on our economic recovery.

Do not just take my word for it. I am a Senator from Colorado. Listen to what top business leaders of all political persuasions are saying. The Business Roundtable president, John Engler, a former Republican Governor of Michigan, said businesses would face the dangerous ''unintended consequences,'' where interest rates could

rise because of a shutdown, and there could be turmoil in our financial markets. Forecasters at Goldman Sachs have warned that a shutdown could shave off growth in our GDP every single week. CEOs of all stripes have warned about a shutdown's impact on confidence in the U.S. economic recovery. The Presiding Officer and I know and Senators from across the country know confidence is what we need to build. That is what is lacking in many respects.

A setback of this nature, a shutdown would actually prevent the growth we tangibly need to address our long-term growth and fiscal balance—in other words, get the economy growing again. We will have more tax revenues and we will see the gap between what we are spending and bringing in narrow.

I cannot help but think, in the context of this debate, about my Uncle Stewart Udall, the father of Senator UDALL from New Mexico. He wrote a book called ''The Forgotten Founders'' that focused on the settling of the West. I should add he focused on the people who were there at the time the Europeans arrived.

The theme of the book was on how the West was settled, how it was built. It made the strong case that people coming out to the West—I think the Presiding Officer's home State, which is in the near West, might fit this characterization—people coming to the West were not looking to get into gunfights or range wars. They were looking to start their lives over to pursue the American dream.

Stewart pointed out that in reality, particularly when we watch those Hollywood movies, people standing on the board sidewalks watching the gunfights were the people who built the West, and they built the West working together, solving problems, looking out for one another. It did not matter what your political party was. It seems to me the American people are standing on one of those board sidewalks watching the same senseless gunfights and range wars right here in Washington, DC.

I know I was sent to Washington to work together and solve shared problems. I suggest this spirit I described is in stark contrast to this new kind of divisive politics that is brewing away in America. It is the kind of politics that furthers disagreement. It draws ideological lines in the sand, and it sows disrespect at the expense of shared interest and collective prosperity. The American people are seeing a disappointing example of that this week.

While a vocal minority seems to favor acrimony and combativeness which, in the end, will further slow our economy, many of us are doing what we can to do the people's business and try in good faith to prevent a government shutdown.

As the American people look on in amazement at this spectacle, I stand with them wondering if Members of Congress will finally settle down, act like adults, and work collaboratively toward a real budget solution.

Yes, we have to reduce our government deficit and debt. One would be hard-pressed to find a Senator more committed to that cause than I am. Let's reach that goal. Let's reach it in a way that protects our senior citizens, our students, our veterans, our border security—I could go on with a long list. Let's do it in a way that slashes spending but does not harm our fragile economic recovery or divert our attention on divisive social issues.

We cannot afford a government shutdown. I will be disappointed, to say the least, if the bipartisan deal that is before us is undercut by contentious, unrelated issues such as abortion and climate change.

I wrote a letter 2 days ago to the Speaker of the House, Mr. BOEHNER, whom I know well, in which a large number of my fellow Senators joined me to suggest to him and urge him to work with us to avoid a Federal Government shutdown. I will stay here all day, all night, whatever it takes. I am here to urge my colleagues in both Chambers—I served in the House and I now have the great privilege of serving in the Senate—let's sit down together, let's reason together, let's be commonsensical together. Let's find a compromise. That is the American way. I know that is what propelled me to the Senate, my willingness to work across party lines. I think the Senate of the United States could set an example. There are colleagues on both sides of the aisle who have worked together, and we know the stakes are high.

That is the reason I came to the floor, to urge Senators of both parties to work together to find a commonsense compromise to keep this government moving forward and make sure our economy is focused upon and we produce as many jobs as possible. That is job one.

Mr. President, I thank you for your attention and for your interest. I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. CARDIN. Mr. President, I take this time because we are now only literally hours away from a potential shutdown of government. I must tell you that my constituents are angry about this, and I join them in saying this should never happen. There is no reason why we should have a government shutdown.

We know the financial issues, and there have been good-faith negotiations. It is my understanding we have pretty much resolved the financial issues. And, remember, we are dealing with 12 percent of the Federal budget. We need to get to the 2012 budget and get a credible plan to deal with the deficit. We all understand that. We are talking about the 2011 budget—the budget that started on October 1 of last year and will end on September 30 of this year. We are over halfway through that budget year.

There are differences between where the Democrats were and where the Republicans were. Everyone understood it couldn't be what the Republicans wanted or the Democrats wanted; that we needed to have good-faith negotiations. Those negotiations have taken place, and it is my understanding we have pretty much agreed on the dollar amounts and we are prepared to move forward.

But let me talk a little about what will happen at midnight tomorrow night. I have the honor of representing the people of the State of Maryland. There are almost 150,000 active civilian—civilian—Federal employees who live in the State of Maryland. I happened to bump into one of those Federal employees today who asked me a question. She asked me: What am I supposed to do if we have a government shutdown and I don't get a paycheck? I don't have any savings. How am I going to pay for my mortgage?

We already have too many people whose mortgages are in jeopardy because of the weakness of our economy, and now 150,000 Marylanders are in jeopardy of losing their paycheck as a result of the inability to resolve this year's budget.

I also happened to talk to people who run our Metro system here, and they told me if we have a government shutdown it will mean $1 million less in the fare box, possibly every day, because of the number of people who won't be taking the Metro because they are not going to be going to work. A lot of Federal workers are not going to be going to work.

Guess what. They are not going to stop at the coffee shop to buy coffee or buy that lunch. They won't be patronizing the shops. It is going to hurt the small business owners who depend upon that business; depend upon the people who use their paychecks to do their cleaning or go to the different shops. It is going to hurt our economy. It is going to hurt innocent small business owners, just at a time that our economy is starting to recover.

I will give another example. A person contacted me today, one of my constituents in Maryland who happens to have an issue concerning the need for a passport to be issued. It needs to be issued rather quickly. We are going to try to accommodate that person to get it done by tomorrow. But suppose that call would have come in next week after there is a government shutdown and that person has travel plans that now may be disrupted because we cannot issue that passport. The list goes on and on of people who are going to be

hurt as a result of a government shutdown.

We know a government shutdown will actually cost the taxpayers more money. A shutdown costs taxpayers money, More money than the differences in our negotiations in the last couple of days will be lost. So don't tell the taxpayers of this country that we are having a government shutdown to save money. It will not save taxpayer money, it will cost them additional moneys. It will jeopardize our recovery, and individual people will get hurt as a result of the government shutdown.

What is the issue? We have already said the money issues—this is a budget debate—have been pretty well resolved. It is not the dollars. It is not the differences you heard—and the differences, frankly, were quite small compared to the size of our budget deficit and the gap between spending and revenues. The issue that is now being raised by the Republicans has nothing to do with dollars. It has to do with their social policies. It has to do with family planning. It has to do with the Environmental Protection Agency being able to enforce our environmental laws, the Clean Air Act. Does that sound familiar? It should because we debated those issues on the floor of the Senate yesterday, and we took votes on these environmental issues yesterday on the floor of the Senate, as we should do, debating these issues on their own individual merits.

It should not be included in the budget resolution for the remainder of this year. That is not the appropriate place for it. We are not here to debate the social agenda. Those issues should be done on the bills, the substantive bills that come forward.

You sort of get a little suspicious as these issues are being raised as to whether, in fact, those who are negotiating on the Republican side are sincere in trying to reach an agreement to prevent a government shutdown or whether they continuously move the goalposts and change the rules in order to bring about a government shutdown.

I must tell you, I was disappointed, as I heard Republican after Republican in the last couple of weeks talk about a shutdown might be good for the country; if we have a shutdown, so be it. Let's do it. Even some Republicans calling for a shutdown.

I understand there is a problem the Speaker of the House has in dealing with the members of the Republican caucus who belong to the tea party, and they are insisting he not compromise; they don't want to see any compromise. I understand that, but those Members do not control the process. We have a majority of the Members of the House and a majority of the Members of the Senate who are prepared to move forward with this compromise that will not only keep government functioning but will allow us to get on to the real issues of dealing with the deficit of this country by looking at the 2012 budget. There we will be considering more than just the discretionary domestic spending cuts, we also can take a look at the other programs, including military and mandatory spending and revenues, and get a credible plan to deal with the deficit.

We have enough votes among the Democrats and Republicans to pass this compromise. We do not have to yield to the extremists on the Republican side in the House who do not want to see any compromise whatsoever, but what worries me is that perhaps the design is to close the government; that is what the Republicans want. I know Speaker BOEHNER got a standing ovation when he informed his caucus to begin preparing for a possible shutdown.

These are serious issues—like that Marylander I talked to today who may, in fact, lose her home if there is a government shutdown or that constituent who had planned a trip and found out that because their passport will expire shortly, they need to get it renewed before they are permitted to enter a foreign country and will need to get that passport tended to or lose the opportunity to travel, perhaps, for a family event or perhaps for business or the taxpayers of this country who are scratching their heads saying: What are you doing adding to the cost of government when I thought this was a debate about reducing the cost of government.

It is not about the dollars. If we have a shutdown of government—and I really hope we do not have a shutdown of government, but if we have a shutdown of government, it is not the dollar difference, it is the social agenda that the Republicans are trying to push through this document, that should not even be on this document, that they are now using as a reason to deny a compromise. It is the extreme elements within the Republican caucus who are saying let's have this government shutdown who will be getting their way.

There is still time remaining. I hope common sense will prevail. I hope people understand how serious a government shutdown is to our country, to our image internationally, to our ability to conduct business internationally, as well as our ability to provide the services to the people of this Nation who expect those services. We still have time. This is a democracy. Let the majority rule. I think we have the majority of Democrats and Republicans alike who want to bring this issue to conclusion, who know that we have a good compromise done right now that compromises the differences between what the Democrats would want and what the Republicans would want. That is how the process should work.

Yes, I am here—representing the people of Maryland, including a large number who work for the Federal Government and a large number who depend upon those who work for the Federal Government and a large number who depend upon the services of the Federal Government—to say let's get this done, not yield to the few on the Republican side in the House. Let's get this job done for the people of Maryland and for the people of this Nation.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. THUNE. Mr. President, tomorrow night at midnight, unless steps are taken, we will be facing a government shutdown. When I say steps are taken, steps are taken to avoid that. That can happen one of two ways: That could be an agreement that funds the government through the end of the fiscal year, which would be September 30 of this year, and there are negotiations that continue on dealing with that issue, or there could be a short-term continuing resolution that would take us through the next week that would enable those who are negotiating a longer term agreement to continue their discussions and hopefully to conclude a successful outcome to those discussions.

I want to remind my colleagues—and I believe I have been on the Senate floor a number of times speaking to this issue, but I think it bears repeating—why we are here, why we are in the middle of the sixth continuing resolution. This is the sixth short-term continuing funding resolution that we have had to live with since the end of the fiscal year, which was September 30 of last year.

The reason we are here is because last year the Democratic majority in Congress failed to pass a budget and failed to pass a single appropriations bill. They didn't fulfill the most fundamental responsibility that we have to the American taxpayers; that is, put together a budget that funds their government. So we have funded the government through these successive continuing resolutions. As I said before, we are now in the middle of the sixth short-term funding resolution which expires tomorrow night at midnight.

My colleagues on the other side have been coming to the floor and attacking the Republicans for wanting to shut down the government. I would say to my colleagues that nothing could be further from the truth. I think everybody here recognizes that no one benefits from a government shutdown. Frankly, the effort has been made in the House of Representatives to pass a long-term funding resolution that would take us through the end of the fiscal year, through September 30 of this year, but that failed in the Senate. We had a vote on that. It failed and there has not been, since that time, any meaningful effort made on the part

of the Democrats in the Senate to put forward a proposal that might, in fact, be able to pass the Senate and ultimately pass in the House of Representatives.

So we triggered these discussions between the White House and the leadership in the House of Representatives and the leader of the Democrats in the Senate. My understanding is those discussions continue. I hope they will reach a conclusion, a successful conclusion, but until that time happens we need to do something to make sure the government stays open beyond tomorrow night at midnight. So we will receive from the House of Representatives a piece of legislation that they passed earlier today, a continuing resolution that actually reduces government spending by about $13 billion, discretionary spending, all cuts that have been agreed to by both parties, and also extends funding for the military through the end of the fiscal year.

There has been a lot of discussion about we need to provide some certainty for our military so they can plan. I agree with that absolutely. I met with members of our military, with our military leadership. It is important that we take care of the funding needs that they have through the end of this fiscal year.

So what did the House of Representatives do? They took a series of spending reductions which had been agreed upon, as I said, by both parties; they funded the military through the end of the fiscal year, through September 30; and they added a couple of provisions to that legislation that had been widely supported by both parties in the Congress.

There is a ban on abortion funding in the District of Columbia which has been supported by the Democratic leader, the Democratic whip on countless occasions. They included a provision that would prevent funding being used to bring detainees here and try them in the United States instead of at Guantanamo Bay. That is something widely supported. In fact the last time it was supported was when the Defense authorization passed late last year in December, and it passed by unanimous consent. So many of my Democratic colleagues are on record supporting all the elements that are in this continuing resolution that will be coming over to us from the House of Representatives.

The question then becomes, Who is it that is trying to trigger a government shutdown?

I am not here this evening to play the blame game. I do not think that serves anybody's interest, nor do I believe a government shutdown serves anybody's interests very well. I think the American people expect us to find solutions. They expect us to work out our differences but eventually to agree. I think that has certainly happened in the form of this continuing resolution that is coming over from the House of Representatives.

In fact, it passed the House today with 247 votes, including a number of Democrats. There were a number of Democrats who voted with the majority of Republicans in the House to pass a continuing resolution that takes on the issue of out-of-control Washington spending, which has been very clearly documented. We need to get spending under control.

We are adding to the Federal debt at a rate of $4 billion every single day, which means by tomorrow night at 6:30—it is 6:30 tonight—tomorrow night 6:30 on Friday, we will have added another $4 billion to the debt. That is the debt meter we are running. Every single day we add $4 billion to the Federal debt that we pass on to future generations.

We are borrowing over 40 cents out of every single dollar the Federal Government spends. We cannot continue to do that. We will take in $2.2 trillion this year, spend $3.7 trillion. That is $1.5 trillion in deficits in a single year. Add that up year after year after year and we end up with a $14 trillion debt, which is where we are today. It is growing at $1.5 trillion every single year.

So we have to get spending under control. I understand there is not a lot of appetite on the other side of the aisle for taking on Federal spending. In fact, many of my colleagues on the other side thought it was an ambitious proposal when they put forward an alternative to the Republican-passed bill that cut discretionary spending by $61 billion. They put forward an alternative that cut $4.7 billion.

That is the equivalent of the Federal debt we will add in the next 24 hours. That was their, I guess, idea about a serious effort to meaningfully address deficit spending and debts. The fact is, we have to deal with the issue of out-of-control spending.

Clearly, the continuing resolution, the short-term continuing resolution that passed the House, is coming to the Senate, takes on that issue, but does it in a way that cuts spending—spending cuts that, as I said, both sides have agreed to. It is a mystery to me as to why our colleagues on the other side would reject a proposal that includes spending cuts that have been agreed upon by both sides.

Frankly, if, in fact, it is true, in the reports I have read, that Democrats would accept somewhere on the order of $43 billion in cuts for the balance of the fiscal year, this represents about $12 or $13 billion. So we are still considerably under what they have agreed to in terms of a total number, but with regard to the actual cuts that are suggested by the House-passed legislation, they are, by and large, cuts the Democrats have agreed with.

So we have agreement on these reductions in spending, we have a general agreement that we ought to fund the troops through the end of the year, and we have an agreement on the so-called riders—at least there has been agreement in the past, broad bipartisan support. I would argue that the two particular provisions on this bill are provisions that are supported by probably 70 percent of people across this country.

So we have a piece of legislation that has broad bipartisan support, that has come over to us from the House of Representatives, and that would prevent a government shutdown at midnight tomorrow night. It is a great mystery as to why our Democratic colleagues would not accept that and do what I think is in the best interests of the American people; that is, at least get us into next week, where a final negotiation on the longer term continuing resolution can be concluded.

We have a problem in this country. We have a government that is spending way beyond its means. We have to start living within our means. We cannot continue to spend money we do not have. The efforts that are being made to reduce spending are long overdue. I hope they can conclude a successful agreement on a longer term resolution that would get us through the end of this fiscal year.

But I think it is important to point out, right here right now, that we have an opportunity to prevent a government shutdown, to fund our troops through the end of the fiscal year, and to reduce, in a meaningful way, spending, with spending cuts that have been agreed to by both sides in the form of this continuing resolution that was passed in the House this afternoon, with a large number, not a large number but a significant number of Democrats supporting it.

I would suggest to my colleagues on the other side, and I hope they will work with us to make sure we avoid a government shutdown, that we fund our troops and that we make a meaningful dent in out-of-control Washington spending. I would, again, as we approach that time tomorrow night at midnight, hope the leadership on the other side will take up that legislation that was passed by the House of Representatives, give us an opportunity to vote on it. I will submit there will be a large bipartisan vote in the Senate. If we do not have a large bipartisan vote, it will suggest that there are a lot of people who have changed their positions on the issues that are included in this piece of legislation because they are all things that many of us on both sides have supported and I suspect continue to support.

That will avoid that witching hour tomorrow night at midnight, where the government shuts down. They have given us an opportunity to vote on legislation that would do that. I hope we will take them up on that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri

Mrs. MCCASKILL. Mr. President, I think there are times around here that we lose sight about what real people are doing in our home States. I think we lose sight of the struggles, their

daily struggles, how they live their lives with integrity and honor every day and go to work.

Yesterday, we got a call in my office from a young lady. She was on her cell phone. She is a nurse, a nurse's aide at the VA hospital in St. Louis. She was on her break, and she was on her cell phone.

She talked to the young lady who answers our phone and said: I want you to tell the Senator that I have got kids, and I bring home the paycheck. The way I feed my kids is with my paycheck I get working here at the VA hospital, and I am scared. I am scared about what is going to happen if all of a sudden I quit getting my paycheck. I have no place to turn. I am a single mom, and I am very worried.

Then, she said: Would you hold on a minute? Then she handed her cell phone to someone else in the break room at John Cochran VA Hospital, and then that woman handed the cell phone to another woman. By the time this conversation was over, the young lady who answers the phone in my office had talked to half a dozen women who do not make a lot of money, who go to work every day caring for our veterans in a veterans hospital.

You know what they all said? Why is this happening? Why is this happening? If Latonya and her friends were here right now, I would say: You know what, that is a darn good question, why this is happening. This is not a game. This is not a game of ping-pong, where we are hitting the ball up and down this hall from the House to the Senate, fighting over divisive social issues that, frankly, our country has struggled with for decades and will continue to struggle with.

This is about running our government and about the money it takes to run our government. That is all it should be about. It should not be a time for us to argue about Gitmo. It should not be a time for us to argue about women's reproductive health. It should be about funding our government. We have many other occasions we can debate those issues and disagree. And reasonable people do disagree.

But now is not the time to debate those issues at the 11th hour, when Latonya is not going to get a paycheck to feed her kids. I am for cuts. I have been the odd man out many times in caucus fighting for cuts. I worked on spending cuts last year with Senator SESSIONS from Alabama. I continue to work with Senator CORKER about cuts.

I am somebody who said the original proposals that my caucus made were way too little. But you know what I am beginning to feel like? I am beginning to feel like I have been duped, because I thought that was what this was about. I thought it was about cuts.

Let's review the facts. The chairman of the House Republican Budget Committee and the Speaker of the Republican House said we need to cut $32 billion out of the remaining budget this year. I have to tell you the truth. I did not think that was unreasonable. I will admit, I am to the right of much of my caucus on some of this cutting stuff. But I did not think that was unreasonable. So I was glad when we went to the Republicans and said: You know what, we will cut. We will cut what you wanted to cut. In fact, we will cut more than what the House Speaker and the chairman of the House Budget Committee wanted to cut. That is where we are today. We have put more cuts on the table than they initially recommended.

I am beginning to realize this is not about cuts. This is about a much more extreme agenda that has to do with social policy, not about money. They keep moving the goalpost. What is the number? They keep moving the goalpost. We have gone more than halfway. In my neck of the woods, that is called a compromise.

We have the Republicans controlling the House, the Democrats control the Senate. That is why compromise is so important. What is wrong with a compromise? Let's do the compromise, fund the government, and get on with it, so Latonya can get her paycheck and the other women who work with her at the VA hospital can get their paycheck.

They will not take yes for an answer on cuts at this point. They want to make it about something else. Was the CR today just about military pay? No. No, it was not. I did notice one thing they did not put in the CR today. Why will the House Republicans not pass the bill we had asked them to pass to cut our pay if the government shuts down?

I will certainly not take a paycheck, and no one should take a paycheck. Why is that not being passed by the Republican House of Representatives? Why was that not put on the CR today? They want to, once again, pass something about moving people out of Gitmo, which has nothing to do with the budget for the rest of the year. When they were doing the Gitmo thing, why did they not put the pay for Members in there? Why did that not occur? I know the talking point is that—this is one of the talking points we are hearing from the other side: Well, you should have gotten this done last year. We can get it done today—we can get it done today.

We have gone more than halfway on a compromise. This is no longer about the cuts. This is not about the money; this is about an extreme agenda.

Latonya's paycheck and the paychecks of her friends in the break room at the VA hospital hang in the balance. Let's review what happened last year on the budget. The Republican Party participated in every Appropriations Committee in the Senate, and every Appropriations Committee passed a bill.

At the end of the year, that bill was brought to the floor because the appropriators believed the Republican appropriators were supporting the bills they helped write. In fact, those Republican appropriators stuffed that bill full of earmarks for Republicans. Hundreds of earmarks for Republicans were stuffed in that bill.

It was brought to the floor. I remember the night it was brought to the floor. It was in the lameduck. Then the Republicans decided they did not want to support it anymore. By the way, it was not as if passing anything around here was easy last year. If anybody was paying attention, it was about: Let's drag this out. Let's be stubborn. Let's make sure they have to get 60 on everything.

Is there blame to go around that the budget did not get done last year? Sure. There is blame that can go on both sides of this aisle. I am not here to say it was the Republicans' fault or the Democrats' fault. But certainly it takes a lot of nerve to say the only reason we do not have a budget is because the Democrats were not willing to pass a budget last year.

It was a little more complicated than that, if people will remember the facts as they occurred at the time. So it appears to me now that there are certainly a lot of people down the hall who want the shutdown. I was interested when I saw in the paper that when Speaker BOEHNER announced to his caucus they were preparing for a shutdown, he got a standing ovation.

Well, I can assure you, there are no standing ovations in our caucus. There are no standing ovations. I will tell you what, when I go to sleep tonight, I am going to be thinking about Latonya. I am going to be thinking about her kids and what she is telling them tonight and what not getting one paycheck means to that family. Just one paycheck can make the difference, can send a family down the path of getting behind on the mortgage, behind on the bills, and then not having a way to catch up. That is what we should be thinking about right now, not about those social issues that we disagree on and that we can debate and disagree on for many years, as we have for the last 40. But really, can we get a number? Can we make the goalpost quit moving? Can we agree on the cuts and then get on to the hard work? How embarrassing is it that we are fighting over literally a few billion dollars in difference.

If this is so much about cutting the debt—for another day, I want to talk about this, but, really, the Republican budget was released this week. Guess what it adds to the deficit over the next decade. The Ryan roadmap adds $8.2 trillion to the deficit over the next decade. That is how serious they are getting about the deficit. It cuts taxes for a lot of wealthy people. It doesn't do much on the deficit.

I am all for cuts. I have stood for cuts. I will continue to stand for cuts. This government has to shrink. But what is going on right now is a political game. It is shameful. It should

stop. We should make an agreement on the numbers, move on, and make sure Latonya gets paid.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I rise as someone who lives in a State where we balance our budget every year, where the citizens of Wyoming and families all across the State live within their means, balance their budgets. They know what it means to have to live within a budget. That is why our State is one that currently today does not have a deficit, does not have a debt, a State where every year, by constitutional mandate, we balance our budget. It is time for Washington to take a lesson from Wyoming and balance its budget. This irresponsible spending must stop.

Here we are, a day from when it looks as if we may be dealing with a government shutdown, and I am ready to vote. I am ready to vote for a bill that already passed the House of Representatives early today. I am ready to vote to keep the government open and functioning, to make sure services are there. The bill passed the House. People who have studied civics in school realize that is how we make a law in this country. It passes the House, the Senate, goes to the President, who signs it into law. The bill has already passed the House. It is coming to the Senate. I don't know where other Senators are, but I am ready to vote.

I heard my colleague talk about a shutdown and who was rooting for a shutdown. It is no surprise to people who may be watching at home that it is former Democratic National Committee chairman Howard Dean who is rooting for a shutdown. The former chairman of the Democratic National Committee says:

> I think it would be the best thing in the world to have a shutdown. He is the spokesman for the party of the other side of the aisle. That may be what he wants. I don't want to do that. I want to vote for the bill that passed the House. It is the only proposal that is out there. I haven't seen the Democrats offer anything. Even the New York Times said of the President that he was ''silent for too long.''

We have heard our previous speaker talk about the social issues. Let's remember that it is convenient amnesia for Democrats to talk about that specific issue because the President voted for and signed into law spending bills that included similar—actually the identical social issue in the past, the one he is opposing today. So did 49 current Senate Democrats. They also voted for a spending bill that dealt with that social issue. Why all of a sudden today it is different? I believe it has to do with what the former chairman of the Democratic National Committee said:

> I think it would be the best thing in the world to have a shutdown.

Republicans are proposing solutions. What do we see from the other side of the aisle? We see the senior Senator from New York saying, ''I always use the word 'extreme.'\'' It doesn't matter what is proposed. He says, ''I always use the word 'extreme.'\'' There are tape recordings of him saying this. He then said, ''That is what the caucus instructed me to use this week.'' Regardless of how reasonable a proposal may be, regardless of the solutions that may be proposed, ''I always use the word 'extreme.' That is what the caucus instructed me to use this week.''

I travel back and forth to Wyoming every weekend, visit with people and sit around at different locations, sometimes a morning breakfast group, sometimes it is people at lunch, dinners, community meetings.

I ask them: How many of you believe you have a life that is better than your parents had?

Every hand goes up.

Then I ask: How many of you believe your children will have a better life than you have right now?

Very few hands go up. That is the problem.

I ask them: What is the concern? Why do you believe you have a better life than your parents did but your children will not have as good a life as you?

The answer they give is the debt, the reckless spending in Washington—reckless, irresponsible, unsustainable. Yet, when we want to go ahead today, do cuts in spending, keep the military going, deal with the issue at hand, keep the government functioning so we can come back and continue to work on the debt and the spending, this body is not ready to vote.

I am ready to vote. I am ready to vote for the only proposal on the table—the one the Republicans in the House of Representatives passed today. That is real leadership. It is a plan. It will work. It is what the American people are asking for.

I have people from Wyoming coming to Washington all the time. They say: We realize things are tough this year. They come and explain a program that is good for people in the community, good for children, good for seniors—I met with six or seven groups like that today—good for students in school. They say: We know that all of us are going to have to deal with the realities of the facts, that we can't continue with this unsustainable spending where 40 cents out of every dollar we spend is borrowed, significant amounts from overseas. Our No. 1 lender is folks in China. I say: Is that your concern? That is absolutely the concern I hear around the State of Wyoming.

They see that the President of China comes over and tells America a few weeks ago that he wants the Chinese currency to be the currency of the future and the dollar to be the currency of the past. That is because he knows we have an addiction to spending, and it must stop. That is what I hear from people from Wyoming who come here as well. They say: We need to make sure we get the spending under control.

It seems reasonable to get back to the level of 2008 spending. That is the level many American families are living under. They balance their budgets. It is time for Washington to do the same.

I know the people in Wyoming. I have visited with a number through the week and in many communities last weekend—in Worland, Caspar, Laramie. What they are saying is, get the spending under control, and do it in a reasonable manner. But for someone to come from the other side of the aisle and say he thinks the best thing in the world to do is to have a shutdown and for another person to say he always uses the word ''extreme'' because that is what his caucus instructed him to use this week—that doesn't solve the problem. That doesn't let us find a solution. There is a solution on the table right now. It is a solution that has been proposed. This Senate ought to be voting on it tonight.

For the President to say he is going to veto it shows that the President is truly not engaged in this process. He has been silent too long, according to the New York Times. His budget that he has proposed, the Economist, a world-renowned, respected publication, called ''dishonest.'' That is not the kind of leadership we need. We need someone in the White House fully engaged, taking an active role, and making sure we get back on a course that is responsible, that allows us to live within our means, as families know, because we have to stop spending money we do not have. Stop spending money we do not have. That is the way for Washington to behave in a responsible way, to make the difficult decisions necessary for the future of the country, to focus on the issues that affect families and their needs. Families who are trying to deal with kids and bills and a mortgage know what it means to have to live within their means.

When we see policies coming out of this administration that are ones making the pain at the pump even worse, as families are noticing they are paying $700 on average more for gasoline this year than last year, that is money that is not available for other bills or for a mortgage or to help with their kids. Those are the issues they are facing, people trying to pay for their own health insurance, realizing the increased cost of the insurance because of the Obama health care law that passed way over the objections of the American people, crammed down the throats of the American people by the other side of the aisle.

The American people are saying: This is absolutely wrong. That is why I think we saw last November the election results we did across the country. That is why we see people continuing to stand up and speak out across the country. That is why people continue to go to townhall meetings and share their views about the problems happening in this country.

It is interesting. When I think of the great Presidents through the history of our country—we all have our favorites—I think of Ronald Reagan. He said that you can't be for big government and big spending and big taxes and still be for the little guy. We have on the other side of the aisle people who are for big government, big spending, and big taxes. They are not for the little guy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I have been listening to the remarks of my friend from Wyoming. I noticed that he repeatedly indicated that what we needed to do in this building was to keep the military funded, to deal with the deficit, and to cut spending. It is my firm belief that if we were sent a bill that kept the military funded, that dealt with the deficit, and that cut spending, it would pass in the Senate very readily. Indeed, we have already agreed to $73 billion in spending cuts. As Senator MCCASKILL said earlier, the problem is that the Republicans won't take yes for an answer.

The issue dividing us at this point is not the need to keep the military funded. We completely agree on that. It is not the need to deal with the deficit. We agree on that. Indeed, the last time we successfully dealt with the deficit, it was under the Democrats. Clearly, we have gone way more than halfway by agreeing to cut $73 billion in spending. So as to those three points, the answers are yes, yes, and yes. So what is the problem?

The problem is two riders that are being insisted on in the negotiations, one of which would eliminate funding for Planned Parenthood and the second of which would gut the Clean Air Act—Planned Parenthood and the Clean Air Act. I thought this was about the deficit. I thought this was about solving our fiscal situation. The facts are a little different.

Here we are, mere hours away from the first government shutdown since Newt Gingrich forced one during President Clinton's first term. We are facing some 800,000 Federal workers being furloughed; millions more, including men and women in uniform, who will begin working without pay. Projects will grind to a halt. People working under government contracts will stop. There will be a real danger to our fragile economic recovery that is just starting to gain steam. Why take that risk?

In front of cameras all week, Republicans have been saying that despite these dangers, they will threaten a government shutdown because we need to tackle the deficit. The story behind the scenes is quite different. Even though the tea party has focused 100 percent of its cost-cutting fury on only 12 percent of Federal spending—only the nonsecurity, so-called discretionary spending—we agreed to the level of cuts Republicans wanted. Nothing on the revenue side, everything on the spending side, and only from 12 percent of the budget, and yet we were still able to come far more than halfway to where the Republicans are, virtually within single-digit billions of dollars of agreement. Yet we still find ourselves without funding for the government beyond tomorrow night.

We have heard today that it has to do with the fact that we did not pass a budget last year. Well, we did not pass a budget last year, but we tried. As Senator MCCASKILL pointed out, she and I were on the floor when the omnibus spending bill came to the floor. It had been negotiated in a bipartisan fashion. It had come through all the different appropriating committees. It would have funded the government through September 30. We thought we had an agreement, and at the last minute all of the Republicans who had agreed to it changed their minds, literally while we were on the floor. The bill went down. One Republican Senator even took to the floor to gloat about the end of that bill.

So it is a little bit of crocodile tears to blame the Democrats for not having an appropriations and budget bill at this point from the side of the Chamber that took that bill down, that pulled their individuals who had participated in that bipartisan bill out of the deal, that filibustered it, and that shut it down. That is why we are here today. The minority party used its filibuster power, walked away from a deal it had already signed off on, and took down the spending bill. So here we are. It is important to stay somewhat close to the facts.

So now the Republicans are using the deficit concerns, which I think Senator BARRASSO said very clearly: Keep the military funded, deal with the deficit, and cut spending. That is what we are prepared to agree to do. But the bill we are being asked to agree to now is a Trojan horse. It is a Trojan horse that looks like a deficit bill, but inside it is filled with tea party ideology. It is filled with an extremist rightwing political agenda to do things like eliminate Planned Parenthood and give America's polluters free reign in violation of the Clean Air Act as it has been determined by the U.S. Supreme Court to apply. This is no longer about the deficit; this is about trying to force a very radical agenda down America's throats in a Trojan horse that looks like it is about the deficit.

What is it really about? Well, you do not have to go very far from this building. Just a few days ago, outside, you had the tea party ralliers, and what were they chanting outside of the Capitol? They were chanting, ''Shut it down. Shut it down. Shut it down.'' That is what the tea party wants. That is why we are here. And, sure enough, when the Speaker went to his caucus on the Republican side and announced to them—to the people who are actually here making decisions in this Congress—that he was notifying the administrative staff on the House side to prepare for a shutdown, what was the reaction? It was a standing ovation supporting the Speaker in that.

So on the outside of the building, you have the tea partiers chanting, ''Shut it down. Shut it down. Shut it down.'' You have the extreme Members of the House Republican caucus out there with the tea partiers, egging them on, ''Shut it down. Shut it down. Shut it down.'' They come back into the building. The Speaker says: We have to get ready to shut it down. They give him a standing ovation. They could not be happier about this. They load the bill up with things that have nothing to do with funding the military, nothing to do with cutting the deficit, nothing to do with bringing down spending, but instead accomplish ideological missions that the Republican Party has been on for years.

Mr. SCHUMER. Will my colleague yield for a question?

Mr. WHITEHOUSE. Absolutely. I yield for a question.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. First, I thank him for his outstanding remarks. My question is this: Isn't it true we have had many, many Republicans in the House, Sarah Palin, Newt Gingrich, some Presidential candidates, erstwhile potential Presidential candidates, as well as even some of our colleagues here, Republicans, saying they want to shut down the government?

My question to the Senator is, I cannot recall a single Democratic elected official saying they want to shut the government down. My second question is, Doesn't that show something about who is itching for a shutdown or at least thinks they can use the shutdown to accomplish an agenda?

Mr. WHITEHOUSE. I agree with the Senator from New York. I cannot recall a single Senator expressing any desire for a shutdown. I have been present in our caucus meetings. Not one person has once said there is anything good about a shutdown.

We are all gravely concerned about what a shutdown would do to our fragile economic recovery. This is still about jobs, ultimately. We still have to grow an economy in this country. And when we shut down every government contract and put those people out of work, when we shut down every government project and put those people out of work, when we take paychecks away from government workers and when we furlough government workers, what does that do to the economy? Any economist will tell you it strikes a terrible blow. We recognize that, and that is why no elected Democratic official has said one good word about a shutdown.

That is very different from what we are seeing from the other side, where standing ovations, where chanting mobs, egged on by sitting Members of Congress, where public statements by candidates for President and by Members of Congress have all said that the shutdown——

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

Mr. SCHUMER. I thank my colleague.

Mr. WHITEHOUSE. My time has expired. I thank the Senator from New York for his question.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I thank the Chair and would share a few things.

If my Democratic colleagues would prefer not to shut the government down, then do not do it. The House, the Republican House, has passed a bill to fund the government, to fund the Defense Department, and the Senate, the Democratic Senate, has passed nothing. Indeed, the Democratic leadership proposed a bill that they said was worthwhile that would have reduced spending by $4.6 billion. Ten Democratic Senators defected from the leadership position—a pretty gutsy thing to do on an issue as important as this.

Mr. WHITEHOUSE. Will the Senator yield for a question?

Mr. SESSIONS. I will be glad to yield for a question, although my time is limited.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. I thank the Senator for his courtesy in yielding for a question.

Mr. SESSIONS. All right. Go ahead.

Mr. WHITEHOUSE. If, in fact, this is really about the deficit and if, in fact, this is really about reducing spending and if, in fact, this is really about ensuring the military remains funded, why is it necessary to have it be a nonnegotiable condition of the bill that Planned Parenthood be zeroed out and that the EPA be prevented from enforcing the Clean Air Act? I do not see that there is any connection between those two requirements and the deficit, and I think, if the party were willing to give up those two demands, we could solve this very quickly. It is those two demands that are fouling things up and forcing a shutdown.

Mr. SESSIONS. Well, I appreciate the Senator's comment. I would like to respond to that. The House has sent over a bill that does not have those provisions in it—a 1-week extension, and it funds the military. It is available to be passed, also, and would allow further discussions and negotiations on how to complete the last of the year without affecting the military.

I just have to tell you, I have no desire to fund Planned Parenthood, the largest abortion provider in America. Maybe that is what you think Federal taxpayers ought to spend their money on, but I do not. But that is not the critical issue.

The critical issue is how much we spend. I certainly agree with that. The House has sent over legislation, both for the whole fiscal year and for a short term, to continue it. If this government is shut down, it will be because of the Democratic Senate and the threat of President Obama to veto this legislation if it were passed. Why don't they bring it up for a vote? Perhaps it is because a number of Democrats who are uneasy about this reckless spending might feel that voting for this would be a good way to continue the negotiations and work through it and it might pass. So the President has now jumped into the middle of it and proposed to shut the government down.

And I do not appreciate my colleague—who is fine; we serve on the Judiciary Committee together—talking about that this is all extremist rightwingers. Give me a break. He said: They really have this secret agenda. They pretend it is all about the deficits. It is not about the deficits. It is about some extremist rightwing agenda.

He then launches into a full-fledged attack, as has Senator SCHUMER, on the tea party, some of the best people in our country who got terribly afraid for our Nation and went out and marched all over America—millions, tens of millions—who had never before done anything like that. I talk to them all the time. Are these bad people?

And let me tell you, Erskine Bowles, former Chief of Staff to President Clinton, chosen by President Obama to head his debt commission, came before the Budget Committee just 2 weeks ago, and he and Alan Simpson, his co-chairman, issued a written statement: We are facing the most predictable economic crisis in our Nation's history. ''Predictable crisis'' means we could be thrown back into another recession or a depression. When asked by Chairman CONRAD, our Democratic chairman, when this might happen, what did President Obama's chairman say? Two years, maybe a little before, maybe a little later. Alan Simpson piped up: I think 1 year.

Hopefully this is not so. Hopefully, we are not going to have a debt crisis in a year or 2 years. But these people who took testimony for weeks and months and provided their opinion on how to fix our debt, they say we are facing a debt crisis that could put us into a recession and surge unemployment, even though it is just beginning to come down a little bit. This is not a Republican-Democratic squabble. These are Democratic leaders who warned us.

Alice Rivlin headed the other commission with Pete Domenici, our former chairman of the Budget Committee. Pete Domenici, now retired from the Senate, said: I have never been more afraid for my country—one of the most eloquent orators I have ever heard in the Senate—never been more afraid for my country. When you have deficits—this year, we take in $2.2 trillion and spend $3.7 trillion—borrowing 40 cents of every dollar we spend, we are creating a nation at risk. That is what we are talking about.

So this past election, it was a big issue. All over America, candidates ran for office, and the ones who were the big spenders, who were in denial about the danger the Nation faces, got shellacked. Sixty-four Republicans got elected to the House—the biggest Republican victory in 80 years—over one issue, really. Spending, that is what it was.

When we came into the Senate they had only passed, when they had this supermajority in the House and in the Senate, a 5-month continuing resolution. The Democrats didn't pass a budget nor did they pass a single appropriations bill. So everybody knew that after this election, the funding level was going to be reduced. The American people had spoken.

He walks in, our majority leader, HARRY REID, and says, We will cut spending by $4.6 billion out of $3,700 billion we spent. Give me a break: $4.6 billion out of $3,700 billion that we spent is somehow significant? The House only recommended $61 billion in the last 7 months, but that makes a difference. When you reduce the baseline, $61 billion—and the interest you save—$61 billion plus interest, it adds up to $860 billion saved over a 10-year period. That is coming close to $1 trillion in savings, by that one act. But when you spend on the upswing, likewise, you end up raising the baseline and surging spending and debt. That is why we have to get responsible, and when we do, we can make a bigger impact than a lot of people think.

I remain unhappy and stunned that my Democratic colleagues are in full-fledged attack on the good and decent people who stood up and complained about what was happening in Washington and now don't hesitate to attack the tea party as extremists. I object to that. I think it is wrong.

We are in a serious problem. I think many of my colleagues—I know many of my colleagues on the other side of the aisle have expressed to me that we need to do better, that we have to change the trajectory we are on. I think there is a real possibility for bipartisan action, but it is only a possibility. I actually have been fairly hopeful, but—we have had a lot of talk on the other side of the aisle, but I haven't seen anything moving—nothing—except the President's budget.

The Senator from Wyoming said ''The Economist Magazine'' called it dishonest. It is. What they said about it was it has been found false by five different fact checks. They say it calls on us to live within our means. The budget director said it will allow us to pay down our debt, when the lowest single deficit we are projected to have under the budget the President submitted to us is $748 billion.

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

Mr. SESSIONS. I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Thank you very much, Mr. President. We are on the verge of a

possible government shutdown, which is extraordinarily regrettable.

Controlling the deficit and paying down the debt is a critical priority of this country and must be done. It is a difficult challenge, but not insurmountable. We have done it before. In the 1990s I was a Member of the House of Representatives under President Clinton. We were able to push through an economic program that did not focus exclusively and entirely, as the Republican proposal does, on domestic discretionary spending. It looked across the board at not only domestic spending but defense spending. It looked on the revenue side. It also looked at some of our entitlement programs. The result from the 1993–1994 action of the Democratic Congress was that by 2000, when President Bush was sworn in with a Republican Congress, there was a projected multitrillion-dollar surplus. We were looking at robust employment.

I think it is sometimes difficult to listen to some of my colleagues talk about the deficit and President Obama when recognizing, under their leadership, President Bush and a Republican Congress, a surplus was turned into a huge deficit. In fact, President Bush doubled the national debt in 8 years. It had taken almost more than 200 years to accumulate a debt he doubled.

So we are here and prepared to make those reasonable and responsible decisions that will lead us forward to a balanced budget and, hopefully, to what we accomplished under Democratic leadership and President Clinton in the 1990s—hopefully—even some surpluses going forward. But it can't be done in 2 weeks. We can't undo what has taken place since 2000 in 2 weeks or 2 months. It is going to take a concerted, collaborative effort.

One of the problems we have had, frankly, is that the goalpost has been continuously shifting in terms of Republican proposals. My recollection is that last year the Republicans on the Senate Appropriations Committee insisted on a cut of roughly $20 billion from the President's budget request for fiscal year 2011. Then, this year, the House Appropriations Committee, under Republican leadership, proposed initial cuts of $33 billion from the fiscal year 2010 level. Days later, the Republican leadership decided that was not enough, so then it became more than $60 billion, with cuts in everything from EPA water and sewer grants to the Low Income Home Energy Assistance Program to Head Start—programs that are critical to working families and communities. Also, these investments are critical at a time when our economy is just beginning to regain some of the economic traction it had before. We are seeing some encouraging employment numbers. We are seeing some increase in consumer demand. This Draconian approach to cuts could very seriously undermine the emerging—not yet complete—but emerging recovery.

In addition to the numbers that keep moving around, the proposal of the Republican House is studded with special interest riders—social policies, not fiscal policy. In fact, there is the impression sometimes that the deficit reduction claims are an excuse to try to advance not through the legislative process but through the appropriations process—through the threat of a shutdown—very conservative social policies. These policies should be debated. They should be voted upon. But to try to present them as nonnegotiable demands with the penalty for failure to heed to their demands the shutdown of the entire U.S. Government is, I think, inappropriate.

The President and Leader REID have been meeting with House Republican leadership continuously. There was a sense that a proposal of about $33 billion in cuts from the appropriate baseline could be accomplished, but then that seems to keep moving again. This is unlike 1995 when we saw the last shutdown of this government by a Republican Congress. Again, this is becoming almost ritualistic. A Republican House is elected, and then within months there is a shutdown of the government. The 1995 shutdown lasted about 26 days. It cost about $1.4 billion in essentially dead weight lost to the economy and to the government. We are on the verge of repeating that mistake.

Back in 1995, we weren't engaged in two conflicts with American service men and women engaged in Iraq and Afghanistan. We were not participating in a very volatile NATO operation involving Libya. We had yet to see the threat of international terrorism unleashed so dramatically on our shores as it was on 9/11. Again, if this government is shut down, there are thousands of civilians and civilian contractors who are part of our intelligence services that are at least in limbo as to whether they can continue to provide us the information and the insights we need to protect ourselves against a still existing and now clearly obvious threat. These are much more challenging times.

Indeed, for months now, in terms of a response to why the economy isn't growing, many of my colleagues have said, Well, it is the uncertainty of the Obama policies. That was the argument last year for the extension of the income tax cuts not only to middle-income Americans but to the wealthiest Americans. That uncertainty would breed a lack of investment, a lack of focus on job recovery. What could be more uncertain than shutting down the Government of the United States without any plan to bring it back and, indeed, without any clue as to what is the critical issue that must be addressed? At one point it is deficit; at another point it is social policy. That uncertainty I think could lead—I hope it does not—to a lack of confidence in our capacity to govern which will ripple through economic markets worldwide, and which also I think could challenge perception of the United States as a coherent world leader.

There are some things that would unfortunately result from such a shutdown. We know military Federal pay will be delayed. In fact, uniformed military will be required to come to work, as they do, so dedicated to the service of this Nation, but their pay will cease the moment we shut this government down. Literally, there will be soldiers on the ground—sailors, marines, airmen in Iraq and Afghanistan—fighting and they will not be paid and their families at home will not receive those benefits. The Federal Housing Administration will not be able to endorse any single-family mortgage loan. So if you are ready to close on your loan next week, you have the downpayment and you are ready to go, because the FHA will be out of business. SBA-guaranteed loans for business working capital, real estate investment or job creation—for those things that are trying to move the economy—stopped, dead in their tracks. So if you are a small business man or woman, you are ready to expand your company and hire more people, sorry, the SBA is closed until further notice. The IRS cannot process tax refunds for those who are filing paper returns and are depending upon their tax refunds, as so many working families do, to get through the next several months.

We didn't get here overnight. In 1993, Democrats saw these same problems: a deficit that was prolonged and gnawing at the economic fabric of this country. We took deliberate action. It took several years, but within those several years, by the end of President Clinton's administration we saw a surplus, a robust employment situation, and the future looked very good to working families.

In 2001, as I indicated, President Bush came into office with a surplus, but after tax cuts that were unpaid for, two costly wars that were unpaid for, and an unpaid-for extension of our entitlement program in terms of Part D Medicare—the largest, by the way, expansion of government entitlements in many decades—we are now looking at a huge deficit.

President Obama came into office at a time when unemployment was, in my State, reaching beyond 12, almost to 14 percent. He was, I think, required to take appropriate action. With the Recovery Act, we were able to begin to restore some of the jobs. We have seen over the last year growth in civilian jobs, the private sector workforce, that we didn't see under President Bush. In fact, recent reports suggest over 200,000 jobs. Those are the kinds of numbers that have to be sustained, not undercut, and you don't sustain them by shutting down the government and shutting down agencies such as SBA and the Federal Housing Administration.

We are and have to work diligently. I hear my colleagues talking about

reaching out, collaborating, and I hope that is the spirit we embraced in the last several hours. But we have heard many other statements coming, particularly from across the Capitol in the other Chamber, about how we have to shut this government down, how we have to go ahead and make a point, not make sound policy. That is not going to lead us to a better future for American families.

I believe we have to be responsible. We have to recognize the problems before us will take months, if not years, to fully resolve, because it took years, not days or weeks, to accumulate. We have to respond to the troops in the field, not only to order them into battle but to support their families at home.

We have to be responsible to families all across this country and give them a chance to use their talents to contribute to this country. I urge responsibility at this moment, not a shutdown of the U.S. Government.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I ask unanimous consent that of the 10 minutes allotted to this side, I be allowed to have 3 minutes and Senator MORAN 7 minutes.

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

Mr. SESSIONS. Mr. President, on the question of funding the Defense Department, it is a very serious matter. We need to handle that correctly. I will just recall for my colleagues that the House has sent legislation to us that would fund the government for an additional week, with a reduction in spending of $12 billion, but that would fund the Defense Department for the rest of the fiscal year and take that matter off the table, guaranteeing there would be no disruption of the Defense Department.

We should do that. We should have already done that. Senator MCCONNELL, our leader on the Republican side, has said he will not support any more CRs unless we do fund the Defense Department. I have to suggest, however, that it appears to me our colleagues are using the Defense Department as a hostage and as leverage to the threat of shutting down, or partially shutting down, the Defense Department; the threat of that is used to sort of say that we are not going to cut spending anymore. So that is a fight we are in.

We have heard the discussion about riders, but the new CR the House sent to us today doesn't have those riders on it, and it is not a problem in that regard. I do think it is irresponsible for the President of the United States—the Commander in Chief—to threaten to shut down the government.

The Republican House has sent a bill over that funds the government and funds the Department. The threat to shut down the government is coming from the Democratic side. I don't think the people are going to be fooled. I do believe the American people's voices will be heard. The amount of reduction in spending makes a difference in how much is saved over a decade.

Nobel Prize laureate Gary Becker; a superb economist, John Taylor; and former Secretary of State, George Schultz did a Wall Street Journal article recently, noting that under our spending—spending now is 24 percent of GDP—if the House bill that cuts spending by $61 billion were passed, we would be spending 20.0 percent of GDP—a one-tenth of 1 percent reduction in spending from another calculation.

I yield to my colleague from Kansas. I am delighted to have him in the Senate.

The PRESIDING OFFICER. The Senator from Kansas is recognized.

Mr. MORAN. I thank the Senator for yielding.

Mr. President, I come here tonight one more time. I am a very short term Member of the Senate—only about 3 months. Every time I have spoken on the Senate floor, I have talked about the importance of reining in spending. With the crippling nature of our national debt and the belief that if we don't resolve these issues, the future of our country is at stake, it is really one of the primary motivations I have for serving in this Congress: to see that we turn this country around for the benefit of our children and grandchildren.

I think Kansans would say it is time for all Members of Congress to come together and fund the government. A shutdown demonstrates once again how we lack the ability or the desire to just use some common sense and reach a common goal. A primary function of Congress is to see that we appropriate the necessary funds to provide for government.

Today, it seems to me we have come to the point at which this issue needs to be rapidly resolved. We are down to just a few billion dollars—and certainly a billion dollars is a lot of money to Kansans and to me, but we need to resolve this issue so we can move on to the more dramatic and important issue we face as Members of the Senate, as American citizens—that being next year's budget and the future of additional spending down the road.

Tonight, in addition to saying let's resolve this issue, let's continue to fund the government, let's not pursue the strategy of a shutdown, I am here to express my genuine concern about the tactics that seem to be ongoing today, in which we, as the Senator from Alabama suggests, are holding hostage our service men and women and their pay.

We have had a lot of discussion in Washington, DC, about who is an essential government employee. I will tell you there could be no questioning the fact that our service men and women are essential government employees, and they will be working regardless of the consequences, regardless of the decision made here about the so-called shutdown.

From my view, it makes absolutely no sense—in fact, it is immoral—to ask our service men and women to serve in harm's way and have to worry about the paycheck that feeds their families—and, in fact, most of them live month to month, live paycheck to paycheck. The idea that while they are serving and sacrificing away from family, they would have the additional concern about whether the paycheck is going to arrive and be deposited in their accounts seems to me to be something beyond the pale, something we could never expect from a Congress of the United States of America.

So I am here one more time to say, yes, absolutely; let's get spending under control. The idea that we cannot go back to 2008 spending levels plus inflation—we can do that. Nobody should believe that we cannot accomplish that goal, and nobody should be using the service men and women's paychecks and their service to our country as a hostage or the idea of whether this government is shut down. Resolve this issue now and make certain we resolve it in a way that no member of our Armed Services, or their families, is harmed by the decisions we make.

This is an important decision. It is about the future of our country. The immediate concern is whether our service men and women understand that we value their service and that we will take every step to make certain they are not harmed by political inaction—the inability of us in Washington, DC, to resolve the issue of the continuing resolution.

I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, I have a meeting at the White House. There will be no more votes tonight. We hope that we are able to have some good fortune at the White House. We are going through these issues.

As I indicated outside the door, I am not as confident as I was. The last 24 hours have not been kind to the American people. This is not a debate between Democrats and Republicans, it is a debate between Republicans and Republicans. They cannot determine how many social issues they want. The funding is pretty well taken care of, but that is not where we are.

We are here trying to fund the government at the end of the fiscal year based not on money but on social issues, some of which have been in this country for 40 years. We have not settled the issues in 40 years; we will not do it in a few hours. I am not optimistic. I hope things are better when I get to the White House and we can work it out.

What is going on is really too bad for the American people.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. MERKLEY. Mr. President, I rise to share my deep concern that we are careening toward a shutdown of the government. Just a little more than 24

hours from now—tomorrow night—our government will shut down if this Chamber and the House Chamber cannot come together and put a simple continuing resolution on the President's desk.

There is a lot that we should be proud of. One is to be a nation that has been a light for the world, presenting the ideals of democracy in action and advocating for and defending human rights. We should be deeply pleased that we have fought for fair working conditions and economic opportunity for Americans across this great land. We should be proud of the tradition of public education that gives children an opportunity to fulfill their full potential. We should be deeply pleased of our history, advocating for freedom of speech, freedom of association, and freedom of liberty. All of these things are part of a legacy for our Nation, a part of what this Chamber has been about.

But we should not be pleased and we should not expect that this Chamber is now engaged not in those great and lofty ideals but in a very small argument over an extension of the budget for 6 months, and that we are so dysfunctional that we are risking shutting the American Government down for one of the few times in its history. That is not the model we wish to show to the world.

I am deeply frustrated by what has transpired since 2000. The first 11 years of this century—indeed, the first 11 years of this millenium—have not been kind ones for the United States of America. In 2000 we were running huge surpluses. I was back in Oregon as part of the legislature and very excited by the fact that we were paying down our national debt.

Economists were starting to debate whether we should pay it down in 3 years or 5 years; do we need to keep a substantial debt for some strange economic reason or should we pay the whole thing off. I was thinking, isn't that a great debate to have, because we are going to hand a debt-free nation to our children.

Mr. President, I think we all share the thought that there will be discussions tonight and we will not shut the government down. That is what this debate is about right now.

It goes back to the point that in 2000 we had a new President come in who decided that paying off the debt wasn't that important. No, President Bush said we should have bonus breaks, big giveaways to the wealthiest Americans, and he did so without paying for them in any other manner. Then we had a war launched in Afghanistan.

Instead of the President coming forward and saying we must sacrifice and pay for this war, it is important to our national security, he came forward and said: American citizens, please keep spending a lot of money in retail stores. That is the way you can participate in this. So the debt was greatly increased to pay for that war.

Then we had the President launch a war in Iraq—the same President, President Bush—and he proceeded to give away the Treasury to the wealthiest Americans. He decided not to pay for the war in Afghanistan. President Bush decided to launch a war in Iraq, on completely false premises, and to do so without paying for it.

Then we had Medicare Part D, which happened in that same 8-year period—a huge expansion of a government program that has and will indeed help many Americans, but it was not paid for.

Those four decisions doubled the debt from $5 trillion to $10 trillion, but doubling it was not enough. Indeed, the Bush administration did something else; they created a house of cards out of the most important financial document for every American family, the home mortgage. By deregulating retail mortgages, they allowed liar loans, undocumented loans. They allowed teaser rates, 2-year really low rates that mortgage agents used to talk people into subprime loans when they qualified for prime loans—steering loans that were regarded as such for steering families from prime loans into subprime loans.

Then they took all of those faulty subprime mortgages and packaged them into securities and allowed a new, unregulated form of insurance to back up those securities. Those were called swaps or derivatives. A $50 trillion unregulated industry came upon the American scene, and those securities ended up in every financial institution around this Nation. This great house of cards, which corrupted the fundamental value of primary wealth for most Americans, and the humble fully amortizing prime mortgage—subprime mortgage—was turned into an instrument of mass financial destruction.

That financial destruction that was brought down on our house in 2008 and 2009 added another $4 trillion to the debt. We went from $5 trillion to $14 trillion. That process continued this last December with a compromise that added another $500 billion to the debt, a compromise I could not support because it added $500 billion additional to the debt.

I had a lot of hope in January, 3 months ago, that we had a new group come in and we had a new Congress, the 112th Congress, and we were going to proceed to create jobs and do so by ending some of those frivolous giveaways, those massive oil and gas giveaways that line the bottom line of some of the deepest pockets in our Nation, those rules that prevent us from negotiating drug prices which results in our seniors on Medicare paying higher prices for drugs than seniors anywhere in the world, even though those drugs were invented right here, a potential savings of $6 billion per year; those bonus breaks for billionaires, on top of $100,000 per taxpayer, up to a million more for many taxpayers. Taking those bonus breaks away is a savings of $50 billion a year; ending duplicative Pentagon programs identified by the Secretary of Defense, a savings of $75 billion—all of these opportunities, and so many more, to bring our financial house into order.

But those hopes were soon dashed because the new team in the other House of the Congress did not decide to fight for jobs, did not decide to fight to get rid of frivolous programs. Instead they decided to lay out a plan that attacks the very communities that have been most hurt by the previous disasters because that meltdown, that mortgage meltdown that haunted us in 2008 and 2009, destroyed the wealth of basic Americans of their homes, homes lost enormous value, it proceeded to destroy jobs that those families counted on, huge job losses, it proceeded to wipe out their retirement savings. No wonder so many families today do not have confidence that their lives, the lives of their children will be better than their lives. For so many families—in fact, their current life is not better than their parents' life was because of these kinds of devastating decisions.

The new arrivals said: No, we are going to increase the harm. We are going to attack the community development grants that build community organizations. We are going to attack the heating programs that keep people from freezing. We are going to diminish the food programs that keep people from starving. We are going to attack women's health programs, programs that have nothing to do, by the way, with abortion, but preventive programs, screenings, Pap screenings, breast exams. We are going to wipe those out because of misguided ideological opinions. And now we find a bill that says we are going to dismantle Medicare. We find an attack on housing for veterans. These are not the things that will bring jobs to America. These are not the things that will rebuild America.

On top of all of these attacks on specific programs, my colleagues in the House decided to create a whole long list of ideological riders to add to the budget debate. I have a copy, 4 pages, of policy riders to H.R. 1. It goes on and on, everything one can imagine, from Job Corps centers to training for our unemployed Americans. It is a huge list. It defunds the Consumer Financial Protection Bureau that will guard against the corruption of mortgages I was discussing earlier. It attacks the EPA's ability to enforce the Clean Air Act. And so on. It is an unbelievable list all Americans should see to see what the true agenda is on the other side of Capitol Hill.

Now is the time to set aside these games, these ideological riders. Now is the time to set aside these attacks on the core programs that strengthen our communities. We are past the time to have the ability to do a simple 6-month extension of our programs in the United States of America so we can go

on to debate fiscal year 2012. But not everybody is ready for that serious debate.

We have been hearing a lot of chanting at rallies that they do want to shut down the government over these ideological riders. Indeed, on April 5, the Washington Post reported Republicans gave the Speaker—that is on the House side—an ovation when he informed them to begin preparations for a possible shutdown. They want the shutdown because they want this ideological fight.

After proceeding through devastating mistake after devastating mistake that increased our debt $5 trillion in 2000—remember, it was heading down toward zero—to nearly $15 trillion, we still cannot have a serious discussion. We have folks who want to shut down this government over these ideological riders.

We must return to understanding our role in the Senate and in the House in terms of the broad and challenging and important issues facing America—the issue of providing fundamental services, the issue of creating jobs, and the lofty goals of advancing democracy and human rights and civil rights around this planet.

Now is the time to set aside those shallow ideological games, focus on rebuilding our economy, and putting America back on track.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I rise first to salute my colleague from Oregon for his eloquent words and his passion. I know he has dedicated his life to making the lives of people better. That is why he feels strongly about how badly a government shutdown would affect average folks.

I agree with him. Simply put, there is no reason for a government shutdown—absolutely no reason at all. A genuine bipartisan compromise with significant and responsible cuts in government spending is in hand, but it is being vetoed by an extreme minority of the Republican Party. The tail is wagging the dog. The most extreme, the people least likely to compromise, the people, in general, with less experience in government and at least from their statements little respect for views not their own are dominating the House of Representatives.

Speaker BOEHNER is somebody for whom we all have a great deal of affection and sympathy. But the hour is nigh and leadership is called for. To allow this small group—relatively small group when we look at the expanse of our government—to dominate everything that is happening and hurt millions of innocent people is not leadership.

When the Speaker says there is no agreement on the numbers or the cuts, he means he is not ready to say so publicly. It is true I have not been inside the negotiating room, but I have heard all the details from my friend and colleague HARRY REID. I have heard the details from those who have been negotiating.

The bottom line is, the number and what composes that number of cuts is virtually agreed to. The only reason there is not a handshake is Speaker BOEHNER and his representatives do not want it to appear the numbers are signed off on, for two reasons, in my opinion. One, they are afraid what these hard-right colleagues would say, and two, then it would focus everything on their true casus belli, which is the riders.

This is no longer about spending. The hard right in the House of Representatives wants to make this about ideology, injecting last minute ideological add-ons, such as limiting preventive health for women. We have a fiscal crisis in this country, not a social crisis.

Let's not gloss over what is going on. Republicans do not care about reducing the deficit; otherwise, they would not have paraded out a budget this week that ends Medicare for our seniors but protects trillions in tax breaks for corporations and millionaires. Care about deficit reduction, yes, you would want to cut Medicare, but you would also want to make millionaires pay their fair share of taxes because every dollar from the millionaire goes just as much to reducing the deficit as a dollar from Medicare cuts. When you do one and not the other, you do not care about deficit reduction. You may care about shrinking the government. You may wish there is no government at all. That is a perspective of some. But you do not care about deficit reduction.

One of the things that has not been made apparent is cutting government programs to many on the other side of the aisle is not in sync with reducing the deficit, and those two are too often confused.

Why are we here? Why are we on the eve of a shutdown of government which will hurt millions? It is because this hard right in the House of Representatives—some of them members of the tea party, others allies of the tea party—want to satisfy the agenda of the extreme rightwing. And if they do not get everything they want, they have made their desire clear. We do not have to make this up.

Here is MIKE PENCE, one of the leading Republicans in the House of Representatives, one of the leaders of the tea party caucus. What does he say? ''Shut it down.'' That is what he wants. Either he thinks he is going to get his way by shutting it down—I grew up on the streets in Brooklyn and there were people who thought that just by bullying they could get their way. Shut it down if you do not do it all my way. Bullying does not work, and we will not be bullied. We will not hurt millions of people. We will not abandon our principles because the other side believes we will do whatever they want—falsely believes we will do whatever they want—because otherwise they will shut the government down.

We do not want to shut the government down. I have not heard a single Democrat say what MIKE PENCE has said. But I have heard lots of Republicans—I heard Sarah Palin talk about the shutdown being a good thing. I heard Newt Gingrich talk about a shutdown being a good thing. I heard some of Mr. PENCE's colleagues, probably a dozen or so in the House of Representatives, saying ''shut it down'' is a good thing.

Have you heard a single Democratic elected official say it? No. That alone should tell you who wants to shut the government down or who is willing to shut the government down and who is fighting strongly against it.

They want to shut the government down if they do not get their way. As I said, I have seen people do things like that growing up on the streets of Brooklyn. You know what you learn? If you keep giving in and giving in, they ask for more and more. The way to deal with someone who is attempting to bully you is to stand up to them. We have gone so far in their direction. President Obama said to Speaker BOEHNER, it is reported: You have gotten three-quarters of what you want. Why don't you declare victory and go home?

We know why Speaker BOEHNER cannot do that. It is very simple. Because then there would be a rebellion among a key part of his constituency—the hard right, many of them, but not all of them freshmen in the House of Representatives. Most of them have very little experience in government. I daresay most of them do not know the consequences of a government shutdown or the kinds of cuts they are suggesting. But they come in with an ideological narrowness.

When either party lets the extremes dominate, they lose. When Republicans let the hard right dominate, they lose. Frankly, we learned our lesson as Democrats. When we let the hard left dominate, we will lose too because most Americans are somewhere in the middle.

This idea of shutting the government down or of applauding, a standing ovation when the Speaker informs them to begin preparing to shut the government down, I guarantee you it will backfire on the perpetrators, just as it did on Newt Gingrich in 1995. But that is political consolation, small consolation for the damage that will be done to individual people who will lose jobs, to the economy. Just one fact: FHA will not be able to issue any guarantees on new mortgages. FHA issues 80 percent—guarantees 80 percent—of our mortgages, including mortgages for the middle class, the bulk of mortgages. Middle-class people will not be able to take out mortgages. What does that do to our economy and the housing sector?

The Internal Revenue Service will not be able to mail out a good percentage of refunds. What does that do to the economy, when the money is stuck in Washington instead of going back to people who rightfully own it and who

will spend it in the stores and shops and on vacation?

There are other irresponsibilities. We have American troops fighting abroad. We want to make sure they are fully funded. A government shutdown will not do that. Colleagues on the other side are coming up with an unbalanced, short-term extension that funds the troops. Well, I say to my colleagues, if you want to fund the troops—not for 1 week—don't shut the government down. That is the best way to support our troops.

It is time for Republicans to be responsible. It is time for the majority of Republicans—whom I don't agree with on so many issues, but whom I know are mainstream and don't like this government shutdown—to stand up to those on the hard right, to accept the compromise we are so close to working out and drop the ideological riders so we can move forward.

We are at a crucial time in this country. We have had a rough few years. We are beginning slowly to climb our way out of it. This is risky. A government shutdown is risky. The shame of it all is that it is so easily avoided. All we need, again, is a little bit of strength and courage from the Speaker to tell the hard right in his party, yes, he will try to accommodate some of their needs, but he will not shut the government down; tell them, yes, we do have to cut government spending. And we Democrats—the vast majority of us—agree with that. We don't believe in cutting things such as cancer research or loans that go to students who are going to college, but there is a lot of waste in the government, there is a lot of excess, and we can wring that out without hurting people and reduce our deficit. We agree.

The proposals we have made, including $73 billion below the President's proposal for this year, show we have put our money where our mouth is. But every time we come close to an agreement, Speaker BOEHNER—not on his own, in my judgment, but pulled by the tea party—pulls the goalposts back. He pulls them back on the numbers. Although we have gone so far, it is hard for him to do that any longer. But he also does it with these ideological riders.

We are at a sad moment. We are at a time when the continuation of this government—with the hard-working people who compose it—is right on the edge of closing, with untold damage to innocent people. I would ask my colleagues on the other side of the aisle, and in the other body—I would plead with them—let's stop the political games, let's stop the ideological posturing, let's stop thinking it has to be only my way and no one else's. Let's come meet in the middle with a reasonable agreement, keep the government going and move forward to do the things the American people have asked us to do.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BENNET. 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. BENNET. Mr. President, I came to the floor the other night to talk about what I had learned in 2 years of townhall meetings in Colorado regarding our deficit and regarding our debt. What I said the other night was that people in our State, whether in red parts of the State or blue parts of the State, have a commonsense way of approaching this, and they have a three-part test they want to apply.

The first test is they want to make sure we actually come up with something that materially addresses the problem we face. They are tired of gimmicks. They are tired of tricks. They want us to sort this out. They know it will not be fixed overnight, but they want us to get started on it.

The second test is that we are all in it together. They are tired of the us-against-them conversation that happens in Washington. They are tired of hearing that one person's ox is going to be gored or one group of people's ox is going to be gored and everyone else will be left alone. Everybody wants to contribute to solving this problem.

The third test is they want it to be bipartisan. Because, frankly, they do not have confidence in either party on this issue and they want to see us working together.

That is it. We should be working toward that as a Senate and as a House. We should be having a serious conversation about how not to leave our children stuck with a bill of $15 trillion in debt and a $1.5 trillion deficit. I feel that keenly, as the father of three little girls myself.

But I think it is very important for the American people to understand the debate we are having right now. The threat that we are going to shut the government down has nothing to do with the broader conversation about our deficit and our debt. In fact, shutting the government down is going to make matters worse.

I said the other night that there is not a superintendent of schools—I used to be one in Colorado—there is not a city council or a mayor in Colorado, from the largest city to the smallest town, who would dream—who would dream—of saying to their constituents: We can't work this out, so we are going to close the government next week. We can't work this out, so we are not going to plow your snow next week or pick up your trash next week or educate your kids next week, not one local official in our State. The Presiding Officer knows this. He was a mayor. He would never have gone to his constituents and said: Oh, by the way, we are closing next week because we have a disagreement.

It makes no sense. Nowhere on the planet would that make any sense. To say nothing of the fact we find ourselves at a moment in the country's history when we are engaged in wars all across the globe, when we are now involved in a multilateral effort in Libya, when we have thousands of people—government employees—trying to help the Japanese weather this unbelievable tragedy they are facing, when we have economic competitors all over the globe trying to seek an economic advantage against the United States in the 21st century. Yet we are saying: Well, we are going to take a time out because we can't agree. We are going to pause, take a rest, close the government. The American people must think, well, you guys must be very far apart. That is why I brought this chart. I don't know the exact details here. Nobody does. The reports on the news tonight were that several billion dollars separated the negotiators. I have heard it ranges from $5 billion to $10 billion, or somewhere in there, so I picked the number $7 billion, which is more than several. But that appears to be what divides the parties—$7 billion. Seven billion dollars.

That is a lot of money. It is a lot of money. But look at it in the context of our deficit and our operating budget. Here is this line. You can't even see it. This line is the $7 billion, right here. This is our deficit, and this is our operating budget—$1.5 trillion, $3.6 trillion.

I apologize, Mr. President, but I couldn't fit it on one chart so I had to have two made in order to show what the order of magnitude of difference is between what we are squabbling over here in Washington, and what our deficit looks like and what our operating budget looks like. That is it. That is it. That is it.

Do you know, this difference, if this were the city of Alamosa—and the former mayor is the Presiding Officer—and my State—which has roughly a $14 million operating budget in the San Luis Valley—if they were saying we were going to shut down our government based on this difference, that would be like Alamosa saying, we can't figure it out because $27,000 is what we are apart.

Mr. President, if you and I went to Applebee's tonight and we had their $20 dinner for two, and then we had a fight over the bill, we would be fighting over 4 cents. That is what would separate us—roughly .19 percent of our operating budget.

I could even understand if the parties were saying we disagree, we disagree, let's keep negotiating. But I can't for the life of me understand how on those terms anyone could threaten a government shutdown, especially when we confront the dangers we confront today.

And so the answer is, it is not about our budget. The time we have consumed here is taking time away from the conversations that the Presiding Officer and I have been part of, that

people on the other side of the aisle have been part of, that the gang of six, a bipartisan group of Senators—three Democrats and three Republicans led by MARK WARNER and SAXBY CHAMBLISS—have been working on. That is what we should be doing. We shouldn't be threatening to close the government. I don't think we should be threatening to close the government under any circumstances, but certainly not when the economics are as thin as that.

I know there are people—and it is not all Republicans—there are some people in the House who feel the social issues they have attached to this piece of budget legislation are somehow more important than keeping government open or that litigating those issues in the context of trying to keep the government open is the right thing to do. I disagree. I think they should have a hearing. I think we ought to have a floor discussion about what we want to do with women's reproductive health or the other issues that are there. I am glad to have that debate. But don't threaten to shut the government down based on that.

So I will say again, as I said the other night, I encourage the leaders of both parties in both Chambers, and our President, to find a way to settle this, to find a way to work it out, to find a way to keep this government open at this moment when we have troops deployed all over the globe, and to live up to the standard of every single local elected official in my State, whether they are Democrats or whether they are Republicans, who are making tough choices in this budget situation but managing to respond to their constituents' priorities.

This week, in Colorado, they reached a budget agreement. The Governor is a Democrat, the Senate is a majority Democratic, the House is Republican. The Speaker of the House, who is a Republican, said this is the first budget I have been able to vote for in years because of the leadership of John Hickenlooper, our Governor, and the leadership of the Democratic and Republican Party there. That breeds confidence in people's work. I think if we can find a way to work together across the party lines in a bipartisan way and demonstrate that we can keep the government open, and much more important even than that, that we can create a path toward fiscal sanity in this country, I think the American people would cheer. Right now we have not given them very much to cheer about.

I see the Senator from Texas is here, and I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, we have been talking for a long time today about this fiscal crisis. I don't think anyone is looking at the looming deadline tomorrow night as something that we want, to have government shut down. I hope so much that the President and Speaker BOEHNER and the Democratic leader of the Senate, Mr. REID, can come to terms because we are so close to having an agreement on a continuing resolution until the end of this fiscal year—which is what we need. If anyone would run a business the way this government is being run, in 2-week continuing resolutions and 1-week and 3-week—it is not a way to run anything. It is not organized and you cannot plan. Certainly, we know taxpayer dollars are not being the most efficiently spent if we are going in 1- and 2-week increments.

The stakes are very high. I look back at the year 2000, and we had balanced budgets. We had a balanced budget in the year 2000. We had a balanced budget up until 9/11. That was only 10 years ago, and we ought to be able, as the U.S. Congress, working with the President, to say if we had a balanced budget 10 years ago, we cannot possibly be so far over the line that we cannot bring it back into balance. But to bring it back into balance we are going to have to look long term. We cannot do it on $30 billion of difference from now to the end of the fiscal year's spending. The fiscal year ends October 1. We cannot do it. We have to have a 10-year plan; we have to have clear cuts in spending; and we have to start working toward a balanced budget in a responsible way.

I cannot say I agree with everything in it, but the House Budget Committee chairman, one of the Republicans in the House, has proposed a budget that would do exactly that. It would get us to nearly a balanced budget. Now we need to start talking about the plans he has put forward. The President has not been; Congressman RYAN has. We are going to change some of it, I hope. We should have the same goal; that is, to get to a balanced budget over a period of time, 5 to 10 years. But we certainly are not going to do it in the next 24 hours, talking about $30 billion or $36 billion going for the next 6 months.

I hope we will settle this issue so we can go to the long-term issues. The long-term issue is going to come up in about 1½ months when we are going to be called on to raise the debt ceiling. The debt is $14 trillion. We are looking at a deficit this year alone of $1.6 trillion. If we go with the budget the President submitted, $3.7 trillion more, over $14 trillion? No wonder the people of this country are up in arms. We need to listen to the people of this country who say stop doing business in Washington the way it has always been done. Stop it now and start cutting back on the appetite for spending so we will be able to have the balanced budget that we can see in our future.

What we are looking at now is the potential of a government shutdown. I hope it does not come to that, but there is one thing we ought to be able to do in this Congress, and that is at least protect our military who is serving in Afghanistan and Iraq and their families who are back home worried enough about them because of where they are and who most certainly should not have another burden put on them of not knowing if their paycheck is going to come at the normal time of the month—the 1st and the 15th.

I have introduced S. 724. I ask unanimous consent to add Senator SESSIONS as a cosponsor.

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

Mrs. HUTCHISON. I will say that makes our 46th cosponsor of S. 724. It is a very simple bill. It just says if there is a government shutdown, the military will be paid. The Secretary of Defense will have the discretion to also pay the civilians and those who are serving our military so the food service in Afghanistan and Iraq will not be stopped because we have a government shutdown and the paychecks are not going to come.

I want to alleviate any fear on the part of any member of our military or one whose family is watching the debate on the House and the Senate floor, watching this play out and thinking: Am I going to be able to pay the mortgage on time? I want to alleviate that fear right now.

I hope we will be able to pass this bill that is gaining sponsors about every 15 minutes, as people start looking at the looming shutdown of government that will happen a little later than this tomorrow night if we do not have an agreement. I think all of us should put our military in the front of the line and say: They are going to show up for work. Let's assure them their pay will not be delayed. That is not the message they are getting right now, but I think we can assure they will get it.

I have a letter we just received from the National Association of Uniformed Services, which says:

> On behalf of the more than 180,000 members and supporters of the National Association for Uniformed Services, I offer our full support for your legislation, S. 724, the Ensuring Pay for Our Military Act of 2011.

I ask unanimous consent to have this letter printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL ASSOCIATION FOR UNIFORMED SERVICES,
Springfield, VA, April 7, 2011.

Hon. KAY BAILEY HUTCHISON,
U.S. Senate,
Washington, DC.

DEAR SENATOR HUTCHISON: On behalf of the more than 180,000 members and supporters of the National Association for Uniformed Services (NAUS), I would like to offer our full support for your legislation S. 724, the Ensuring Pay for Our Military Act of 2011, a bill to assure that, in the event of a federal government shutdown, our nation's men and women in uniform would continue to receive their military pay and allowances.

The Ensuring Pay for Our Military Act would make available the necessary funds to prevent an interruption in pay for members of the military if there is a funding gap resulting from a government shutdown. The bill also includes a provision to authorize the Secretary of Defense to allow those who serve as DOD civilians or contractors in support of our men and women in uniform to continue to be paid as well.

The National Association for Uniformed Services thanks you for introducing legislation that demonstrates our nation's appreciation for those who serve in our Armed Forces. We look forward to working with you and your staff and deeply appreciate your continued support of the American soldier and their families.

Sincerely,

RICHARD A. JONES,
Legislative Director.

Mrs. HUTCHISON. Mr. President, I hope we come to agreement and do not shut down the government. We are so close to getting this temporary fiscal year—which we are already halfway through—finished, and let's take this off the books. What we ought to be doing right now is focusing on the 2012 budget that starts October 1, where we are having our hearings, and we are asking our questions, and we are trying to set our priorities with a lower scale of government. We are going to cut back way below what we spent last year and the year before, but we are going to prioritize our spending.

We had FBI Director Mueller testify before our Commerce-Justice Subcommittee of Appropriations to talk about the law enforcement needs of our FBI. I want to spend my time talking about the needs of the FBI and the other necessary functions of government; certainly, our armed services bill. I do not want to be talking about shutting down government in the middle of the fiscal year because we are not coming together on $6 billion or $3 billion—I don't know exactly where they are now, but it is not very much in the scheme of things. What we need to do is get this behind us, alleviate the fears of our military personnel, alleviate the fears of their families that they might have a hiatus in their paychecks.

We need to start thinking about the big picture, the big picture of what we must focus on, which is cutting spending so we can go toward a balanced budget and agree on a 5- to 10-year trajectory that will put us back in a fiscally responsible position for our country to have the credibility in the world we should have, for our children to be free of the debt for what we have used in government in this country. We don't need to pass that debt to our children if we are responsible stewards of both their lives and our taxpayer dollars.

We need to be the leaders that people expect us to be. The people spoke in very loud terms last November, that they do not want more spending. I hear it everywhere I go. I hear it in the airports, on the streets, when I am talking to people in informal meetings, the grocery store—people are scared to death of a $14 trillion debt. It has never been so high in our country before.

I don't want that to be the legacy of this Congress and our generation. That is not the legacy we should have as leaders of the greatest country in the free world.

I implore the leaders of Congress and the President to get the continuing resolution behind us so we can focus on the big picture; that is, the $14 trillion debt that we are facing right now and doing the responsible cutting that will begin to cut back on the deficits, take down the debt, and address the issues that have not been addressed for all these years, once and for all.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I commend the Senator from Texas on her bill of which I am very proud to be a cosponsor, to make sure our men and women in harm's way continue to receive their compensation and support for their families if, in fact, there is a government shutdown. I am certainly going to continue to do everything I can to keep that from happening. I am unwilling to give up, and I know others are as well.

I commend the Senator, but I think this is very important. We need to send that message. We need to get this done and get the bill done.

Mrs. HUTCHISON. I say to the Senator from Michigan, she was one of the first to sign on as a cosponsor of this bill. I think that is the right thing to do. I appreciate her leadership.

I just got a note from my staff, and I also ask unanimous consent to add Senator SCOTT BROWN and Senator AMY KLOBUCHAR as cosponsors of S. 724.

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

Mrs. HUTCHISON. I thank the Senator from Michigan. I think we can do this together if we will come together and focus on those great young men and women in Afghanistan and Iraq serving right now and do something that is right for them regardless of whether we have to face a government shutdown for all the rest of us.

Ms. STABENOW. Mr. President, I could not agree more that we need to do this. I think it is important that the Senate take the lead as we did on another piece of legislation that our friend from California brought forward, and which was passed unanimously by the Senate, to set down a very important principle; that is, if we, those making decisions, cannot come together, then it should be Members of Congress not getting a paycheck. Our troops should be getting paid, but Members of Congress should see their paychecks stopped.

Unfortunately, under law right now Members of Congress would be the only ones whose paychecks don't stop. That is something we have passed in the Senate, to change that. Frankly, I found that to be pretty embarrassing. Then it became outrageous when we found out that the troops' paychecks might stop.

So it is important we send two messages: people who are responsible for making this decision take responsibility and their paychecks stop if it doesn't get done, but also we have to make sure the men and women in harm's way continue to have our support verbally and that we show it in our priorities as well.

I hope we are not going to see this happen. There is no reason for this to happen. We are talking about a shutdown that would not only affect many people around this country—families, small businesses—it would affect also the markets, our international standing. This is a very serious issue. People of good will can solve this.

We all know we have to be smart. We have to change the way Washington operates and cut the things that are not working and invest in the things that do. There is no question about that. We have to do that. In fact, we have agreed to major changes in that direction, but it is a challenge.

I just wanted to take a second because I think the toughest job in town today is the Speaker's. It is very clear that he has a very difficult job when people are giving a standing ovation for him when he is talking about preparing for a shutdown. We do not need this. That is not what we need.

What we need is to continue to have people of good will coming together, as we have just been talking about, in support of our troops and saying: We can complete this year's budget. We are halfway through the year. Let's just get it done.

What happens if it does not get done? It is not about us. It is not about us. We will be all right. It is not about us. It is about the people who are affected. We know, but let's just go through what happened back in 1995.

In 1995, there were 400,000 veterans who saw their disability benefits and pensions claims delayed—our veterans.

Again, we are talking about our troops. But in the last shutdown, 400,000 veterans had delays in their disability benefits and pensions. That ought to be a motivator for all of us to get this done. It would be outrageous if that were to happen again. There was approximately $3 billion in U.S. exports that were delayed because they could not get the export licenses. That is jobs for us.

As we look at a time when we want to export our products, not our jobs, around the world, delaying that affects our jobs. We know hundreds of thousands of Medicare and Social Security requests were delayed the last time this happened.

For the first time in history, six States ran out of Federal unemployment insurance at the time, and small business loans, we know, could be stopped or delayed, as well as tax refunds for people who have been waiting for hard-earned dollars, stretching every penny to make ends meet.

So it makes no sense. It makes no sense to the economy, it makes no sense for families, for seniors, for veterans. We need to come together and get this done. We also need to make sure that whatever is done and what we have been fighting for, the majority has been fighting for, is that we not

one more time ask middle-class families and small businesses to be the ones who have to sacrifice.

In my State, our families, middle-class families, people trying desperately to stay in the middle class or to get in the middle class have been the ones hurt over and over—their jobs, losing their jobs or losing their incomes, with their houses underwater, trying to make ends meet, not sure right now if they are going to be able to have the kids continue to go to college. With gas prices going up like crazy, are they going to be able to even just get back and forth to work? Those are not the folks who should be, one more time, sacrificing, carrying the load. The same with people sending their children, grandchildren to war. Our middle-class families should not be the ones continuing to be the only ones sacrificing in order to deal with what is a national debt and the need to balance the budget and change the way we fund Washington, reduce spending, change the priorities.

What I am concerned about is that middle-class families and small businesses not continue to be the ones who get the brunt over and over. I think about this struggle the last couple of years in Michigan and what we have had to go through with our automobile industry and how proud I am of where we are now, but also the sacrifice that it took to get there.

We are making the best automobiles. We are winning all the awards. Our people are smart and skilled. We have the best engineers and the best skilled workforce, but a couple of years ago we had a horrible crisis. It took sacrifice from everybody to turn that around and some smart thinking.

Workers had to sacrifice—beginning pay cut in half; retirees, the company, shareholders, communities—everybody had to sacrifice in order to turn this around. But we did something else. We then said: While you are cutting back, we are going to invest in the future. We are going to invest in innovation. We are going to invest in those things that are going to allow us to grow and create more jobs and be successful.

After 2 years of a tremendous amount of hard work and everybody sacrificing, with some smart decisions and investments, we are turning it around, making a profit for the first time—each of our companies—since 1999. We are turning things around because people were willing to be in it together. That is what I am fighting for, because we know we have to change the way we do business and we have to cut the things that do not work and invest in the things that do. But everybody has to be in on this—everybody—not just some people who are being asked to give over and over, not just small businesses that did not cause what happened on Wall Street but cannot get the loans because of what happened with the crisis, holding on, trying to make it, trying to get the capital they need to keep the doors open or to expand. They did not cause this, and yet we seem to find the same people over and over having to make the sacrifices. That does not make sense. I do not think it is American.

So what we are seeing now as we close in on the final decisions, people coming together, is a question of whether we are going to have everybody be a part of the solution or one more time asking the middle class and small businesses. We can come together and get this done if people want to do that. There is no question about it, that people of good will can get it done. I think that it is in everybody's best interests to do that on every single level.

But there is no question as well that we have very different priorities that are being debated today in our country. We saw that this last week in very stark terms, which goes to the whole question of, again, how do we solve our problems and is everybody in? Is every American going to be part of turning the ship around? That goes to the budget proposal this week that has added, in my opinion, insult to injury, which relates to the proposal coming from the House Budget chair to change Medicare as we know it; to change Medicare from an insurance plan for our retirees and people with disabilities to something that would be a voucher for insurance companies.

It is stunning to me, actually, in looking at this proposal, and extremely concerning to me, the ramifications of what is being proposed. Then what adds insult to injury is that the proposal is being made to unravel Medicare, do away with Medicare as we know it, raise the costs, the premiums, and the medical costs for almost every senior in the country—according to the Congressional Budget Office.

At the same time this same budget document would give over $1.8 trillion in new tax cuts for special interests and the millionaires of the country—not the folks who have been working hard to try to make it, who have not gotten the big breaks, but one more round of big breaks for the people who have not felt this recession, the people who have gotten the special breaks, who somehow have not had to go through their house underwater, their income go down, worry about the kids, worry about the car, worry about the gas. The folks who earn over $1 million got the special tax breaks—those interests that are doing extremely well in this country.

That is not how I view shared sacrifice in order to be able to solve the country's problems and get us out of debt and grow the economy, cutting Medicare for seniors, dismantling it, at the same time giving one more round of tax breaks for millionaires and the major special interests of the country.

That is wrong in my judgment. It is the wrong set of priorities, and it is worth debating, and we will debate that. It is interesting; I remember when we were passing health care reform, and we were focused on the fact that we had to make sure Medicare was healthy for the future and make some tough decisions so that it would be strong and there for seniors.

We took a look at overpayments for for-profit insurance companies. There are major overpayments, and we decided to cut those back. It was actually causing the majority of beneficiaries, the majority of seniors, to see their premiums go up because of some overpayments to a few. We decided that we would cut back on those insurance company overpayments, and we would instead focus on quality in Medicare, making sure seniors could go to the doctor and get their cancer screenings, their wellness visits without out-of-pocket costs and bring down the cost of medicine; that we would focus on ways to streamline, focus on quality and streamlining the way that we cut costs.

According to the budget gurus, we were able to save, I believe, over 10 years, $500 billion. It did not cut any benefits for seniors, but the other side of the aisle said this was terrible. It was terrible because we were focused on cutting overpayments to insurance companies.

Now we see this proposal that would dismantle Medicare, and it would cut what is the average amount a senior spends on medical care in a year, which is about $15,000 a year. It would, instead, cut that amount down to $6,000 a year and give it in a voucher to an insurance company. That is OK. That is a different set of priorities than I have and I know that you have, Mr. President.

So these are debates we are going to have, and they are important debates for our country. How do we go forward? How do we solve the budget deficit? How do we grow the economy? How do we create jobs? How do we make sure what we are doing is fair for everybody and keeps what works while cutting what does not?

Medicare is a great American success story. Do we need to make sure it is there for the next generation? Absolutely. Do we need to look at ways to streamline and cut costs? We have done that, and we need to continue to do that. Absolutely. We need to do that. But it is a great American success story. It has allowed a whole generation of older Americans to live healthy lives, play with their grandkids.

Now that I have two beautiful grandchildren who, by the way, are the most beautiful grandchildren in the world, just for the record—but now as I have my 3-year-old and 1-year-old and I look at the fact that I want to be healthy for a long time so I can be there for them, and what a wonderful gift as Americans we have given to seniors, that gift of Medicaid and Social Security so that they can be healthy and live in dignified ways in their own homes and be able to live long lives for their grandchildren and their great-grandchildren, that is something we should be proud of.

So as we go through this time, we have two kinds of debates. We have to deal with what is happening immediately, complete this 6-month—not 6-year, 6-month CR; I am talking about a 6-month budget—in a commonsense way, make sure that troops get paid, make sure we do not have any veterans losing their opportunity for disability benefits or pension benefits, and small businesses are not being delayed from getting their loans. In my judgment, we need to put down a marker saying if we cannot come together, that we are the ones who do not get paid, not the troops. Then the next step is to debate the vision of this country and where we go, what is important and what is not.

Should some Americans be asked to sacrifice in order to solve our problems and be stronger and compete in a global economy or should everybody be asked to do their part? People want to do their part, and they are willing to do their part. But we need to make that clear, that we expect everybody to be a part of the solution.

What I find most concerning today is that when we are in a global economy and we ought to be talking about the United States competing against China, the United States competing with Germany or India or Korea, we are not doing that. We are standing here on the Senate floor on a Thursday night talking about whether people will come together to complete a 6-month budget and make sure our troops can get paid. That is not the debate we should be having. We have precious time available to us. The debate we should be having is about how as Americans we will compete in a global economy and win. That is what we need to be doing. That is the debate I am anxious to have.

I hope we are not going to give up. I will not give up on what we need to do right now, to come together, get this done, avoid a government shutdown, and get on to the real business of creating jobs and competing in a global economy.

I thank the Chair.

The PRESIDING OFFICER (Mrs. HAGAN). The Senator from Minnesota.

Mr. FRANKEN. Madam President, I rise to talk about the disastrous consequences if my colleagues on the other side of the aisle continue to prioritize politics and posturing over what is best for Americans and our fragile economic recovery. We have 27 hours to convince them that shutting down the government should not be treated as a gimmick, that shutting down the government is a serious matter with serious consequences for almost every American. But before I go into the consequences and their impact on my constituents, I want to take a moment to reflect on how we got here, how we are now in a position where a government shutdown is 27 hours away.

One thing is certain: There is a lot of misinformation and confusion out there. A number of my friends on the other side of the aisle have been saying that the Democrats and the President refused or failed to pass appropriations for fiscal year 2011. This is revisionist and confused history.

One of my colleagues, a new Member, said today:

> Why was it that a few months ago, after the election but before the new Congress took over, when the President had both houses of Congress under control of his party, why did he opt not to pass a full budget for fiscal year 2011?

The Presiding Officer knows this is just not true. This isn't true. I have been hearing a lot of this.

We had appropriations legislation for the entire Federal Government ready to go. Democrats were in support of it. We were prepared to fund the government for the rest of the fiscal year. But, remember, it takes 60 votes to pass something like that in the Senate. There were 58 Democrats in the Senate last December, and there were 42 Republicans. So we needed some Republicans to pass a full budget for 2011—not many, but we needed two. We didn't get any. Not a single Republican agreed to support the bill. That is what happened.

For a while, we were told that a number of Republicans were going to support it. The bill had been negotiated on a bipartisan basis. But then, by all accounts, arms were twisted, and they were turned against the bill.

The minority leader said:

> I am actively working to defeat it.

And he did. He killed it. That is the truth. And my friends on the other side of the aisle celebrated.

After they made clear that there would not be enough votes to pass the omnibus bill, my friend from Illinois engaged in a colloquy with Senator MCCAIN, asking:

> For those who don't understand what just happened, did we just win?

Senator MCCAIN responded:

> I think there is very little doubt.

Senator KIRK concluded the colloquy by saying:

> I congratulate the Senator.

We really do owe it in these serious times to engage in debate where we are being honest with the American people. There is little doubt about who opted not to pass a full budget for 2011. It was not the President or the Democrats in the majority; it was my friends on the other side.

My friends on the other side protest that they do not want to shut down the government, and then they point the finger at us.

Yesterday, there was a rally for the tea party on Capitol Hill. Part of my delegation, MICHELLE BACHMANN, whom I like very much, said:

> Democrats are trying to make it look like we want to shut the government down. We don't. They are trying to do that.

Silence.

That same day at the same rally, MIKE PENCE said to them:

> It looks like we're going to have to shut down the government.

And what did the tea party crowd do? They started chanting: ''Shut it down. Shut it down. Shut it down. Shut it down.''

According to his own account, when Speaker BOEHNER told Republican colleagues in his caucus that he had taken steps to prepare for a shutdown, ''I got a standing ovation.''

There have been no standing ovations on our side about a prospective shutdown. Come on. We are trying to keep the government working. We desperately want to keep the government working.

Republicans are busy fighting ideological battles. For them, this is not about the deficit. It is not about the budget. It is certainly not about jobs. This is about ideology.

I was presiding today, and I had the opportunity to hear some of my colleagues talking about the bill the House passed today to fund the troops. We want to fund the troops if there is a shutdown. We do. There was all this sanctimonious talk about how Republicans want the troops to be funded, and the House had passed a bill to fund it. Do you know what was left out? That STENY HOYER, the minority whip in the House, the Democratic minority whip, had offered a bill to pay the troops if there was a shutdown, a clean bill, nothing attached to it other than that. It was voted down by Republicans in the House. What passed? A bill with a rider on it about abortion. I didn't hear that in all the sanctimonious talk.

Let's at least have an honest debate. Really, adding abortion? Look, I know there are people who have very strong, heartfelt feelings, obviously, on abortion on both sides. This is something we have been talking about for decades. Why put it a rider about abortion on legislation to pay for the troops and then go in front of this body and say: Democrats don't want to pay the troops.

This can't be about holding a gun to our heads and saying: You have to come down on this side of this issue that people feel so strongly about and have been debating for 40 years.

The Republicans in the House talk about the Constitution. They started this session by reading the Constitution. They left out some of the embarrassing parts, that a slave was three-fifths of a person. They left that out. But there are two Houses, and there is a President. But they don't want to compromise. They just want to put a gun to our heads. And it is in the form of abortion and in the form of global warming. Look, 99.6 percent of climate scientists in the world believe there is global warming and it is caused by human beings. The other .4 percent work for coal companies or oil companies or the Heritage Foundation. Then there might be another guy somewhere.

Why put a rider on this that is about ideology? This should not be an ideological debate. This is about getting

the deficit down and about our economy. We had 216,000 new jobs last month. It is fragile, but we are beginning to come out of this. This is not the time to shut the government down.

What it is going to do to people in my State, to seniors—every week, there are hundreds of seniors—how many a day—170 a day applying for Social Security. They are not going to be able to do that, people who just turned 65. There are people who are going to try to get FHA loans and won't be able to. There are farmers who want to put seed in the ground who will not have the Farm Service open. This is not the time to do this. This is going to mean 800,000 Federal employees laid off. What is that going to do to the economy?

Look, there are things in this that I don't like, but I am willing to swallow and do it.

They want to cut hundreds of millions of dollars in hunger programs, $700-plus million to cut food for women, infants, and children. It has been analyzed, and because of that, the neediest kids will not get their allotted amount of fruits and vegetables that is recommended. And that is not just during the closing; that is what they want to do for the rest of the year and presumably beyond that.

At the same time, we were here last December, and they wanted to extend the Bush tax cuts. They insisted on it, not just to your first million dollars or your second million dollars, to your tenth million dollars, to your 13th million dollars, or to your 300th million dollars. The top 400 income earners in this country average over $330 million a year in income. They would rather those women, infants, and children not get food, the food they need to be healthy. I don't like that. Boy, do I not like that. Boy, do I not like that. But I was willing to swallow that for whatever is in the compromise to keep the government going so we could go through the year, so we could keep the economy going, so we continue the job growth we have had.

They know how to keep the government going. Take the ideological stuff off. Let's not resolve abortion in 27 hours. We have had more than 27 years—37 years—since Roe v. Wade. Let's not put a gun to everyone's head and say we have to resolve Roe v. Wade in 27 hours. That is just plain inappropriate.

I think you know how I feel. I think we know which side gives standing ovations when it is announced the government may very well be shut down. I think we know which side's crowd cheers and chants when they hear there may be a shutdown. I wish it were not that way. I wish we were working together. I hope we are working together. I hope we are working together on Monday.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

EXTENSION OF MORNING BUSINESS

Mr. DURBIN. Madam President, I ask unanimous consent that the period for morning business be extended until 10:30 p.m., with Senators permitted to speak therein for up to 10 minutes each, and I ask that the time for morning business be for debate only.

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

BUDGET NEGOTIATIONS

Mr. DURBIN. Madam President, I rise to speak in morning business, even though it is the evening—the nature of the Senate rules and procedure. During the course of the day, we have had a number of colleagues coming to the floor and talking about the looming shutdown of the Federal Government.

During the last several hours, as we have spoken, Majority Leader REID and Speaker BOEHNER have been meeting with President Obama. It is my sincere hope that it has been a productive and fruitful meeting and that they will report that we have found a way out of this difficulty. I certainly hope that is the case. But if it is not, if we are destined to see this government shut down tomorrow night at midnight, it is a sad commentary—one that most American voters will resent and be disappointed with, and understandably so. It basically says the leaders have not been able to reach an agrement. Fingers of blame will be pointed in both directions, and the public can reach conclusions about who is responsible.

From my point of view, having worked with Senator HARRY REID on this from the beginning, I attended many meetings and heard many reports. It has been a frustrating experience because the Speaker's position in the House has changed so often. The amount of money they wanted to cut from the budget, where it would come from, and the policy riders that were part of this conversation have been changing with each meeting. I know Senator REID is a patient person. I have watched him as my friend since we were both elected to the House in 1982, and as my colleague in the Senate now—and this is my third term. He is patient, but he has been frustrated because of these changing scenarios.

The most recent change is one that I find most troubling, which is that it appears the debate is no longer over deficit reduction or spending cuts. It really isn't about how much money we are going to cut during the remainder of this year. Most Americans thought that was what we were debating and negotiating. It turns out now that it has devolved into a debate over policy questions that have nothing to do directly—maybe even indirectly—with the budget deficit we face and the money we are going to spend.

For example, Speaker BOEHNER has been insisting today that the Senate adopt a provision which removes the authority of the EPA when it comes to issues involving pollution. I disagree with that position, but I have to say to the Speaker that he should check the CONGRESSIONAL RECORD. It is not the most exciting publication, but if he looks at yesterday's CONGRESSIONAL RECORD, he will find that we spent most of yesterday debating this point.

Four different amendments were offered by Democrats and Republicans, including Senator MCCONNELL, the Republican minority leader, on this issue. We debated them for days and voted yesterday on the question of the authority of the EPA. There were four votes.

On the first one, there were seven Senators voting in favor of the change in that amendment. On the second amendment, seven Senators again. On the third amendment, 12 Senators voted in favor of the change. The fourth, offered by Senator MCCONNELL, was 50–50. At the end of the day none of them passed.

For Speaker BOEHNER to insist now that we include in our bill a provision that has already been debated in the Senate and rejected is fundamentally unfair and goes way beyond any question about deficit reduction and cutting spending.

The second item he raised is one that is even more puzzling. For some reason the Republican majority in the House believes the last election was a referendum on whether we provide medical services to women in America. We have the title X program—primarily for low-income women—that gives them access to basic health care, to the type of cancer screening and infection screening that we want all of the women in America to have access to. The House Republicans decided we should eliminate that Federal commitment and close the clinics, denying access to millions of Americans to basic primary health care.

How can that be in the best interest of our country and the costs that we incur to provide medical services? How can it be fair to these people, the men and women who use these clinics because they are accessible and affordable? They want to close them down. I don't recall that debate in the last election. I don't remember any candidate for the House or Senate saying: I want to go to Washington to close down access to health care for women, children, and men across America. That is, in fact, what they are saying now is the reason we need to close down the government. They think it is better to close down the government than to continue to give access to medical care to women under title X.

Planned Parenthood, which has a clinic in my hometown of Springfield,

IL—for the record, Planned Parenthood and any clinic operating under title X is prohibited from using any Federal funds for the purpose of abortion. The only exceptions are those that have been in the law and accepted by both political parties for decades—the so-called Hyde amendment for women who are victims of rape, incest, or their lives are at stake in a continued pregnancy.

This isn't an abortion issue. It is obviously a health care issue. For some reason, the House Republicans would rather close down the government than allow this kind of health service to continue. That is troublesome.

It is also troubling that the underlying House budget they passed has been judged by economists to be a job killer—700,000 jobs would be lost if the Republicans passed their budget and the Senate approved it. At a time when we are celebrating the creation of over 200,000 new jobs last Friday, and the lowest unemployment rate in 24 months, here come the Republicans with a budget proposal that will cost 700,000 jobs, pushing us back toward recession instead of away from it. That isn't sensible.

I don't believe the American people ever considered that part of the bargain in the last election. It is true the American people focused on the deficit and cutting spending, and we are too—on both sides of the aisle. That is why we have reached an agreement on the amount of money to be cut from the remaining part of this budget. For us to now face a shutdown of the Federal Government over the question of women's access to health care or whether we are going to accept an EPA change, which has already been rejected on the floor of the Senate, shows the unreasonable level of this debate.

We had a meeting today of the Democratic Senators, and JOHN KERRY spoke. I told him afterward that what he said had a profound impact on me. He reminded us that what we are doing isn't just being observed by politicians on Capitol Hill or reporters and journalists in Washington; it is being watched by the world.

It is a sad commentary that this great Nation, the United States of America, with its government, has reached a point where we face closure. We know we can do better. It is unfortunate the House Republicans, with their new leadership facing growing pains, have brought us to this moment. I hope we can reach a point where we can find an agreement even now. I hope this evening there will be a breakthrough.

They said last week, when the Speaker announced to his Republican caucus in the House that there was going to be a shutdown of the government, there was a standing ovation. They were cheering the idea of shutting down the government.

I will not cheer that. That is a bad outcome. It is bad for taxpayers, bad for our Nation, and bad for the Federal employees who are performing essential services in North Carolina, Illinois, and across the country. These are men and women who are working to keep us safe. They are performing important duties, such as watching dangerous prisoners and making certain our planes take off and land safely. To even jeopardize for a minute the funding for these agencies is irresponsible to the extreme.

Let's hope there is an agreement. If not, let's hope we can extend somehow the functions of government and not close them down at midnight tomorrow evening. At this moment, there is no report. There is likely to be one later.

At this point, 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. Madam 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. Madam President, I have just returned from the White House. We have narrowed the issues significantly; However, we have not yet reached an agreement. In 26 hours and 15 minutes the government will close if we don't get this resolved. We have not yet reached an agreement.

We are going to work throughout the night to attempt to resolve many issues. The remaining issues are extremely narrow. Having said that, I have been to this podium before, and I have spoken to the press before, and I said we have narrowed the issues—and we have. The sad part about it is that we never quite get to the finish line.

I hope we can work through the night and get this done. The President set an early morning deadline before we have to start notifying almost 1 million Federal employees that they will have to report to work and hear that they won't be there on Monday. It is a technical thing they have to do tomorrow before closing time. We need to work toward that deadline. I hope we can get that done. I am not really confident, but I am very hopeful.

FAIR ELECTIONS NOW ACT

Mr. DURBIN. Madam President, last year, the Supreme Court issued a decision in a case named Citizens United v. FEC. In this sweeping decision that ignored decades of precedent, the Supreme Court held that corporations and unions could spend as much money as they want to influence congressional elections.

At the time the Court issued this decision, I and others warned that Citizen United would have a negative impact on our democracy and open the floodgates to undisclosed private money in Federal elections.

The results of the first congressional elections after Citizens United have been analyzed. Those of us who sounded the alarm about this unfortunate decision were right.

In 2010, for the first time ever, spending on House and Senate races exceeded $1.6 billion.

Outside groups, now freed from spending limits by Citizens United, spent 335 percent more on congressional campaigns than they did just 4 years earlier.

The amount of money that big corporations and special interest lobbyists are willing to spend to shape policy is expected to increase even more in 2012.

This dramatic increase in spending tells us that big business is not going to be shy about using its new power to say to Members of Congress: ''If you vote against our business interests, we'll spend millions to make sure you never get the chance to vote against us again.''

That is a terrible reality for Members of Congress evaluating policy options and it is an even worse statement about our democracy.

As bad as Citizens United was, the Supreme Court may very well be at it again. Last week, the Court heard oral arguments in the McComish v. Bennett case.

An adverse decision in the McComish case would hamstring jurisdictions that have implemented campaign finance measures in response to corruption and scandal.

Citizens United and its corrosive impact remind us of the urgent need to fundamentally reform the way we finance congressional elections.

It is time we had a system that allows candidates to focus on constituents instead of fundraising.

That is why I introduced the Fair Elections Now Act. The Fair Elections Now Act will dramatically change the way campaigns are funded.

This bill lets candidates focus on the people they represent, regardless of whether those people have the wealth to attend a big money fundraiser or donate thousands of dollars.

Fair Elections candidates would be in the policy business, regardless of what policies are preferred by big business and wealthy special interests.

The Fair Elections Now Act will help restore public confidence in the congressional election process by providing qualified candidates for Congress with grants, matching funds, and vouchers from the Fair Elections Fund to replace campaign fundraising that largely relies on lobbyists and other special interests.

In return, participating candidates would agree to limit their campaign spending to amounts raised from small-dollar donors plus the amounts provided from the Fair Elections Fund.

Fair Elections would have three stages for Senate candidates.

To participate, candidates would first need to prove their viability by raising a minimum number and amount of small-dollar qualifying contributions from in-state donors. Once a candidate qualifies, that candidate must limit

the amount raised from each donor to $100 per election.

For the primary, participants would receive a base grant that would vary in amount based on the population of the state that the candidate seeks to represent. Participants would also receive a 5-to-1 match for small-dollar donations up to a defined matching cap. The candidate could raise an unlimited amount of $100 contributions if needed to compete against high-spending opponents.

For the general election, qualified candidates would receive an additional grant, further small-dollar matching, and vouchers for purchasing television advertising. The candidate could continue to raise an unlimited amount of $100 contributions if needed.

The Fair Elections approach frees candidates to spend more time with constituents and in policy debates and less time with wealthy donors and special interest lobbyists.

Our country faces major challenges.

Everyone knows that we need to reduce the deficit, modernize our energy policy, and reform the Tax Code—among other things.

What many people may not know is that, at every turn, there are high-powered, special interest lobbyists ready to fight every proposal.

It is mighty hard for Members of Congress not to pay attention to the concerns of big money lobbyists and donors when Members of Congress may need to raise money from these same people during their next campaign.

This bill would dramatically reduce the influence of these lobbyists and corporations, because Fair Elections candidates would not need their money to run campaigns.

Let me be clear: I honestly believe that the overwhelming majority of the people serving in American politics are good, honest people, and I believe that Senators and Congressmen are guided by the best of intentions.

But we are nonetheless stuck in a terrible, corrupting system.

The perception is that politicians are corrupted by the big money interests . . . and whether that is true or not, that perception and the loss of trust that goes with it makes it incredibly difficult for the Senate to take on tough challenges and have the American public believe that what we are doing is right.

This problem—the perception of pervasive corruption—is fundamental to our democracy, and we must address it.

Fair Elections is not some farfetched idea.

Fair Election systems are already at work in cities and states around the country.

Similar programs exist and are working well in more than 12 jurisdictions, including Maine, Arizona, North Carolina, and Vermont.

These programs are bringing new faces and new ideas into politics, making more races more competitive, and dramatically reducing the influence of special interests.

The vast majority of Americans agree that it is time to fundamentally change our system of financing campaigns.

Recent polling shows that 75 percent of Democrats, 66 percent of independents, and 55 percent of Republicans support Fair Elections-style reform.

The Fair Elections Now Act is supported by several good government groups, former Members of Congress from both parties, prominent business leaders, and even . . . lobbyists.

Special interests lobbyists and big corporations are entitled to a seat at the table, but they shouldn't be able to buy every seat.

The Fair Elections Now Act will reform our campaign finance system so that Members of Congress can focus on implementing policies that benefit the people that sent them to Washington.

CENTENNIAL CELEBRATION OF PLATTE COUNTY, WYOMING

Mr. BARRASSO. Madam President, I am pleased to recognize the Centennial of Platte County, WY.

Although today's Platte County is vastly different than that of 100 years ago, its vibrant history connects the two. The early inhabitants, who were then part of Laramie County, campaigned passionately for the division of the county. They had distinguished themselves as functional communities, and they contributed to the State's economy by strengthening their ties to the railroad, agricultural development, and mining industries. They wanted an independent identity. On April 28, 1911, a headline in the Wheatland World jubilantly announced, ''County division carries! Platte County a reality.'' Their success represents Wyoming's spirit of independence.

Platte County consists of 8,200 residents in the five communities of Wheatland, Guernsey, Hartville, Glendo, and Chugwater. Parts of Wheatland's unique irrigation system are still visible. In the early 1880s, engineers created a system of canals to transport water from manmade reservoirs through the mountains to the town below. Such foresight assisted in the taming of a small section of the great Wild West. A few miles outside of Guernsey stands Register Cliff, a sandstone outcropping upon which emigrants recorded their names and dates as they traveled the historic Oregon Trail. Wagon ruts from the trail are also visible and remind us of the grand journey people made. The Sunrise Mine, located just outside of Hartville, was one of the largest iron mines in the country, producing over 42 million tons of iron ore during its 80-year operation. Platte County is the only county in Wyoming with two State parks: Guernsey State Park and Glendo State Park. Both parks contribute to the area's irrigation systems, as well as provide excellent year-round recreational opportunities for Wyoming residents. Livestock production has always been a major enterprise in Wyoming; Chugwater earned distinction as the headquarters for Swan Land and Cattle Company, one of the largest cattle outfits in the United States. Now, new generations of ranchers continue the cattle legacy.

Today, Platte County helps meet America's growing energy demands. The Laramie River Station powerplant, located northeast of Wheatland, delivers electricity to two separate power grids and is one of the largest consumer-operated, joint power supply ventures in the country. Strides have been made in developing renewable energy technology, including plans to harness Wyoming's wind. Also impressive is Platte County's proximity to the Niobrara Shale Formation, a shale rock formation that covers four States in the West. Drilling beneath this formation will provide numerous opportunities for oil and natural gas production.

Madam President, in celebration of the 100th anniversary of Platte County, I invite my colleagues to visit this historic place. This year, the Platte County Centennial Committee has planned several countywide celebrations and has announced its motto, ''The People, the Land: Past, Present and Future.'' I applaud the citizens of Platte County in their efforts to celebrate such rich history and to present it to visitors from all over the world.

ADDITIONAL STATEMENTS

TRIBUTE TO DR. CASS PENNINGTON

• Mr. COCHRAN. Madam President, I am pleased to commend Dr. Cass Pennington of Indianola, MS, for his service and contributions to the State of Mississippi while serving as the 76th president of Delta Council. Delta Council is an economic development organization representing the business, professional, and agricultural leadership of the alluvial floodplain commonly known as the Mississippi Delta. The organization was formed in 1935 and is widely respected for its role in meeting the challenges which have historically been faced by the economy and quality of life for this region of our State.

Cass Pennington has served as president of Delta Council during a time when our Nation and the State of Mississippi have experienced enormous economic challenges at the local, State, and national levels. During his career, Dr. Pennington has been best known for his contributions to education and improved access to healthcare throughout the 18 Delta and part-Delta counties of northwest Mississippi. Prior to becoming the president of Delta Council, Dr. Pennington served as Superintendent of Education for school districts in Tallahatchie and Sunflower Counties, MS. He has served as a college sports referee and is a past chairman of the Board of Institutions

of Higher Learning in the State of Mississippi, which oversees the operations and management of the eight public universities in our State.

Upon retirement from the local public education system in Indianola, MS, Dr. Pennington served as executive assistant to the president of Delta State University. Later, he was asked to move into the position as the first chief executive officer of Delta Health Alliance, which has been a vitally successful program aimed at improving access to health care in the Mississippi Delta.

Cass Pennington is respected in all business and education circles throughout our State. Delta Council, itself, has been taken to a new level through the involvement of Dr. Pennington. He is a leader and a man of strong conviction, especially with regard to the future of the Mississippi Delta.

In Mississippi, we appreciate Cass Pennington, his wife Carolyn, and their daughter Athena for the sacrifices they have made to help improve the lives of all who live and do business in the Mississippi Delta.●

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY ORIGINALLY DECLARED IN EXECUTIVE ORDER 13536 ON APRIL 12, 2010 WITH RESPECT TO SOMALIA—PM 8

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared in Executive Order 13536 of April 12, 2010, is to continue in effect beyond April 12, 2011.

The deterioration of the security situation and the persistence of violence in Somalia, and acts of piracy and armed robbery at sea off the coast of Somalia, which have repeatedly been the subject of United Nations Security Council resolutions, and violations of the Somalia arms embargo imposed by the United Nations Security Council, continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency with respect to Somalia and related measures blocking the property of certain persons contributing to the conflict in Somalia.

BARACK OBAMA.

THE WHITE HOUSE, *April 7, 2011.*

MESSAGE FROM THE HOUSE

At 2:57 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. 1363. An act making appropriations for the Department of Defense for the fiscal year ending September 30, 2011, and for other purposes.

MEASURES PLACED ON THE CALENDAR

The following bill was read twice and ordered to be placed on the calendar:

H.R. 1363. An act making appropriations for the Department of Defense for the fiscal year ending September 30, 2011, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 768. A bill to provide for continuing operations of Government in a fiscally responsible manner.

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–1232. A communication from the Administrator, Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Rural Broadband Access Loans and Loan Guarantees'' (RIN0572–AC06) received in the Office of the President of the Senate on April 4, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1233. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Television Broadcasting Services; New Haven, CT'' (MB Docket No. 09–123; DA 11–501) received in the Office of the President of the Senate on April 4, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1234. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Television Broadcasting Services; El Paso, TX'' (MB Docket No. 11–4; DA 11–530) received in the Office of the President of the Senate on April 4, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1235. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Television Broadcasting Services; Jackson, MS'' (MB Docket No. 11–8; DA 11–516) received in the Office of the President of the Senate on April 4, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1236. A communication from the Chief Financial Officer, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Schedule of Fees for Access to NOAA Environmental Data, Information, and Related Products and Services'' (RIN0648–AX7) received in the Office of the President of the Senate on April 4, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1237. A communication from the Deputy General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Mandatory Reliability Standards for Interconnection Reliability Operating Limits'' ((RIN1902–AE17) (Docket No. RM10–15–000)) received in the Office of the President of the Senate on April 4, 2011; to the Committee on Energy and Natural Resources.

EC–1238. A communication from the Acting Chair of the Federal Subsistence Board, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Determination of Threatened Status for the New Zealand-Australia Distinct Population Segment of the Southern Rockhopper Penguin'' (RIN1018–AV73) received in the Office of the President of the Senate on April 4, 2011; to the Committee on Environment and Public Works.

EC–1239. A communication from the Director of Congressional Affairs, Office of Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Control of Preheat Temperature for Welding of Low-Alloy Steel'' (Regulatory Guide 1.50, Revision 1) received in the Office of the President of the Senate on April 5, 2011; to the Committee on Environment and Public Works.

EC–1240. A communication from the Director of Congressional Affairs, Nuclear Reactor Regulation Office, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Notice of Availability of Model Application and Safety Evaluation for Plant-Specific Adoption of TSTF–422, Revision 2 'Change in Technical Specifications End States (CE NPSD–1186)''' (NUREG–1432) received in the Office of the President of the Senate on April 5, 2011; to the Committee on Environment and Public Works.

EC–1241. A communication from the Chief of the Publications and Regulations Branch, Joint Board for the Enrollment of the Actuaries, transmitting, pursuant to law, the report of a rule entitled ''Regulations Governing the Performance of Actuarial Services Under the Employee Retirement Income Security Act of 1974'' (RIN1545–BC82) received in the Office of the President of the Senate on March 30, 2011; to the Committee on Finance.

EC–1242. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Industry Director's Directive No. 2—Employment Tax and the Employees on the U.S. Outer Continental Shelf'' (LBandI–4–0211–005) received in the Office of the President of the Senate on April 5, 2011; to the Committee on Finance.

EC–1243. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Administrative Exemptions to the Specified Tax Return Preparer Electronic Filing Requirement. . . .'' (Notice 2011–26) received in the Office of the President of the Senate on April 5, 2011; to the Committee on Finance.

EC–1244. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the

Treasury, transmitting, pursuant to law, the report of a rule entitled ''The Mailing of Individual Income Tax Returns by Specified Tax Return Preparers in Calendar Year 2011'' (Notice 2011–27) received in the Office of the President of the Senate on April 5, 2011; to the Committee on Finance.

EC–1245. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Undue Hardship Waivers and Taxpayers Choice Statement'' (Rev. Proc. 2011–25) received in the Office of the President of the Senate on April 5, 2011; to the Committee on Finance.

EC–1246. A communication from the Department of State, transmitting, pursuant to law, a report relative to U.S. military personnel and U.S. civilian contractors involved in the anti-narcotics campaign in Colombia (OSS Control No. 2010–1895); to the Committee on Foreign Relations.

EC–1247. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, to include technical data, and defense services for the manufacture, maintenance and repair, and overhaul of GG1111 series gyroscopes for end use by the Ministry of Defense of Japan; to the Committee on Foreign Relations.

EC–1248. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the manufacture of significant military equipment abroad and the export of defense articles, including technical data, or defense services related to the manufacture and production of 7.62mm chain guns, in the amount of $1,000,000 or more to the United Kingdom and Canada; to the Committee on Foreign Relations.

EC–1249. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement to include the export of defense articles, including technical data, or defense services relative to the export of 9mm semi-automatic pistols in the amount of $1,000,000 or more to Thailand; to the Committee on Foreign Relations.

EC–1250. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a manufacturing license agreement for the export of defense articles, including technical data, or defense services relative to military electrical connectors, backplane assemblies and related parts/components for end use by U.S. customers, in the amount of $50,000,000 or more to Mexico and Canada; to the Committee on Foreign Relations.

EC–1251. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed agreement for the export of defense articles or defense services sold commercially under contract relative to the Proton rocket launch vehicle integration and launch of the Asiasat 7 commercial communications satellite, in the amount of $50,000,000 or more to Hong Kong, Russia, France, and Sweden; to the Committee on Foreign Relations.

EC–1252. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed re-export of major defense equipment relative to the export of six C-130 E and H model aircraft, in the amount of $25,000,000 or more from the Kingdom of Saudi Arabia to the Government of Turkey; to the Committee on Foreign Relations.

EC–1253. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement to include the export of defense articles, including technical data, and defense services, relative to the repair and overhaul of AE 2100J gas turbine engines for use in US-2 search and rescue aircraft, in the amount of $100,000,000 or more to Japan; to the Committee on Foreign Relations.

EC–1254. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement to include the export of defense articles, technical data, and defense services relative to electrical generator products for various aircraft, in the amount of $100,000,000 or more to Japan; to the Committee on Foreign Relations.

EC–1255. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a manufacturing license agreement for the export of defense articles, including technical data, or defense services to Japan relative to the production, integration, operation, overhaul, repair, calibration, maintenance, training, and logistics support of the Chukar Aerial Target System in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC–1256. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement to include the export of defense articles, including technical data, and defense services, relative to Joint Strike Fighter airframe parts and components, in the amount of $100,000,000 or more to the United Kingdom; to the Committee on Foreign Relations.

EC–1257. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad relative to both the H–726 Dynamic Reference Unit (DRU) and the H–726 Dynamic Reference Unit Hybrid (DRUH) for Military Vehicles to Germany; to the Committee on Foreign Relations.

EC–1258. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Clarification of Standard Form 26—Award/Contract'' ((RIN9000–AL72) (FAC 2005–51)) received in the Office of the President of the Senate on March 31, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC–1259. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Small Entity Compliance Guide'' (FAC 2005–51) received in the Office of the President of the Senate on March 31, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC–1260. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Women-Owned Small Business (WOSB) Program'' ((RIN9000–AL97) (FAC 2005–51)) received in the Office of the President of the Senate on April 5, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC–1261. A communication from the Executive Director, U.S. Election Assistance Commission, transmitting, pursuant to law, a report relative to the No FEAR Act for fiscal year 2010; to the Committee on Homeland Security and Governmental Affairs.

EC–1262. A communication from the Chairman, National Railroad Passenger Corporation, Amtrak, transmitting, pursuant to law, the Inspector General's Semiannual Report to Congress for the period from April 1, 2010 through September 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC–1263. A communication from the Federal Register Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Changes to Implement the Prioritized Examination Track (Track I) of the Enhanced Examination Timing Control Procedures'' (RIN0651–AC52) received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2011; to the Committee on the Judiciary.

EC–1264. A communication from the General Counsel, Office of Justice Programs, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''International Terrorism Victim Expense Reimbursement Program'' (RIN1121–AA78) received in the Office of the President of the Senate on April 5, 2011; to the Committee on the Judiciary.

EC–1265. A communication from the Associate Attorney General, Department of Justice, transmitting, pursuant to law, the Department's 2010 Freedom of Information Act Litigation and Compliance Report; to the Committee on the Judiciary.

EC–1266. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Regulations Issued Under the Export Grape and Plum Act; Revision to the Minimum Requirements'' (Docket No. AMS–FV–10–0091; FV11–35–1 FR) received in the Office of the President of the Senate on April 6, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1267. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''U.S. Honey Producer Research, Promotion, and Consumer Information Order; Termination of Referendum Procedures'' (Docket No. AMS–FV–07–0091; FV–07–706–FR) received during adjournment of the Senate in the Office of the President of the Senate on March 18, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1268. A communication from the Administrator, Rural Business-Cooperative Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Rural Energy for America Program'' (RIN0570–AA76) received in the Office of the President of the Senate on April 7, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1269. A communication from the Deputy Secretary of the Interior, transmitting,

pursuant to law, a report relative to a violation of the Antideficiency Act that occurred in the Geothermal Lease Revenues; to the Committee on Appropriations.

EC–1270. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of major general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–1271. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Robert E. Durbin, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–1272. A communication from the Under Secretary of Defense (Acquisition, Technology, and Logistics), transmitting, pursuant to law, a report relative the procurement and use of munitions; to the Committee on Armed Services.

EC–1273. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report relative to Special Duty Pay for Afghanistan; to the Committee on Armed Services.

EC–1274. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report relative to person-to-person mental health assessments; to the Committee on Armed Services.

EC–1275. A communication from the Secretary of the Air Force, transmitting, pursuant to law, a report relative to the Program Acquisition Unit Cost and the Average Procurement Unit Cost for the Global Hawk program exceeding the Acquisition Program Baseline values; to the Committee on Armed Services.

EC–1276. A communication from the Commission on Wartime Contracting in Iraq and Afghanistan, transmitting, pursuant to law, a report entitled ''Iraq—Forgotten Mission? The United States Needs to Sustain a Diplomatic Presence to Preserve Gains and Avoid Waste as the U.S. Military Leaves Iraq''; to the Committee on Armed Services.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:

S. 394. A bill to amend the Sherman Act to make oil-producing and exporting cartels illegal.

S. 410. A bill to provide for media coverage of Federal court proceedings.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

Goodwin Liu, of California, to be United States Circuit Judge for the Ninth Circuit.

Esther Salas, of New Jersey, to be United States District Judge for the District of New Jersey.

J. Paul Oetken, of New York, to be United States District Judge for the Southern District of New York.

Paul A. Engelmayer, of New York, to be United States District Judge for the Southern District of New York.

Ramona Villagomez Manglona, of the Northern Mariana Islands, to be Judge for the District Court for the Northern Mariana Islands for a term of ten years.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. PRYOR (for himself, Mr. BOOZMAN, Mr. WICKER, Ms. SNOWE, and Mr. VITTER):

S. 754. A bill to amend title 49, United States Code, to require the Secretary of Transportation to establish and maintain a national clearinghouse for records relating to alcohol and controlled substance testing of commercial motor vehicle operators, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. WYDEN (for himself, Mr. SESSIONS, Mrs. MCCASKILL, Mr. THUNE, Mrs. BOXER, and Mr. GRAHAM):

S. 755. A bill to amend the Internal Revenue Code of 1986 to allow an offset against income tax refunds to pay for restitution and other State judicial debts that are past-due; to the Committee on Finance.

By Mr. GRASSLEY (for himself and Mr. WYDEN):

S. 756. A bill to amend title XI of the Social Security Act to provide for the public availability of Medicare claims data; to the Committee on Finance.

By Mr. BARRASSO (for himself, Mr. BINGAMAN, and Mr. ENZI):

S. 757. A bill to provide incentives to encourage the development and implementation of technology to capture carbon dioxide from dilute sources on a significant scale using direct air capture technologies; to the Committee on Energy and Natural Resources.

By Mr. FRANKEN (for himself, Mr. LIEBERMAN, and Mrs. SHAHEEN):

S. 758. A bill to establish a Science, Technology, Engineering, and Math (STEM) Master Teacher Corps program; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. BOXER:

S. 759. A bill to provide to the Secretary of the Interior a mechanism to cancel contracts for the sale of materials CA–20139 and CA–22901, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WARNER (for himself and Mr. WEBB):

S. 760. A bill to require the Office of Management and Budget to prepare a crosscut budget for restoration activities in the Chesapeake Bay watershed, to require the Environmental Protection Agency to develop and implement an adaptive management plan, and for other purposes; to the Committee on Environment and Public Works.

By Ms. COLLINS (for herself, Mr. AKAKA, and Mrs. MCCASKILL):

S. 761. A bill to improve the acquisition workforce through the establishment of an acquisition management fellows program and a leadership development training program, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. COLLINS (for herself, Mr. AKAKA, Mrs. MCCASKILL, and Mr. BROWN of Massachusetts):

S. 762. A bill to improve the Federal Acquisition Institute; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LIEBERMAN (for himself, Mr. BROWN of Massachusetts, and Ms. LANDRIEU):

S. 763. A bill to amend the Elementary and Secondary Education Act of 1965 to require the establishment of teacher evaluation programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 764. A bill to amend the Wild and Scenic Rivers Act to make technical corrections to the segment designations for the Chetco River, Oregon; to the Committee on Energy and Natural Resources.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 765. A bill to modify the boundary of the Oregon Caves National Monument, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 766. A bill to provide for the designation of the Devil's Staircase Wilderness Area in the State of Oregon, to designate segments of Wasson and Franklin Creeks in the State of Oregon as wild rivers, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HARKIN:

S. 767. A bill to improve the calculation of, the reporting of, and the accountability for, secondary school graduation rates; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PAUL (for himself and Mr. DEMINT):

S. 768. A bill to provide for continuing operations of Government in a fiscally responsible manner; read the first time.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LUGAR:

S. Res. 135. A resolution remembering the 1 year anniversary of the April 10, 2010, plane crash that claimed the lives of the President of Poland Lech Kaczynski, his wife, and 94 others, while they were en route to memorialize those Polish officers, officials, and civilians who were massacred by the Soviet Union in 1940; to the Committee on Foreign Relations.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 136. A resolution to authorize document production in United States v. Douglas D. Hampton (D.D.C.); considered and agreed to.

By Mr. BURR (for himself, Ms. LANDRIEU, Mrs. HUTCHISON, and Mrs. HAGAN):

S. Res. 137. A resolution supporting the goals and ideals of Take Our Daughters and Sons To Work Day; considered and agreed to.

ADDITIONAL COSPONSORS

S. 211

At the request of Mr. ISAKSON, the names of the Senator from Maine (Ms. SNOWE), the Senator from Arizona (Mr. KYL) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S. 211, a bill to provide for a biennial budget process and a biennial appropriations process and to enhance oversight and performance of the Federal Government.

S. 254

At the request of Mr. FRANKEN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 254, a bill to reduce the rape kit backlog and for other purposes.

S. 486

At the request of Mr. WHITEHOUSE, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 486, a bill to amend the Servicemembers Civil Relief Act to enhance protections for members of the uniformed services relating to mortgages, mortgage foreclosure, and eviction, and for other purposes.

S. 489

At the request of Mr. REED, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 489, a bill to require certain mortgagees to evaluate loans for modifications, to establish a grant program for State and local government mediation programs, and for other purposes.

S. 501

At the request of Mr. THUNE, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor of S. 501, a bill to establish pilot projects under the Medicare program to provide incentives for home health agencies to utilize home monitoring and communications technologies.

S. 520

At the request of Mr. COBURN, the names of the Senator from Idaho (Mr. RISCH), the Senator from Alabama (Mr. SESSIONS), the Senator from Texas (Mr. CORNYN) and the Senator from Pennsylvania (Mr. TOOMEY) were added as cosponsors of S. 520, a bill to repeal the Volumetric Ethanol Excise Tax Credit.

S. 595

At the request of Mrs. MURRAY, the names of the Senator from Washington (Ms. CANTWELL) and the Senator from Virginia (Mr. WEBB) were added as cosponsors of S. 595, a bill to amend title VIII of the Elementary and Secondary Education Act of 1965 to require the Secretary of Education to complete payments under such title to local educational agencies eligible for such payments within 3 fiscal years.

S. 605

At the request of Mr. GRASSLEY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 605, a bill to amend the Controlled Substances Act to place synthetic drugs in Schedule I.

S. 662

At the request of Mr. VITTER, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 662, a bill to provide for payments to certain natural resource trustees to assist in restoring natural resources damaged as a result of the Deepwater Horizon oil spill, and for other purposes.

S. 665

At the request of Mr. BROWN of Ohio, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 665, a bill to promote industry growth and competitiveness and to improve worker training, retention, and advancement, and for other purposes.

S. 668

At the request of Mr. CORNYN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 668, a bill to remove unelected, unaccountable bureaucrats from seniors' personal health decisions by repealing the Independent Payment Advisory Board.

S. 672

At the request of Mr. ROCKEFELLER, the names of the Senator from Idaho (Mr. RISCH) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 672, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 712

At the request of Mr. DEMINT, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 712, a bill to repeal the Dodd-Frank Wall Street Reform and Consumer Protection Act.

S. 716

At the request of Mrs. SHAHEEN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 716, a bill to establish within the Department of Education the Innovation Inspiration school grant program, and for other purposes.

S. 718

At the request of Mr. ROBERTS, the names of the Senator from Wyoming (Mr. BARRASSO), the Senator from Wyoming (Mr. ENZI), the Senator from Idaho (Mr. CRAPO), the Senator from Nebraska (Mr. JOHANNS), the Senator from Indiana (Mr. LUGAR), the Senator from Idaho (Mr. RISCH), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Mississippi (Mr. COCHRAN), the Senator from North Carolina (Mr. BURR), the Senator from Missouri (Mr. BLUNT), the Senator from Kansas (Mr. MORAN) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 718, a bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to improve the use of certain registered pesticides.

S. 720

At the request of Mr. THUNE, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 720, a bill to repeal the CLASS program.

S. 724

At the request of Mrs. HUTCHISON, the names of the Senator from Connecticut (Mr. LIEBERMAN), the Senator from New Mexico (Mr. UDALL), the Senator from New Mexico (Mr. BINGAMAN), the Senator from Montana (Mr. TESTER), the Senator from Louisiana (Mr. VITTER), the Senator from Tennessee (Mr. CORKER), the Senator from West Virginia (Mr. MANCHIN), the Senator from Colorado (Mr. UDALL), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Alabama (Mr. SESSIONS), the Senator from Massachusetts (Mr. BROWN), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Alabama (Mr. SHELBY) and the Senator from Indiana (Mr. LUGAR) were added as cosponsors of S. 724, a bill to appropriate such funds as may be necessary to ensure that members of the Armed Forces, including reserve components thereof, and supporting civilian and contractor personnel continue to receive pay and allowances for active service performed when a funding gap caused by the failure to enact interim or full—year appropriations for the Armed Forces occurs, which results in the furlough of non-emergency personnel and the curtailment of Government activities and services.

S. 726

At the request of Mr. RUBIO, the name of the Senator from Nebraska (Mr. JOHANNS) was added as a cosponsor of S. 726, a bill to rescind $45 billion of unobligated discretionary appropriations, and for other purposes.

S. 740

At the request of Mr. REED, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 740, a bill to revise and extend provisions under the Garrett Lee Smith Memorial Act.

S. CON. RES. 4

At the request of Mr. SCHUMER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. Con. Res. 4, a concurrent resolution expressing the sense of Congress that an appropriate site on Chaplains Hill in Arlington National Cemetery should be provided for a memorial marker to honor the memory of the Jewish chaplains who died while on active duty in the Armed Forces of the United States.

S. CON. RES. 7

At the request of Mr. JOHANNS, his name was added as a cosponsor of S. Con. Res. 7, a concurrent resolution supporting the Local Radio Freedom Act.

S. RES. 86

At the request of Mrs. FEINSTEIN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. Res. 86, a resolution recognizing the Defense Intelligence Agency on its 50th Anniversary.

S. RES. 132

At the request of Mr. NELSON of Nebraska, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. Res. 132, a resolution recognizing and honoring the zoos and aquariums of the United States.

AMENDMENT NO. 253

At the request of Ms. SNOWE, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of

amendment No. 253 proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WYDEN (for himself, Mr. SESSIONS, Mrs. MCCASKILL, Mr. THUNE, Mrs. BOXER, and Mr. GRAHAM):

S. 755. A bill to amend the Internal Revenue Code of 1986 to allow an offset against income tax refunds to pay for restitution and other State judicial debts that are past-due; to the Committee on Finance.

Mr. WYDEN. Mr. President, today, along with my colleagues Senators SESSIONS, MCCASKILL, THUNE, BOXER, and GRAHAM, I am introducing the Crime Victim Restitution and Court Fee Intercept Act. This bipartisan bill would help crime victims and state courts recover the restitution and fees that are owed to them. This bill would accomplish this worthy goal by intercepting tax refunds of deadbeat debtors who've failed to pay restitution or court fees. If enacted, this bill would essentially allow state courts to cross-reference outstanding debts with the IRS and use existing procedures to withhold tax refunds in order to satisfy past due debts.

This bill would not only deliver justice to crime victims who are owed restitution, but would also provide much-needed resources to help keep court rooms open and court programs operating. At a time when our State and local governments are struggling to find funding for vital programs—including keeping courthouse doors open—unpaid court fees represent an important source of revenue that should be captured. This bill would help close budget gaps and provide additional revenue without raising taxes or imposing any new costs or burdens. In fact, participation in the program would be optional for States, but I expect most States to participate and to benefit greatly from this bill.

This bill would operate the same way as the very successful child support debt collection system. The bill will allow states to share information on outstanding restitution owed and court debts with the IRS, which would then be required to intercept any Federal tax refunds of debtors and send that money to the victim or court owed that debt.

It has been estimated by the National Center for State Courts that outstanding court debts across the country total approximately $15 billion. In my home state of Oregon alone, the outstanding restitution and court fee debt amount is $987 million. Only a portion of outstanding debts are owed by individuals who will receive Federal tax refunds, so a portion of court debts would not be collected immediately. Nonetheless, the state of Oregon estimates that passage of this bill would allow the State to collect $30 million per year.

Without this straight-forward and efficient mechanism, the collection of victim restitution and court debts is a costly and time-consuming process. Enactment of this bill would reduce the fiscal cost and administrative burden that victims and courts bear in attempting to collect those debts. Again, in the midst of a challenging fiscal crisis, it only makes common sense to collect revenues that are already owed—through an efficient and convenient method.

Because this bill would benefit both the court system, and those who rely upon it, the Crime Victim Restitution and Court Fee Intercept Act is endorsed by a broad array of court, government, law enforcement, and crime victims' organizations. I would like to especially recognize the National Center for State Courts and the American Bar Association for their support in getting this bill introduced.

The bill is also supported by the Conference of Chief Justices, the Conference of State Court Administrators, the National Association for Court Managers, the National Conference of State Legislatures, the National Association of Counties, the Government Finance Officers Association, the National District Attorneys Association, the American Probation and Parole Association, the National Crime Law Institute, the National Center for Victims of Crime, the National Organization for Victim Assistance, the National Association of Crime Victim Compensation Boards, the National Association of VOCA Assistance Administrators, the National Network to End Domestic Violence, the National Alliance to End Sexual Violence, the National Organization of Parents of Murdered Children Inc., and Mothers Against Drunk Driving.

I urge all colleagues to support this bipartisan legislation and I yield the floor.

By Mr. GRASSLEY (for himself and Mr. WYDEN):

S. 756. A bill to amend title XI of the Social Security Act to provide for the public availability of Medicare claims data; to the Committee on Finance.

Mr. GRASSLEY. Mr. President, in March, I introduced S. 454, the Strengthening Program Integrity and Accountability in Health Care Act, to enhance the government's ability to combat Medicare and Medicaid fraud.

One of the provisions in that bill would require the Secretary of Health and Human Services to issue regulations to make Medicare claims and payment data available to the public similar to other federal spending disclosed on www.USAspending.gov.

That website was created by legislation sponsored by then-Senator Obama and Senator COBURN. It lists almost all federal spending, but it doesn't include Medicare payments made to physicians.

That means virtually every other government program, including some defense spending, is more transparent than spending by the Medicare program.

Medicare is funded by taxpayers, and in 2009, the federal government spent $502 billion on Medicare.

Taxpayers should have a right to see how their hard-earned dollars are being spent.

Also, if doctors know their billing information is public, it might deter some wasteful practices and overbilling.

On the day that I introduced S. 454, I learned that Senator WYDEN was also working on legislation to make Medicare payments to physicians available to the public. We decided to work together.

Today, Senator WYDEN and I are introducing the Medicare Data Access for Transparency and Accountability Act, Medicare DATA Act.

This bill would require the Secretary of Health and Human Services to issue regulations to make available a searchable Medicare payment database that the public can access at no cost.

Our bill also clarifies that data on Medicare payments to physicians and suppliers do not fall under a Freedom of Information Act, FOIA, exemption.

Under a 1979 court decision, Medicare is prohibited from releasing physicians' billing information to the public.

But before that injunction, the Department of Health, Education, and Welfare—now the Department of Health and Human Services—was in the process of releasing reimbursement data for all Medicare providers.

Third parties that have tried to obtain physician specific data through the FOIA process have failed in the past because the courts held that physicians' privacy interests outweigh the public's interest in disclosure.

The nonprofit, consumer organization—Consumers' Checkbook—for example, had filed a lawsuit against the Department of Health and Human Services to compel disclosure of that data.

The organization made its FOIA request to determine whether or not Medicare paid physicians who had the qualifications to perform the services for which they sought federal reimbursement, especially those performing a high volume of difficult procedures.

In particular, the organization was looking for physicians with insufficient board certifications or histories of disciplinary actions.

My question is: why wouldn't we want individuals examining this data to ensure that the government is protecting taxpayer dollars by preventing improper billing to the Medicare program?

And why wouldn't we want public interest watchdog groups helping to look out for potential abuse or fraud?

In January, the Wall Street Journal reported the American Medical Association's, AMA, concerns about making

Medicare claims data publicly available.

The AMA President said that physicians ''should not suffer the consequences of having false or misleading conclusions drawn from complex Medicare data that has significant limitations.''

But I would like to note the value of access to Medicare billing data.

Even with limited access, the Wall Street Journal was able to identify suspicious billing patterns and potential abuses of the Medicare system.

The Wall Street Journal found cases where Medicare paid millions to a physician, sometimes for several years, before those questionable payments stopped.

Volume alone doesn't automatically mean there's fraud, waste, or abuse.

More patients may be going to a specific physician for a particular service because that physician is a leader in his or her field.

Nonetheless, to alleviate the concerns raised by the American Medical Association, our bill would require a disclaimer that the data in the public database ''does not reflect on the quality of the items of services furnished or of the provider of services or supplier who furnished the items or services.''

I believe transparency in the health care system leads to more accountability and thus less waste and more efficient use of scarce resources.

I have often quoted Justice Brandeis, who said, ''Sunlight is the best disinfectant.''

That is what Senator WYDEN and I are aiming to accomplish with the Medicare DATA Act.

When it comes to public programs like Medicare, the Federal Government needs all the help it can get to identify and combat fraud, waste and abuse.

Our bill will add to the reforms Congress passed last year.

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. 756

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 ''Medicare Data Access for Transparency and Accountability Act''.

SEC. 2. PUBLIC AVAILABILITY OF MEDICARE CLAIMS DATA.

(a) IN GENERAL.—Section 1128J of the Social Security Act (42 U.S.C. 1320a–7k) is amended by adding at the end the following new subsection:

''(f) PUBLIC AVAILABILITY OF MEDICARE CLAIMS DATA.—

''(1) IN GENERAL.—The Secretary shall, to the extent consistent with applicable information, privacy, security, and disclosure laws, including the regulations promulgated under the Health Insurance Portability and Accountability Act of 1996 and section 552a of title 5, United States Code, make available to the public claims and payment data of the Department of Health and Human Services related to title XVIII, including data on payments made to any provider of services or supplier under such title.

''(2) IMPLEMENTATION.—

''(A) IN GENERAL.—Not later than December 31, 2012, the Secretary shall promulgate regulations to carry out this subsection.

''(B) REQUIREMENTS.—The regulations promulgated under subparagraph (A) shall ensure that—

''(i) the data described in paragraph (1) is made available to the public through a searchable database that the public can access at no cost;

''(ii) such database—

''(I) includes the amount paid to each provider of services or supplier under title XVIII, the items or services for which such payment was made, and the location of the provider of services or supplier;

''(II) is organized based on the specialty or the type of provider of services or supplier involved;

''(III) is searchable based on the type of items or services furnished; and

''(IV) includes a disclaimer that the aggregate data in the database does not reflect on the quality of the items or services furnished or of the provider of services or supplier who furnished the items or services; and

''(iii) each provider of services or supplier in the database is identified by a unique identifier that is available to the public (such as the National Provider Identifier of the provider of services or supplier).

''(C) SCOPE OF DATA.—The database shall include data for fiscal year 2012, and each year fiscal year thereafter.''.

(b) INFORMATION NOT EXEMPT UNDER THE FREEDOM OF INFORMATION ACT.—The term ''personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy'', as used in section 552(b)(6) of title 5, United States Code, does not include the information required to be made available to the public under section 1128J(f) of the Social Security Act, as added by subsection (a).

Mr. WYDEN. Mr. President, I rise today with Senator GRASSLEY to introduce the Medicare Data Access for Transparency and Accountability Act. I would like to begin by thanking my friend and esteemed colleague for his unwavering commitment to greater transparency and accountability in government. This Medicare DATA Act advances that goal.

Sunshine continues to be the greatest disinfectant. In that light, the Medicare DATA Act ensures all taxpayers have access to the Medicare Claims Database, both to aid them in making medical decisions, and in understanding what their money is paying for in this vital, yet enormous, health program. Making this information public will also help prevent wasteful spending and outright fraud in Medicare claims. The Medicare Claims Database is an important resource for public and private stakeholders as it captures healthcare provider payment and claims information for roughly 1/3 of the United States healthcare system. But why isn't this information already available?

In 1978, the Department of Health Education and Welfare attempted to release this information, upon request, under the premise that accessibility to the source data was in the public interest and therefore should be made available for public consumption. An injunction by a Florida court, however, successfully blocked that public disclosure of this information. As a result, this data has been—with limited exceptions made for government employees, contractors, and researchers willing to pay for partial access—off limits for the last three decades. Passage of the Medicare DATA Act puts an end to that practice.

I consider hiding information affecting the American taxpayer that clearly should be in the public domain, to be indefensible in a free society. With this principle in mind, I join with Senator GRASSLEY in changing ''business as usual.''

I urge my colleagues to support this legislation so that Medicare data is finally fully transparent and available to Medicare beneficiaries and taxpayers alike. I look forward to working with my colleagues in this effort.

By Mrs. BOXER:

S. 759. A bill to provide to the Secretary of the Interior a mechanism to cancel contracts for the sale of materials CA–20139 and CA–22901, and for other purposes; to the Committee on Energy and Natural Resources.

Mrs. BOXER. Mr. President, I am pleased to introduce the Soledad Canyon High Desert, California Public Lands Conservation and Management Act of 2011. This bill would resolve a 21-year-old mining dispute between the City of Santa Clarita and CEMEX USA, and have numerous other benefits for communities in Los Angeles and San Bernardino Counties, CA.

In 1990, the Bureau of Land Management awarded CEMEX two 10-year consecutive contracts to extract 56 million tons of sand and gravel from a site in Soledad Canyon. The City of Santa Clarita strongly opposed CEMEX's expansion of mining in this area. After two decades of conflict and nearly a decade of litigation, the two parties announced a truce in early 2007, and started working out an agreement.

This legislation would implement the terms of that agreement. It would require the Secretary of the Interior to cancel CEMEX's mining contracts in Soledad Canyon and prohibit future mining at this site. The BLM would sell lands near Victorville, CA that are currently on its disposal list, and would use the proceeds to compensate CEMEX for the cancellation of its mining contracts. Local land use authorities, such as the City of Victorville and County of San Bernardino, would have the right of first refusal to purchase many of these parcels, which would help satisfy their future development needs. Some of these funds would also go towards the purchase of environmentally-sensitive lands in Southern California.

My legislation would settle a 20-year-old dispute to all parties' satisfaction, complement future development plans in Southern California, and help secure important lands for conservation.

That's why it has won the support of a diverse group of interests, including the City of Santa Clarita, CEMEX, the Santa Monica Mountains Conservancy, and the Sierra Club.

I look forward to working with my colleagues to secure the passage of this important legislation.

By Ms. COLLINS (for herself, Mr. AKAKA, and Mrs. MCCASKILL):

S. 761. A bill to improve the acquisition workforce through the establishment of an acquisition management fellows program and a leadership development training program, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Ms. COLLINS. Mr. President. I rise today to introduce two bills that would lay a strong foundation to improve the Federal acquisition system.

The first bill, the Acquisition Workforce Improvement Act of 2011, S. 761, co-sponsored by Senators AKAKA and MCCASKILL, would create a Federal acquisition management fellows program to develop a new generation of acquisition leaders with government-wide perspective, skills, and experience.

The second bill, the Federal Acquisition Institute Improvement Act of 2011, S. 762, co-sponsored by Senators AKAKA, MCCASKILL and BROWN of Massachusetts, would provide much-needed organizational clarity to enable the Federal Acquisition Institute (FAI) to fulfill its mission of facilitating career development and better management of the federal acquisition workforce.

The Federal acquisition system is under tremendous stress. Between fiscal years 2000 and 2010, acquisition spending by the federal government expanded by 163 percent, from $205 billion to $535 billion. The necessary costs of military operations, natural disasters, homeland security precautions, and other vital programs will continue to strain the acquisition system in the years ahead.

This unprecedented level of purchasing creates abundant opportunities for fraud, waste, and abuse. We have seen far too many outrageous failures in government contracting. The Secure Border Initiative Network, the Census Bureau's handheld computers for the 2010 Census, and the Marine Presidential Helicopter programs are among recent, notorious and costly acquisition failures, which we can ill afford.

These and other failures demand strong steps to protect taxpayer dollars and deliver better acquisition outcomes.

As a long-time advocate for stronger competition, accountability, and transparency in government contracting, I recognize the actions the Administration has taken recently to improve federal contracting. Many of these initiatives originated from legislation I coauthored with Senator LIEBERMAN during the 110th Congress.

But, no matter how many laws we pass or guidance documents OMB issues, the effectiveness of our Federal acquisition system ultimately depends on a vital human component—the acquisition workforce.

While contract spending has risen dramatically, the number of acquisition professionals who help plan, award, and oversee these contracts has been stagnant. And with roughly half of the current acquisition workforce eligible to retire by 2018, the difficulties of strengthening that workforce are becoming increasingly acute. A well-trained and adequately sized acquisition workforce is critical to managing and overseeing federal spending and the increasingly complex procurements of services and goods.

The two pieces of legislation I am introducing today are designed to address these important long-term goals.

The Acquisition Workforce Improvement Act would create a centrally managed, Government-wide Acquisition Management Fellows Program that combines both a Master's degree-level academic curriculum and on-the-job training in multiple federal agencies. By partnering with leading universities that have specialized government acquisition programs, the government can attract top-caliber students and retain our best government employees who are interested in pursuing both academic advancement and public service.

Compared to the several existing, agency-specific intern programs, this government-wide program would provide a much-needed skill set that we currently do not have in sufficient number; that is, acquisition professionals with multi-agency and multidisciplinary training who can understand and manage government-wide acquisition needs and perspectives.

Considering that interagency acquisition now accounts for approximately 40 percent of the Federal Government's entire contract spending, and that GAO has designated the management of interagency contracting a high-risk area since 2005, it is evident that we need to develop future acquisition leaders who understand government-wide needs and perspectives and are able to operate effectively outside of the traditional, single-agency environment.

Specifically, the Acquisition Management Fellows Program would include one academic year of full-time, on-campus training followed by 2 years of on-the-job and part-time training toward a Masters or equivalent graduate degree in related fields; and a curriculum that would include rotational assignments at three or more executive agencies covering, among other issues, acquisition planning, cost-estimating, formation and post-award administration of ''high risk'' contract types, and interagency contracts.

Upon graduation, participants will have completed all required, non-agency-specific training courses necessary for a basic contracting officer warrant.

In addition, participants would be required to enter into a service commitment to ensure the Federal Government receives a proper return on its investment. The service commitment would be no less than 1 year for each year a participant is in the program, and would require reimbursement of funds for those who do not successfully complete the program or do not fulfill the minimum service requirements.

Our second bill, the Federal Acquisition Institute Improvement Act, would strengthen the Federal Acquisition Institute, FAI, whose key responsibilities are to promote career development and strategic human capital management for the entire civilian acquisition workforce.

The FAI has remained largely underutilized due to a lack of organizational clarity, the disproportionate funding compared to its counterpart in the Department of Defense, and its intermittent use by a few Federal agencies.

The proposed legislation would establish a clear line of responsibility and accountability for the Institute by requiring that FAI, through its Board of Directors, report directly to the Office of Federal Procurement Policy, OFPP; the director of FAI be appointed by the OFPP Administrator, and report directly to the OFPP Associate Administrator for Acquisition Workforce; all existing civilian agency training programs follow guidelines issued by OFPP, which would ensure consistent training standards necessary to develop uniform core competencies; and the OFPP Administrator report annually to Congressional committees of jurisdiction projected FAI budget needs and expense plans to fulfill its statutory mandate.

With respect to its core government-wide functions, FAI would be required to provide and keep current government-wide training standards and certification requirements including ensuring effective agency implementation of government-wide training and certification standards; analyzing the curriculum to ascertain if all certification competencies are covered, or if adjustments are necessary; developing career-path information for certified professionals to encourage retention in government positions; and coordinating with the Office of Personnel Management for human capital efforts.

The administration has identified acquisition workforce development as a pillar for improving acquisition practices and contract performance. While I fully agree with this goal, we need specific and concrete action to solve this problem.

Our legislation would prompt the sustained effort necessary to rebuild the acquisition workforce. While this will take time and investment, I am confident this is a wise investment that will yield substantial returns. Just think about it: if our better-trained acquisition professionals can prevent one failed procurement, it can save the taxpayer hundreds of millions of dollars. If they can avoid overpaying one percent of our contract spending, it

will save the taxpayer more than five billion dollars each year. The numbers speak for themselves.

The Acquisition Workforce Improvement Act and the Federal Acquisition Institute Improvement Act are critically needed and both enjoy bipartisan support. I encourage my colleagues to support them.

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. 761

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 ''Acquisition Workforce Improvement Act of 2011''.

SEC. 2. GOVERNMENT-WIDE ACQUISITION MANAGEMENT FELLOWS PROGRAM.

(a) ESTABLISHMENT OF ACQUISITION MANAGEMENT FELLOWS WORKFORCE PROGRAM.—

(1) IN GENERAL.—Chapter 17 of title 41, United States Code, is amended by adding at the end the following new section:

''§ 1714. Government-wide acquisition management fellows program

''(a) ESTABLISHMENT OF PROGRAM.—Not later than 180 days after the date of the enactment of the Acquisition Workforce Improvement Act of 2011, the Administrator shall establish a government-wide acquisition management fellows program (in this section referred to as the 'program') for the purpose of investing in the long-term improvement and sustained excellence of the Federal acquisition workforce.

''(b) OBJECTIVES.—The objectives of the program shall be as follows:

''(1) To develop a new generation of acquisition leaders with government-wide perspective, skills, and experience.

''(2) To recruit individuals with the outstanding academic merit, ethical value, business acumen, and leadership skills to meet the acquisition needs of the Federal Government.

''(3) To offer, upon completion of the program, opportunities for advancement, competitive compensation, and leadership opportunities at various executive agencies.

''(c) STRUCTURE.—

''(1) CONTRACTS, GRANTS, AND COOPERATIVE AGREEMENTS.—The Office of Federal Procurement Policy shall enter into contracts, grants, or cooperative agreements with one or more qualified universities with demonstrated expertise in Federal Government acquisition.

''(2) TRAINING.—The program shall consist of one academic year of full-time, on-campus training followed by two years of on-the-job and part-time training toward a Masters or equivalent graduate degree in related fields.

''(3) CURRICULUM.—The curriculum of the program shall include the following elements:

''(A) Rotational assignments at three or more executive agencies covering all phases of the contract life cycle, from acquisition planning to contract formation and post-award administration of contract types identified in part 16 of the Federal Acquisition Regulation, and including interagency contracts, contract cost and pricing, and negotiation techniques.

''(B) All required non-agency-specific training courses necessary for basic contracting officer warrant as established by the Office of Federal Procurement Policy.

''(C) Emphasis on transparency, accountability, and integrity in the public contracting process.

''(D) Other necessary courses and education as required by participating universities.

''(4) PRIORITY FOR EMPLOYMENT.—To the extent permitted by law, the head of each executive agency shall give priority to graduates of the program for purposes of hiring employees in the acquisition field, based on performance during the program and other qualifications, and shall compensate such graduates at an initial GS-12 level of the General Schedule, or equivalent, with the potential for a GS-13 level of compensation, or equivalent, upon one year of satisfactory performance.

''(d) SIZE.—The total number of individuals entering the program each year may not exceed 200. There shall be at least 50 participants in the first year of the program, 100 participants in the second year, and 150 participants thereafter.

''(e) ELEMENTS.—In carrying out the program, the Administrator shall—

''(1) enter into one or more contracts, grants, or cooperative agreements with qualified universities having an expertise in Federal Government acquisition and the resources to administer the program independently;

''(2) be responsible for the management and oversight of the overall program and for placement of individuals upon graduation;

''(3) allow participating universities to select and to remove program participants in accordance with the established academic process for such graduate degree programs;

''(4) ensure that veterans (as that term is defined in section 101(2) of title 38) are given priority as candidates for participation in the program; and

''(5) periodically review the career development of the program participants upon placement and make necessary adjustments to the program to ensure the objectives are met.

''(f) SERVICE AGREEMENT.—

''(1) COMMITMENT FOR FEDERAL SERVICE.—A person selected for participation in the program shall commit to employment with the Federal Government in the field of acquisition, following completion of the program, under such terms and conditions as the Administrator considers appropriate to ensure the Federal Government receives proper return on investment. Such employment shall be for a term of not less than one year for each year in the program.

''(2) REIMBURSEMENT OF FUNDS.—In cases of candidates who do not successfully complete the program or do not fulfill the minimum service requirements, the candidates shall be required to reimburse the Federal Government for funds received under the program.

''(g) OFPP ACQUISITION FELLOWS DEVELOPMENT FUND.—

''(1) ESTABLISHMENT.—There is hereby established in the Treasury of the United States a fund to be known as the 'OFPP Acquisition Fellows Development Fund' (in this section referred to as the 'Fund').

''(2) USE OF FUNDS.—Amounts in the Fund shall be used for—

''(A) the establishment and operations of the program;

''(B) the award of contracts, grants, or cooperative agreements to cover expenses including—

''(i) tuition, books, materials, and other academic expenses;

''(ii) room and board of students during the time students are enrolled in the program;

''(iii) expenses for travel as required by the program;

''(iv) stipends; and

''(v) other necessary expenses the Administrator considers necessary.

''(3) DEPOSITS TO FUND.—

''(A) IN GENERAL.—The Fund shall consist of amounts appropriated or otherwise made available to the Fund.

''(B) TRANSFER.—The Administrator may transfer necessary amounts from the Acquisition Workforce Training Fund (AWTF) established under section 1703(i) of this title to provide an initial deposit or to augment the Fund.

''(C) DEPARTMENT OF DEFENSE PARTICIPATION.—If the Department of Defense elects to participate in the program, it shall provide necessary funds, commensurate to the share of participants it sponsors, from proceeds available pursuant to section 1703(i)(5) of this title or section 1705 of title 10.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''1714. Government-wide acquisition management fellows program.''.

(b) REPORTS.—

(1) INITIAL REPORT.—Not later than 120 days after the date of the enactment of this Act, the Administrator shall submit to the appropriate congressional committees a preliminary report on the program, including a description of the program and the five-year budget needed to carry out the government-wide acquisition management fellows program established under section 1714 of title 41, United States Code, as added by subsection (a).

(2) ANNUAL REPORT.—Not later than one year after the commencement of the program and annually thereafter, the Administrator shall submit to the appropriate congressional committees a report on the program. The report shall include—

(A) a description of the activities under the program, including the number of individuals who participated in the program and the training provided such individuals under the program;

(B) an assessment of the effectiveness of the program in meeting the objectives of the program, including the performance of each university administering the program; and

(C) any recommendations for additional legislative or administrative action that the Administrator considers appropriate in light of the program.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ''appropriate congressional committees'' means—

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

(B) the Committee on Oversight and Government Reform and the Committee on Appropriations of the House of Representatives.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for the OFPP Acquisition Fellows Development Fund the following amounts:

(1) For fiscal year 2012, $16,000,000.

(2) For fiscal year 2013, $32,000,000.

(3) For fiscal year 2014, and each fiscal year thereafter, $48,000,000.

SEC. 3. LEADERSHIP DEVELOPMENT TRAINING PROGRAM.

(a) ESTABLISHMENT OF LEADERSHIP DEVELOPMENT TRAINING PROGRAM.—

(b) ESTABLISHMENT OF TRAINING PROGRAM.—Not later than 180 days after the date of the enactment of this Act, Administrator for Federal Procurement Policy shall establish a leadership development training program for Federal employees focused on core leadership and acquisition competencies. The purpose of the training program shall be to foster the development of high performing

individuals in the three core acquisition disciplines of contracting, program management, and cost estimating to serve as future acquisition leaders.

(c) OBJECTIVES.—The objectives of the program shall be as follows:

(1) To develop a new generation of acquisition leaders in the three major acquisition disciplines currently in the Federal workforce in order to expand and improve the quality of the acquisition workforce.

(2) To develop high performing Federal employees in the three major acquisition disciplines to provide opportunities for advancement into leadership positions.

(3) To enhance the ability to foster networking and understanding among the three major acquisition disciplines to achieve desired acquisition outcomes.

(d) STRUCTURE.—

(1) COOPERATIVE AGREEMENT.—The Office of Federal Procurement Policy shall enter into cooperative agreements with one or more institutions of higher learning as prescribed under Office of Management and Budget Circular A–102, ''Grants and Cooperative Agreements with State and Local Governments'' to develop and implement the training program.

(2) PARTICIPANTS.—The training program participants shall be composed of an equal distribution of the three targeted acquisition disciplines.

(3) PROGRAM SELECTION OFFICIAL.—The Director of the Federal Acquisition Institute shall be the program selection official.

(4) TRAINING.—The program shall consist of 18 months of academic classroom training. The participants shall complete the training during normal duty hours, and shall remain at their current duty station during any such hours not spent in training. Upon successful completion of the program, participants shall receive a Master's Degree in Public Administration with a concentration in Federal acquisition.

(5) CURRICULUM.—The curriculum of the program shall be developed by the partnering institution or institutions of higher learning and approved by the Director of the Federal Acquisition Institute.

(e) SIZE.—The total number of individuals entering the pilot program shall be not less than 50. There shall be an equal composition of the three acquisition functions.

(f) ELEMENTS.—In carrying out the program, the Administrator for Federal Procurement Policy shall—

(1) enter into cooperative agreements with one or more institutions of higher learning to provide for the management and oversight of the training program; and

(2) collaborate with such institution or institutions to develop learning objectives and to design classroom training to best meet the program objectives.

(g) SERVICE AGREEMENT.—

(1) COMMITMENT FOR FEDERAL SERVICE.—A person selected for participation in the program shall commit to employment for not less than 2 years with the Federal Government in the field of acquisition, following completion of the program, under such terms and conditions as the Administrator for Federal Procurement Policy considers appropriate to ensure the Federal Government receives proper return on investment.

(2) REIMBURSEMENT OF FUNDS.—In cases where a participant does not complete the minimum employment commitment, the participant shall reimburse the Federal Government for a prorated share of the cost of the training, based on the proportion of the commitment that remains unfulfilled.

(h) USE OF FUNDS.—Amounts in the Acquisition Workforce Training Fund (AWTF) established under section 1703(i) of title 41, United States Code, may be made available for the program and may be used for—

(1) the establishment and operations of the program, including planning and administration;

(2) classroom training expenses, including—

(A) tuition;

(B) books; and

(C) other necessary expenses the Administrator for Federal Procurement Policy considers necessary.

(i) REPORTS.—

(1) IN GENERAL.—Not later than 90 days after the commencement of the training program, and semi-annually thereafter, the Administrator for Federal Procurement Policy shall submit to the appropriate congressional committees a report on the program.

(2) CONTENT.—The report required under paragraph (1) shall include—

(A) a description of the activities under the training program, including the number of individuals who participated in the program and the training provided such individuals under the program;

(B) an assessment of the effectiveness of the program in meeting the objectives of the program, including the performance of the partnering institution or institutions of higher learning;

(C) recommendations for additional legislative or administrative action that the Administrator for Federal Procurement Policy considers appropriate in light of the program; and

(D) workforce data to support the return on investment, including retention rates and improvement in workforce quality.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ''appropriate congressional committees'' means—

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

(B) the Committee on Oversight and Government Reform and the Committee on Appropriations of the House of Representatives.

(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for the Leadership Development Training Program the following amounts:

(1) For fiscal year 2012, $500,000.

(2) For fiscal year 2013, $250,000.

By Ms. COLLINS (for herself, Mr. AKAKA, Mrs. MCCASKILL, and Mr. BROWN of Massachusetts):

S. 762. A bill to improve the Federal Acquisition Institute; to the Committee on Homeland Security and Governmental Affairs.

Ms. COLLINS. 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. 762

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 ''Federal Acquisition Institute Improvement Act of 2011''.

SEC. 2. ACQUISITION WORKFORCE IMPROVEMENTS.

(a) WORKFORCE IMPROVEMENTS.—Section 1704(b) of title 41, United States Code, is amended—

(1) by inserting after the first sentence the following: ''The Associate Administrator shall be chosen on the basis of demonstrated knowledge and expertise in acquisition, human capital, and management.'';

(2) by striking ''The Associate Administrator for Acquisition Workforce Programs shall be located in the Federal Acquisition Institute (or its successor).'' and inserting ''The Associate Administrator shall be located in the Office of Federal Procurement Policy.'';

(3) in paragraph (4), by striking ''; and'' and inserting a semicolon;

(4) by redesignating paragraph (5) as paragraph (6); and

(5) by inserting after paragraph (4) the following new paragraph:

''(5) implementing workforce programs under subsections (f) through (k) of section 1703 of this title; and''.

(b) FEDERAL ACQUISITION INSTITUTE.—

(1) IN GENERAL.—Division B of title 41, United States Code, is amended by inserting after chapter 11 the following new chapter:

''CHAPTER 12—FEDERAL ACQUISITION INSTITUTE

''Sec.

''1201. Federal Acquisition Institute.

''§ 1201. Federal Acquisition Institute

''(a) IN GENERAL.—There is established a Federal Acquisition Institute (FAI) in order to—

''(1) foster and promote the development of a professional acquisition workforce government-wide;

''(2) promote and coordinate government-wide research and studies to improve the procurement process and the laws, policies, methods, regulations, procedures, and forms relating to acquisition by the executive agencies;

''(3) collect data and analyze acquisition workforce data from the Office of Personnel Management, the heads of executive agencies, and, through periodic surveys, from individual employees;

''(4) periodically analyze acquisition career fields to identify critical competencies, duties, tasks, and related academic prerequisites, skills, and knowledge;

''(5) coordinate and assist agencies in identifying and recruiting highly qualified candidates for acquisition fields;

''(6) develop instructional materials for acquisition personnel in coordination with private and public acquisition colleges and training facilities;

''(7) evaluate the effectiveness of training and career development programs for acquisition personnel;

''(8) promote the establishment and utilization of academic programs by colleges and universities in acquisition fields;

''(9) facilitate, to the extent requested by agencies, interagency intern and training programs;

''(10) collaborate with other civilian agency acquisition training programs to leverage training supporting all members of the civilian agency acquisition workforce;

''(11) assist civilian agencies with their acquisition human capital planning efforts; and

''(12) perform other career management or research functions as directed by the Administrator.

''(b) BUDGET RESOURCES AND AUTHORITY.—

''(1) IN GENERAL.—The Administrator for Federal Procurement Policy shall recommend to the Administrator of the General Services Administration sufficient budget resources and authority for the Federal Acquisition Institute to support government-wide training standards and certification requirements necessary to enhance the mobility and career opportunities of the Federal acquisition workforce.

''(2) ACQUISITION WORKFORCE TRAINING FUND.—Subject to the availability of funds, the Administer of General Services shall provide the Federal Acquisition Institute with

amounts from the acquisition workforce training fund established under section 1703(i) of this title sufficient to meet the annual budget for the Federal Acquisition Institute requested by the Administrator for Federal Procurement Policy.

''(c) FEDERAL ACQUISITION INSTITUTE BOARD OF DIRECTORS.—

''(1) REPORTING TO ADMINISTRATOR.—The Federal Acquisition Institute shall report through its Board of Directors directly to the Administrator for Federal Procurement Policy.

''(2) COMPOSITION.—The Board shall be composed of not more than 8 individuals from the Federal Government representing a mix of acquisition functional areas, all of whom shall be appointed by the Administrator.

''(3) DUTIES.—The Board shall provide general direction to the Federal Acquisition Institute to ensure that the Institute—

''(A) meets its statutory requirements;

''(B) meets the needs of the Federal acquisition workforce;

''(C) implements appropriate programs;

''(D) coordinates with appropriate organizations and groups that have an impact on the Federal acquisition workforce;

''(E) develops and implements plans to meet future challenges of the Federal acquisition workforce; and

''(F) works closely with the Defense Acquisition University.

''(4) RECOMMENDATIONS.—The Board shall make recommendations to the Administrator regarding the development and execution of the annual budget of the Federal Acquisition Institute.

''(d) DIRECTOR.—The Director of the Federal Acquisition Institute shall be appointed by, and report directly to, the Administrator.

''(e) ANNUAL REPORT.—The Administrator shall submit to the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate and the Committee on Oversight and Government Reform and the Committee on Appropriations of the House of Representatives an annual report on the projected budget needs and expense plans of the Federal Acquisition Institute to fulfill its mandate.''.

(2) CONFORMING AMENDMENT.—Section 1122(a)(5) of such title is amended to read as follows:

''(5) providing for and directing the activities of the Federal Acquisition Institute established under section 1201 of this title, including recommending to the Administrator of General Services a sufficient budget for such activities.''.

(c) GOVERNMENT-WIDE TRAINING STANDARDS AND CERTIFICATION.—Section 1703 of title 41, United States Code, is amended—

(1) in subsection (c)(2)—

(A) by striking ''The Administrator shall'' and inserting the following:

''(A) IN GENERAL.—The Administrator shall''; and

(B) by adding at the end the following:

''(B) GOVERNMENT-WIDE TRAINING STANDARDS AND CERTIFICATION.—The Administrator, acting through the Federal Acquisition Institute, shall provide and update government-wide training standards and certification requirements, including—

''(i) developing and modifying acquisition certification programs;

''(ii) ensuring quality assurance for agency implementation of government-wide training and certification standards;

''(iii) analyzing the acquisition training curriculum to ascertain if all certification competencies are covered or if adjustments are necessary;

''(iv) developing career path information for certified professionals to encourage retention in government positions;

''(v) coordinating with the Office of Personnel Management for human capital efforts; and

''(vi) managing rotation assignments to support opportunities to apply skills included in certification.''; and

(2) by adding at the end the following new subsection:

''(l) ACQUISITION INTERNSHIP AND TRAINING PROGRAMS.—All Federal civilian agency acquisition internship or acquisition training programs shall follow guidelines provided by the Office of Federal Procurement Policy to ensure consistent training standards necessary to develop uniform core competencies throughout the Federal Government.''.

(d) EXPANDED SCOPE OF ACQUISITION WORKFORCE TRAINING FUND.—Section 1703(i) of such title is amended—

(1) in paragraph (2), by striking ''to support the training of the acquisition workforce of the executive agencies'' and inserting ''to support the activities set forth in section 1201(a) of this title''; and

(2) in paragraph (6), by striking ''ensure that amounts collected for training under this subsection are not used for a purpose other than the purpose specified in paragraph (2)'' and inserting ''ensure that amounts collected under this section are not used for a purpose other than the activities set forth in section 1201(a) of this title''.

(e) RULE OF CONSTRUCTION.—Nothing in this section, or the amendments made by this section, shall be construed to preclude the Secretary of Defense from establishing acquisition workforce policies, procedures, training standards, and certification requirements for acquisition positions in the Department of Defense, as provided in chapter 87 of title 10, United States Code.

By Mr. LIEBERMAN (for himself, Mr. BROWN of Massachusetts, and Ms. LANDRIEU):

S. 763. A bill to amend the Elementary and Secondary Education Act of 1965 to require the establishment of teacher evaluation programs; to the Committee on Health, Education, Labor, and Pensions.

Mr. LIEBERMAN. Mr. President, I rise today to introduce the Securing Teacher Effectiveness, Leaders, Learning, And Results Act of 2011—the STELLAR Student Act, and I am honored to be joined in this bipartisan effort by my colleagues Senator SCOTT BROWN and Senator MARY LANDRIEU. The STELLAR Student Act will ensure that all students are taught by effective teachers and that all teachers are supported by effective principals.

Teacher and principal effectiveness are critical factors in improving student learning and achievement. Research shows that increasing teacher quality is one of the most effective and promising strategies for improving education in the United States. Some studies show that the differences in achievement gains for students who had the most effective teachers versus those who had the least effective teachers were greater than any single influence of class-size, race, socio-economic status, or parent education. Estimates suggest that the difference between having a highly effective teacher versus a highly ineffective teacher can be as much as a full year's learning growth.

Imagine the dire situation for a student who has a highly ineffective teacher for multiple years in a row. It is a situation that many students experience and potentially never recover from. There are far too many ineffective teachers, especially in less affluent urban districts. In many cases, due to antiquated hiring and firing protocols and policies, those ineffective teachers are keeping innovative young teachers from teaching where they are needed most. It is essential that we begin to differentiate between those highly effective and highly ineffective teachers and principals, especially when it comes to making personnel decisions in these challenging economic times.

The STELLAR Student Act of 2011 aims to encourage States to do just that by directing States to develop evaluation systems that consider student achievement and classroom observation, and to use those evaluations for key personnel decisions including pay, tenure, lay-offs, and retention.

To further these goals, the STELLAR Student Act of 2011 would specifically direct States to implement a teacher assessment system that bases teacher effectiveness predominantly on student academic growth and other measures including classroom observations; direct States to implement a principal assessment system that bases effectiveness predominantly on student academic growth as well as improvement in graduation rates, leadership, and successful hiring, development, evaluation, and retention of teachers; tie Title 1 funding to teacher and principal evaluations that incorporate multiple measures, relying predominantly on measures of student academic growth and achievement, as well as classroom performance; require that evaluations be used to inform key personnel decisions including tenure, compensation, and layoffs in the event of any reduction in force; encourage input from teachers and principals in the development and improvement of evaluations; and encourage improved targeting of professional development based on these evaluations.

The STELLAR Student Act addresses the fact that current teacher and principal evaluation systems are inadequate. Evaluation measures for teachers are not strongly linked to their ability to teach. In fact, seniority, not effectiveness, is often the single indicator used for making teacher personnel decisions. Some studies show that less than 1 percent of teachers are identified as unsatisfactory even though we know many more than 1 percent falls into this category. This also means that our most effective teachers are lumped together with less effective teachers and are not recognized for their exceptional work.

It is time to rethink conventional measures of teacher qualifications such as advanced degrees, traditional

credentialing, and years of experience as measures of teacher quality, and focus instead on actual measures of teacher effectiveness, such as student academic growth. Indeed, many States are looking for ways to tie teacher performance to student achievement and then use this information to inform personnel decisions. The STELLAR Student Act will help States do just that.

Although we believe it is important to hold teachers and principals accountable for student achievement, teachers and principals are certainly not the problem—they are an essential part of the solution. This bill asks for input from teachers and principals in designing and improving assessment systems, recognizes the importance of observation and other ongoing formative assessments, highlights the need for meaningful professional development, and asks States to duly recognize those effective teachers and leaders. The STELLAR Student Act also encourages school districts to assist low performing teachers by setting up targeted remediation and improvement plans.

Many teachers and parents also recognize and support the need for effective teacher evaluation linked to student performance. In a recent survey, 69 percent of teachers and 92 percent of parents support measuring teacher effectiveness based on student growth. In addition, most teachers—approximately 80 percent—and parents—approximately 96 percent—also believe that giving schools more ability to remove teachers who are not serving students well should be another priority. From the same survey, teachers in schools with high proportions of low-income students, high proportions of minority students, and those in urban or rural schools are more likely than other teachers to say that using measurements of teacher effectiveness that are based in significant part on student growth is something that must be done. Those same teachers are also more likely to say that giving schools greater ability to remove teachers who are not serving students well is something that must be done.

The Administration and many States are already moving in the direction of increased accountability and effective teacher and principal assessments. As the President said in the State of the Union ''we do want to reward good teachers and stop making excuses for the bad ones.'' A number of States, many of which are leaders in education reform, are exploring ways to hold teachers and principals more accountable along with rethinking ideas around tenure and the long standing last-in-first-out policies.

Whether your concern is that our students rank behind 30 other countries in math, that 1.2 million students drop out of school each year, or that an unacceptable achievement gap still persists for our low income and minority students, all of us must act on the urgent need to put forth a strong bipartisan effort to fix our education system. The reauthorization of the Elementary and Secondary Education Act, long overdue, affords us the opportunity. We must work across the aisle to fix what is broken in the current education law. We hope the STELLAR Student Act will be considered in the context of the ESEA rewrite, to ensure effective teachers and principals for every child and every school. Our colleagues in the House have introduced a similar bill, and I urge my colleagues in the Senate to support the STELLAR Student Act of 2011.

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. 763

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 ''Securing Teacher Effectiveness, Leaders, Learning, And Results Act'' or the ''STELLAR Student Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Effective teachers and principals are the backbone of our schools and the key to successful students.

(2) Teachers and principals deserve our full support as they take on one of the most important and most challenging responsibilities—educating our children.

(3) Research shows that high-quality and effective teaching is the single most important school-based factor impacting student learning.

(4) High-quality evaluations that provide meaningful feedback are a crucial element in giving educators the support they need to help students achieve at high levels.

(5) Teachers and principals also deserve access to high-quality professional development opportunities.

(6) Constructive feedback specifying areas for improvement could be useful to both teachers and principals.

(7) Although research also suggests that quality teacher evaluations are an important tool in improving teacher performance, for many teachers, the current evaluation systems do not provide useful feedback that would help the teachers improve and grow as instructors.

(8) In formal studies, including research highlighted in ''The Widget Effect'', nearly 75 percent of teachers reported that they have not received specific suggestions on how to improve classroom practices in annual evaluations.

(9) Across all local educational agencies, only 43 percent of teachers, including novice teachers who may benefit the most from suggestions, report that current evaluations systems help them.

(10) Research also shows that school leadership quality is second only to teacher quality among school-related factors that impact student learning.

(11) Strong school leadership is a key determinant of whether schools can attract and retain effective teachers. Principals set the direction and the vision for a school.

(12) Effective teachers and principals also deserve to be recognized for excellence and receive commendations in areas of strong performance and significant improvement.

(13) High-quality teacher and principal evaluations have the potential to be a powerful tool and should play a significant role in improving the public education system.

(14) Teachers and principals should provide input and contribute directly to designing, implementing, and improving evaluation systems in their school districts.

(15) Students and parents deserve effective teachers and inspirational principals who are performing to the best of their ability and who are helping to close achievement gaps and raise student achievement.

SEC. 3. ROBUST TEACHER AND PRINCIPAL EVALUATIONS.

(a) TEACHER AND PRINCIPAL EVALUATIONS.—Section 1111(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(a)) is amended by adding at the end the following:

''(3) REPORT ON TEACHER AND PRINCIPAL EVALUATIONS.—For any State desiring to receive a grant under this part, the State educational agency shall submit to the Secretary not later than 1 year after the date of enactment of the Securing Teacher Effectiveness, Leaders, Learning, And Results Act, a report on—

''(A) the system in the State of evaluating teachers' and principals' performance; and

''(B) how such evaluation factors into decisions on tenure, compensation, promotion, and dismissals of teachers and principals.''.

(b) TEACHER AND PRINCIPAL EVALUATIONS.—Section 1111(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)) is amended by adding at the end the following:

''(11) ROBUST TEACHER AND PRINCIPAL EVALUATIONS.—

''(A) IN GENERAL.—Not later than 4 years after the date of enactment of the Securing Teacher Effectiveness, Leaders, Learning, And Results Act, each State shall carry out the following:

''(i) Establish, after taking input from teachers and principals, a statewide definition of teacher and principal effectiveness that includes not less than 4 levels of performance ratings for teachers and for principals, including an effective rating and a highly effective rating, based on such definitions.

''(ii) Demonstrate that the State has developed, after taking input from teachers and principals, a model teacher and principal evaluation program under which—

''(I) individuals in charge of administering teacher and principal evaluations within each local educational agency in the State are provided rigorous training on how to conduct the teacher and principal evaluations, including—

''(aa) how to provide specific feedback about improving teaching and principal practice based on evaluation results; and

''(bb) how to evaluate teachers and principals using the performance ratings described in clause (i) and established under subparagraphs (B)(iii) and (C)(viii);

''(II) a teacher or principal who is evaluated is provided, based on the evaluation results, professional development opportunities that meet the specific needs identified for the teacher or principal;

''(III) measures are taken to ensure that any personally identifiable information of teachers and principals is not publicly disclosed, except as required to comply with the reporting requirements of paragraph (1)(C)(ix), and clauses (i)(III) and (ii)(III) of paragraph (2)(B), of section 1111(h);

''(IV) regular monitoring and assessment of the quality, reliability, validity, fairness, consistency, and objectivity of the evaluation program and the evaluators' judgments takes place within and across local educational agencies in the State;

''(V) each teacher's performance is evaluated in accordance with subparagraph (B);

''(VI) each principal's performance is evaluated in accordance with subparagraph (C);

''(VII) on the basis of the evaluation, each teacher or principal receives—

''(aa) a performance rating, as described in clause (i), that is based on multiple measures;

''(bb) in the case of a teacher—

''(AA) in a grade level and subject area with a statewide assessment, a measure of student learning gains that is comparable across the State for all teachers in grade levels and subject areas with a statewide assessment; or

''(BB) in a grade level and subject area without a statewide assessment, a measure of student learning gains that is comparable across the local educational agency for all teachers in grade levels and subject areas without a statewide assessment;

''(cc) ongoing formative feedback and specific recommendations on areas for professional improvement, which includes an identification of areas in which the teacher or principal can strengthen practices to improve student learning;

''(dd) a measure of student academic growth with respect to the State's academic standards of the school's students, including students in each of the subgroups described in paragraph (2)(C)(v)(II);

''(ee) commendations for excellence in areas of strong performance and in areas of significant improvement; and

''(ff) in the case of a teacher or principal who is identified as being in 1 of the lowest 2 performance ratings described in clause (i), a 1-year comprehensive remediation plan;

''(VIII) evaluation results are used as the principal factor in informing all key personnel and staffing decisions, including retention, dismissal, promotion, compensation, and tenure;

''(IX) evaluation results are the primary factor used in determining layoffs during any reduction in force;

''(X) any teacher or principal who receives 1 of the lowest 2 performance ratings and does not successfully improve performance on an evaluation after completing the comprehensive remediation plan as required under subclause (VII)(ff) is prohibited from working in any elementary school or secondary school served under this part;

''(XI) any teacher or principal who receives the lowest performance rating for 3 consecutive years is subject to dismissal;

''(XII) evaluation results are used to ensure that low-income students and students of color are not assigned at higher rates than other students to classes in core academic subjects taught by teachers who have received 1 of the 2 lowest evaluation rates in their most recent evaluation; and

''(XIII) a system is implemented under which each teacher and principal is evaluated at least annually.

''(iii) Demonstrate that each local educational agency in the State has adopted a local educational agency-wide teacher and principal evaluation program that—

''(I) was developed after seeking input from teachers and principals;

''(II) meets the standards for validity and reliability developed by the State; and

''(III) meets the minimum requirements set forth in clause (ii).

''(iv) Demonstrate that each local educational agency in the State is seeking input from teachers and principals to make improvements to the evaluation program on an annual basis.

''(v) Submit, on a regular basis, to the Secretary a review of the teacher and principal evaluation systems used by the local educational agencies in the State, including—

''(I) comparing the teacher and principal evaluation results, for each local educational agency and each such agency's schools, against the student academic achievement and student academic growth in all local educational agencies in the State and all schools served by such local educational agencies;

''(II) assessing the extent to which each local educational agency's existing system demonstrates meaningful differentiation among teacher performance levels and among principal performance levels; and

''(III) comparing implementation and results across local educational agencies' evaluation systems to ensure—

''(aa) comparability across the State in implementation of such systems; and

''(bb) that such systems meet the State's criteria or definitions for each of the terms described in clause (i).

''(vi) Provide technical assistance to improve an agency's teacher and principal evaluation system so that the system provides meaningful differentiation and is aligned with student academic achievement and student growth results in the agency and in each of the agency's schools.

''(vii) Establish a timeline for implementation that—

''(I) ensures that measures of student academic growth, as described in subparagraphs (B)(i) and (C)(i), are developed not later than 2 years after the date of enactment of the Securing Teacher Effectiveness, Leaders, Learning, And Results Act;

''(II) ensures evaluation systems that meet the requirements of subparagraphs (B) and (C) are implemented statewide by not later than 3 years after the date of enactment of such Act, except that such systems shall not have to meet the requirements under subclauses (VIII) through (XII) of clause (ii); and

''(III) ensures evaluation systems that meet all the requirements of this paragraph are fully implemented statewide by not later than 4 years after the date of enactment of such Act.

''(viii) Submit to the Secretary an annual report on implementation of the State plan under this section and on meeting the timelines required under this section.

''(ix) Publish a report each year showing the average estimate of teacher impact on student growth for each of the performance ratings described in clause (i).

''(B) REQUIREMENTS FOR TEACHER EVALUATIONS.—The evaluation of a teacher's performance shall comply with the following minimum requirements:

''(i) STUDENT ACADEMIC GROWTH.—The predominant factor of the evaluation is student academic growth with respect to the State's academic standards, as measured by—

''(I) student learning gains on the State's academic assessments established under paragraph (3) or, for grades and subjects not covered by the State's academic assessments, another valid and reliable assessment of student academic achievement, as long as the assessment is used consistently by the local educational agency in which the teacher is employed for the grade or class for which the assessment is administered; and

''(II) if available, value-added measures that track individual student academic growth while under the instruction of the teacher.

''(ii) OBSERVATIONS OF TEACHER PERFORMANCE.—A portion of the evaluation is based on observations of the teacher's performance in the classroom by not less than 1 trained and objective observer—

''(I) that take place on not less than 2 occasions during the school year the teacher is being evaluated; and

''(II) under which—

''(aa) a teacher is evaluated against a rigorous rubric that defines multiple performance categories in alignment with the State's professional standards for teachers; and

''(bb) observation ratings meaningfully differentiate among teachers' performance and bear a relationship to evidence of student academic growth with respect to the State's academic standards.

''(iii) MEANINGFUL DIFFERENTIATION.—The evaluation provides performance ratings that meaningfully differentiate among teacher performance using the performance ratings and levels described in subparagraph (A)(i).

''(iv) COMPARABILITY OF STUDENT GAINS.—The evaluation provides a measure of student learning gains that is comparable across the State for all teachers in grade levels and subject areas with a statewide assessment.

''(v) COMPARABILITY OF RESULTS.—The evaluation provides results that are comparable, at a minimum, across all teachers within a grade level or subject area in the local educational agency in which the teacher is employed.

''(C) REQUIREMENTS FOR PRINCIPAL EVALUATIONS.—The evaluation of the performance of a principal of a school shall comply with the following minimum requirements:

''(i) STUDENT ACADEMIC GROWTH.—The predominant factor of the evaluation is student academic growth with respect to the State's academic standards of the school's students, including students in each of the subgroups described in paragraph (2)(C)(v)(II).

''(ii) GRADUATING RATES.—For a principal of a secondary school, a portion of the evaluation is based on improvements in the school's graduation rates.

''(iii) SUPPORT OF EFFECTIVE TEACHERS.—A portion of the evaluation is based on the recruitment, development, evaluation, and retention of effective teachers.

''(iv) LEADERSHIP ABILITIES.—A portion of the evaluation is based on the leadership abilities of the principal, as measured by observations of the principal and other relevant data evaluated against a rigorous rubric that defines multiple performance categories in alignment with the State's professional standards for principals.

''(v) STUDENT ATTENDANCE RATES.—A portion of the evaluation is based on student attendance rates, as calculated by the State or local educational agency.

''(vi) CONTENT OF OBSERVATION RATINGS.—The observations described in clause (iv) provide observation ratings that—

''(I) meaningfully differentiate among principals' performance; and

''(II) bear a strong relationship to evidence of student academic growth with respect to the State's academic standards.

''(vii) DESCRIPTION OF LEADERSHIP ABILITIES.—The leadership abilities referred to in clause (iv) include the ability of the principal to—

''(I) create a shared and coherent schoolwide direction and policy for achieving high levels of student academic growth and closing achievement gaps among students;

''(II) identify and implement the activities and rigorous curriculum necessary for achieving high levels of student academic growth;

''(III) create opportunities for the community and families of students to engage positively with school administrators and staff;

''(IV) support positive learning environments for students;

''(V) cultivate a positive and collaborative work environment for school faculty and staff;

''(VI) collect, analyze, and utilize data and other tangible evidence of student learning

and evidence of classroom practice to guide decisions and actions for continuous improvement and to ensure performance accountability;

''(VII) effectively oversee and manage a teacher evaluation program that provides individualized feedback; and

''(VIII) have strong organizational management of a school, including sound budget and personnel practices.

''(viii) MEANINGFUL DIFFERENTIATION.—The evaluation provides performance ratings that meaningfully differentiate among principal performance using the performance ratings and levels described in subparagraph (A)(i).

''(ix) COMPARABILITY OF RESULTS.—The evaluation provides results that are comparable across all principals within the local educational agency in which the principal is employed.''.

(c) ADDITIONAL STATE PLAN REQUIREMENTS.—Section 1111(b)(8)(C) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(8)(C)) is amended by inserting ''or teachers who received a performance rating under the evaluation system described in paragraph (11) that is below the effective level'' after ''teachers''.

(d) EVALUATION CLEARINGHOUSE.—Section 1111(j) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(j)) is amended—

(1) by striking ''ASSISTANCE.—The'' and inserting the following: ASSISTANCE; CLEARINGHOUSE ON EVALUATION SYSTEMS—

''(1) TECHNICAL ASSISTANCE.— The''; and

(2) by adding at the end the following:

''(2) CLEARINGHOUSE.—The Secretary shall establish a clearinghouse in the Department to share the best practices relating to teacher and principal evaluation, including best practices and other information based on the reports described in subsection (a)(3), the evaluation reviews described in subsection (a)(11)(A)(v), and any other reports addressing teacher and principal evaluation that are required under this Act, with other educators.''.

SEC. 4. PUBLIC REPORTING.

Section 1111(h) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(h)) is amended—

(1) in paragraph (1)(C)—

(A) in clause (vii), by striking ''and'' after the semicolon;

(B) in clause (viii), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(ix) for each performance rating described in subsection (a)(11)(A)(i), the number and percentage of teachers, and the number and percentage of principals, who received such performance rating, for—

''(I) the State overall;

''(II) the highest poverty and lowest poverty local educational agencies; and

''(III) the highest minority and lowest minority local educational agencies.'';

(2) in paragraph (2)(B)—

(A) in clause (i)—

(i) in subclause (I), by striking ''and'' after the semicolon; and

(ii) by adding at the end the following:

''(III) for each performance rating described in subsection (a)(11)(A)(i), the number and percentage of teachers, and the number and percentage of principals, who received such performance rating, for—

''(aa) the local educational agency overall;

''(bb) the highest poverty and lowest poverty schools; and

''(cc) the highest minority and lowest minority schools; and''; and

(B) in clause (ii)—

(i) in subclause (I), by striking ''and'' after the semicolon;

(ii) in subclause (II), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(III) for each performance rating described in subsection (a)(11)(A)(i), the number and percentage of teachers at the school that received such performance rating.'';

(3) in paragraph (4)—

(A) in subparagraph (F), by striking ''and'' after the semicolon;

(B) in subparagraph (G), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(H) the information required to be reported under paragraphs (1)(C)(ix) and (2)(B)(i)(III).''; and

(4) by adding at the end the following:

''(7) DEFINITIONS.—For purposes of this subsection:

''(A) HIGHEST MINORITY.—The term 'highest minority' when used in relation to a school or local educational agency means a school or local educational agency that is in the highest quartile of schools or local educational agencies statewide in terms of the percentage of pupils who are members of ethnic or racial minority groups.

''(B) HIGHEST POVERTY.—The term 'highest poverty' when used in relation to a school or local educational agency means a school or local educational agency that is in the highest quartile of schools or local educational agencies statewide in terms of the percentage of students who are certified as eligible for free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.).

''(C) LOWEST MINORITY.—The term 'lowest minority' when used in relation to a school or local educational agency means a school or local educational agency that is in the lowest quartile of schools or local educational agencies statewide in terms of the percentage of pupils who are members of ethnic or racial minority groups.

''(D) LOWEST POVERTY.—The term 'lowest poverty' when used in relation to a school or local educational agency means a school or local educational agency that is in the lowest quartile of schools or local educational agencies statewide in terms of the percentage of students who are certified as eligible for free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.).

''(E) STUDENT ACADEMIC GROWTH.—The term 'student academic growth' means the change in a student's achievement between 2 or more points in time, as measured through an approach that is statistically rigorous and appropriate for the knowledge and skills being measured.''.

SEC. 5. RECOGNITION OF LOCAL EDUCATIONAL AGENCIES.

The Secretary of Education shall, based on the information received from each local educational agency report card under section 1111(h)(2)(B)(i)(III) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(h)(2)(B)(i)(III)), recognize and provide commendations to each local educational agency that implements or has implemented innovative, high-quality, and effective teacher or principal evaluation programs that lead to professional development and improved student performance.

SEC. 6. REPORT.

Not later than 1 year after the date of enactment of this Act, the Secretary of Education shall prepare and submit a report to Congress that—

(1) identifies any unnecessary or duplicative education-related reporting requirements and regulations facing States and local educational agencies as a result of the amendments made by this Act to section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311); and

(2) includes the Secretary's recommendations regarding streamlining or eliminating the requirements regarding highly qualified teachers under sections 1119 and 9101(23) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6319, 7801(23)) after the teacher evaluation system required under section 1111 of such Act (20 U.S.C. 6311), as amended by this Act, is fully implemented.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 764. A bill to amend the Wild and Scenic Rivers Act to make technical corrections to the segment designations for the Chetco River, Oregon; to the Committee on Energy and Natural Resources.

Mr. WYDEN. Mr. President, part of my job as a Senator from a beautiful State like Oregon is to keep that beauty protected for the next generation of Oregonians. Today it is my pleasure to reintroduce three bills to better protect three of Oregon's special natural resources, S. 764, 765, and 766. I have introduced all of these bills before, one of these in both of the last two Congresses. The Oregon Caves Revitalization Act of 2011 was first introduced in 2008, and again in the last Congress. It progressed out of the Energy and Natural Resources Committee in the last Congress but unfortunately there wasn't an opportunity to vote on it on the Senate Floor. The Devil's Staircase Wilderness Act of 2011 also moved out of the Committee but failed to get a vote in the full Senate. The Chetco River Protection Act of 2011 was also introduced last session, but there was not enough time to get a hearing before the Senate adjourned. I am pleased to again introduce these bills with my colleague from Oregon, Senator MERKLEY. My colleague in the House of Representatives, Representative DEFAZIO, will also be introducing companion legislation today.

The first bill I am introducing, the Oregon Caves Revitalization Act of 2011, will expand the boundary of the National Park Service land to create the Oregon Caves National Monument and Preserve. Under this bill, the stunning majesty of both the underground and the aboveground treasures found at this National Monument site will be protected for future generations.

Established by a Presidential Proclamation in 1909, the Oregon Caves National Monument is a 480-acre natural wonder located in the botanically-rich Siskiyou Mountains. It was originally set aside because of its unusual scientific interest and importance. Oregon Caves has a unique geologic history and is particularly known as the longest marble cave open to the public west of the Continental Divide.

A perennial stream, the ''River Styx''—an underground portion of Cave Creek—flows through part of the cave and is one of the dynamic natural forces at work in the National Monument. The cave ecosystem provides habitat for numerous plants and animals, including some state-sensitive species such as Townsend's big-eared

bats and several cave-adapted species of arthropods found only in only one place on Earth: the Oregon Caves. The caves possess a significant collection of Pleistocene aged fossils, including jaguar and grizzly bear. In 1995, grizzly bear bones found in the cave were estimated to be at least 50,000 years old, the oldest known from either North or South America.

Today, I am proposing legislation that will enhance the protection for treasures such as these found within the Oregon Caves National Monument and that will increase public recreation opportunities by adding surrounding lands to the National Park Service site. My bill would expand the park site by 4,070 acres to include the entire Cave Creek Watershed, and transfer management of the land from the United States Forest Service to the National Park Service. The newly acquired lands will be designated as a Preserve so that hunters can still use them. In addition, my legislation would designate at least 9.6 miles of rivers and tributaries as Wild, Scenic, or Recreational, under the federal Wild and Scenic Rivers Act, including the first subterranean Wild and Scenic River, the River Styx. This bill would also authorize the retirement of existing grazing allotments.

When the Oregon Caves National Monument was established in 1909, the focus was on the unique subsurface resources, and the small rectangular boundary was thought to be adequate to protect the cave. Through the years, however, scientific research and technology have provided new information about the cave's ecology, and the impacts from the surface environment and the related hydrological processes. The current 480-acre boundary simply can't adequately protect this cave system. The National Park Service has formally proposed a boundary modification numerous times, first in 1939, again in 1949, and most recently in 2000. Today, I am happy to again propose legislation to enact that boundary adjustment into law.

The Oregon Caves National Monument makes a unique contribution to Southern Oregon's economy and to the national heritage. The Monument receives over 80,000 visitors annually and a larger Monument boundary will help showcase more fully the recreational opportunities on the above-ground lands within the proposed Monument boundary. The Monument's above-ground lands in the Siskiyou Mountains possess a beauty and diversity that is unique in America, and indeed the world. The Oregon Caves National Monument's approximately 500 plants, 5,000 animals, 2,000 fungi, and over a million bacteria per acre that make the spot have one of the highest concentrations of biological diversity anywhere.

Expanding the Monument's boundary will also preserve the caves' resources by protecting the water that enters the cave. By granting the National Park Service the ability to safeguard these resources, and by providing for a voluntary donation of grazing permits, my legislation will be able to better protect these resources. Over the decades, the number of allowed livestock has diminished, but the livestock still has an impact on the drinking water supply and the water quality of this natural gem. The current grazing permitee, Phil Krouse's family, has had the Big Grayback Grazing Allotment, 19,703 acre, since 1937. Mr. Krouse has publicly stated that he would look favorably upon retirement with private compensation for his allotment, which my legislation will allow to proceed.

The second bill I am introducing is the Devil's Staircase Wilderness Act of 2011, which designates approximately 30,540 acres surrounding the Wasson Creek area as Wilderness. Devil's Staircase personifies what Wilderness in Oregon is all about. It is rugged, wild, pristine and remote. So rugged, in fact, that land managers have repeatedly withdrawn this landslide-prone forest from all timbering activity and intrepid hikers must follow elk and deer trails and keep a sharp eye on a compass. The proposed Devil's Staircase Wilderness is the finest old-growth forest remaining in Oregon's Coast Range, boasting huge Douglas-fir, cedar and hemlock and a wealth of threatened and endangered species. Wildlife include threatened marbled murrelets and the highest density of Northern Spotted Owls in the coastal mountains.

My proposal would not only protect the forests surrounding Wasson Creek but would also designate approximately 4.5 miles of Franklin Creek and approximately 10.1 miles of Wasson Creek as Wild and Scenic Rivers. Franklin Creek, a critically important tributary to the Umpqua River, is one of the best examples of pristine salmon habitat left in Oregon. Together with Wasson Creek, these two streams in the Devil's Staircase area deserve Wild and Scenic River designation by Congress.

The ecological significance of this treasure is apparent. The land is protected as a Late-Successional Reserve by the Northwest Forest Plan, as critical habitat for the northern spotted owl, and as an Area of Critical Environmental Concern by the Bureau of Land Management. Preserving these majestic forests as Wilderness for their wildlife and spectacular scenery matches the goals of the existing land management plans. I look forward to protecting this gem for future generations.

For over a decade, I've advocated for protections for the Chetco and other threatened waterways in Southwest Oregon. I'm reintroducing a third piece of legislation today that would continue that effort. The Chetco River Protection Act of 2011 would withdraw about three miles of the Chetco River from mineral entry, while upgrading the designations for some portions.

This river is under immediate threat from out-of-state suction dredge miners. The group American Rivers said last year that the Chetco was the seventh most endangered river in the country because of those threats. This is a river that is hugely important for salmon habitat and local sport fishing. The passage of this legislation would mean protecting that habitat, and promoting the continued success of the fishing industry throughout the West Coast.

Withdrawing these portions of the river from future mineral entry will prevent future harmful mining claims and make sure that those claims that already exist are valid I am pleased the Obama administration has taken some steps to protect this area, but the passage of this legislation is needed to ensure long-term protection for this important river.

Finally, I want to express my thanks to the conservation, recreation and business communities of Southern and Coastal Oregon, and Phil Krouse for his strong conservation ethic. All of them have worked diligently to protect these special places. I look forward to working with Senator MERKLEY, Representative DEFAZIO, and other colleagues and the bill's other supporters to keep up the fight for these unique places in Oregon and get these pieces of legislation to the President's desk for his signature.

By Mr. HARKIN:

S. 767. A bill to improve the calculation of, the reporting of, and the accountability for, secondary school graduation rates; to the Committee on Health, Education, Labor, and Pensions.

Mr. HARKIN. Mr. President, in today's rapidly changing, global knowledge-based economy, making sure that all students graduate from high school is more important than ever. A high school diploma opens the doors to post-secondary education and workforce development programs, which lead to jobs that pay family-sustaining wages. The bottom line is that a high school diploma is no longer an option—it is an essential education credential that all Americans need to have in order to successfully compete in the workforce. Yet, for far too many, a high school diploma is still out of reach. According to researchers at Johns Hopkins University, one out of every three students who enters the ninth grade fails to graduate from high school within 4 years. An estimated 12 million students will drop out of school during the next decade, costing the Nation more than $3 trillion in forgone revenues and increased social service costs.

When Congress passed the No Child Left Behind Act in 2001, we required that accountability determinations for high schools include graduation rates. However, the law did not require States to use a common formula for calculating graduation rates nor did it set graduation rate goals for high schools. As a result, states created different calculations that have led to inconsistent and inaccurate reporting of

graduation rates. Without transparency, we cannot know the full extent of our Nation's dropout crisis, hold schools accountable, or design effective solutions.

That is why I am pleased to introduce the Every Student Counts Act, which my colleague Rep. BOBBY SCOTT will introduce in the House today. This legislation will ensure the accurate calculation and reporting of high school graduation rates, and will hold States, districts, and schools accountable for ensuring that all students graduate with a high school diploma.

The Every Student Counts Act builds upon steps taken by all 50 States and the Department of Education to ensure more accurate calculations of and reporting of high school graduation rates.

Four years into the implementation of the No Child Left Behind Act, State leaders recognized the need for consistent graduation rate calculations and governors from all 50 States joined together in 2005 to call for a uniform graduation rate across the States. This leadership from the States was crucial in calling attention to the problem of inaccurate graduation rate calculations and formed the basis for action. In 2008, the U.S. Department of Education built on the governors' laudable work and issued regulations that require states to use a single, accurate graduation rate calculation and to set graduation rate goals and annual growth targets.

The 2008 regulations were an important step in the right direction, but they need to be improved and codified so that states, districts, and schools no longer have to rely solely on regulations that could be reversed. The Every Student Counts Act codifies key pieces of the regulations while making improvements where necessary. Specifically, this act sets a uniform graduation rate goal of 90 percent and requires schools that do not meet this goal to improve their graduation rate annually by three percentage points. Additionally, this act builds upon the States' and the Department of Education's graduation rate calculation work by giving credit to schools for students who graduate in more than 4 years through a cumulative graduation rate calculation, while maintaining the expectation that all students graduate within 4 years.

This legislation will bring transparency and accountability to schools across the Nation to help them provide all students with the high school diploma they need to have a chance to succeed in postsecondary education and the global economy.

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. 767

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 ''Every Student Counts Act''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) In order for the United States to retain a competitive edge in the world economy, it is essential that youth in the United States be prepared for the jobs of today and for the jobs of the future. Such jobs increasingly require postsecondary education, and according to a 2008 Department of Labor report, almost 90 percent of the fastest growing and best paying jobs require some postsecondary education.

(2) Individuals without a regular secondary school diploma experience higher rates of unemployment, incarceration, poverty, and receipt of public assistance than individuals with a regular secondary school diploma.

(3) According to the 2009 Center for Public Education report ''Better late than never? Examining late high school graduates'', on-time graduation with a regular secondary school diploma leads to the best outcomes for students, but students who graduate late with a regular secondary school diploma are still more likely to earn an associate or a baccalaureate degree, to be employed full-time, and to obtain a job with retirement benefits and health insurance than are either students who drop out of secondary school or students who receive a GED.

(4) About 1,300,000 secondary school students, which is approximately ⅓ of all secondary school students in the United States, fail to graduate with their peers every year. According to the Department of Education, the United States secondary school graduation rate is only 75 percent.

(5) The graduation rates for historically disadvantaged minority groups are far lower than that of their White peers. Little more than half of all African-American and Hispanic students finish secondary school on time with a regular secondary school diploma, while more than ¾ of White students finish secondary school on time with a regular secondary school diploma.

(6) Nearly 2,000 secondary schools (about 12 percent of all secondary schools in the United States) produce about half of the Nation's secondary school dropouts. In these schools, the number of seniors is routinely 60 percent or less than the number of freshmen 3 years earlier. While 34 percent of the Nation's African-American students and nearly 28 percent of Latino students attend these ''dropout factories'', only 16 percent of White students do.

(7) The average gap between State-reported graduation rates and independently-reported graduation rates is approximately 11 percent.

(8) In 2005, all 50 of the Nation's Governors signed the National Governors Association's Graduation Rate Compact, pledging to use a common, accurate graduation rate.

(9) In 2008, the Secretary of Education released final regulations that also require States to report a common graduation rate calculation. However, since the Department of Education did not specify in the regulations what graduation rate goals and growth targets are appropriate and how States should include 4-year rates and extended year rates in calculating adequate yearly progress, it is necessary to clarify these goals, targets and rates in order to create a meaningful Federal accountability system for secondary schools.

(10) State-set targets to make adequate yearly progress under the Secretary of Education's 2008 regulations are numerous in type and varied in aggressiveness. Twenty-eight States have set a graduation rate goal of less than 90 percent. At least 8 States have set status targets that do not take into consideration progress toward the State-set goal. Furthermore, only 2 of the 9 States that include extended year rates in measures of adequate yearly progress do so in a way that places a priority on graduating students within 4 years.

(11) The most accurate graduation rate calculations rely on high-quality longitudinal data systems that track individual student data from the time a student enters kindergarten through the time such student finishes 12th grade. Forty-eight States plan to have data systems that will provide secondary school data that will allow such States to use the graduation rate formula specified in the Department of Education's 2008 final regulations not later than the 2011-2012 school year.

(12) An accountability system with meaningful graduation rate goals—

(A) holds schools, school districts, and States responsible for both student achievement and outcomes; and

(B) ensures that low-performing students are not unnecessarily held back or encouraged to leave school without a diploma.

(13) Prior to the 2008 regulations, the amendments to the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) made by the No Child Left Behind Act of 2001 (Public Law 107–110) did not require consistent calculations, meaningful goals, or disaggregation of graduation rates. Without clear guidance from the Department of Education, most secondary schools can continue to make adequate yearly progress by making as little as 0.1 percent improvement or less in secondary school graduation rates each year and can do so with a consistent, or even growing, secondary school graduation gap among subgroups of students.

SEC. 3. PURPOSES.

The purposes of this Act are—

(1) to require consistent calculations and reporting of secondary school graduation rates across schools, school districts, and States;

(2) to provide educators with critical information about student progress toward secondary school graduation; and

(3) to ensure meaningful accountability for the improvement of secondary school graduation rates for all students, particularly for poor and minority students.

SEC. 4. SECONDARY SCHOOL GRADUATION RATES.

Subpart 1 of part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) is amended by inserting after section 1111 (20 U.S.C. 6311) the following:

"SEC. 1111A. SECONDARY SCHOOL GRADUATION RATES.

''(a) DEFINITIONS.—In this section:

''(1) ADJUSTED COHORT; ENTERING COHORT; TRANSFERRED INTO; TRANSFERRED OUT.—

''(A) ADJUSTED COHORT.—Subject to subparagraphs (D)(ii) through (G), the term 'adjusted cohort' means the difference of—

''(i) the sum of—

''(I) the entering cohort; plus

''(II) any students that transferred into the cohort in any of grades 9 through 12; minus

''(ii) any students that are removed from the cohort as described in subparagraph (E).

''(B) ENTERING COHORT.—The term 'entering cohort' means the number of first-time 9th graders enrolled in the secondary school 1 month after the start of the secondary school's academic year.

''(C) TRANSFERRED INTO.—The term 'transferred into' when used with respect to a secondary school student, means a student who—

''(i) was a first-time 9th grader during the same school year as the entering cohort; and

''(ii) enrolls after the entering cohort is calculated as described in subparagraph (B).

''(D) TRANSFERRED OUT.—

''(i) IN GENERAL.—The term 'transferred out' when used with respect to a secondary school student, means a student who the secondary school or local educational agency has confirmed has transferred—

''(I) to another school from which the student is expected to receive a regular secondary school diploma; or

''(II) to another educational program from which the student is expected to receive a regular secondary school diploma.

''(ii) CONFIRMATION REQUIREMENTS.—

''(I) DOCUMENTATION REQUIRED.—The confirmation of a student's transfer to another school or educational program described in clause (i) requires documentation from the receiving school or program that the student enrolled in the receiving school or program.

''(II) LACK OF CONFIRMATION.—A student who was enrolled, but for whom there is no confirmation of the student having transferred out, shall remain in the cohort as a nongraduate for reporting and accountability purposes under this section.

''(iii) PROGRAMS NOT PROVIDING CREDIT.—A student enrolled in a GED or other alternative educational program that does not issue or provide credit toward the issuance of a regular secondary school diploma shall not be considered transferred out.

''(E) COHORT REMOVAL.—To remove a student from a cohort, a school or local educational agency shall require documentation to confirm that the student has transferred out, emigrated to another country, or is deceased.

''(F) TREATMENT OF OTHER LEAVERS AND WITHDRAWALS.—A student who was retained in a grade, enrolled in a GED program, aged-out of a secondary school or secondary school program, or left secondary school for any other reason, including expulsion, shall not be considered transferred out, and shall remain in the adjusted cohort.

''(G) SPECIAL RULE.—For those secondary schools that start after grade 9, the entering cohort shall be calculated 1 month after the start of the secondary school's academic year in the earliest secondary school grade at the secondary school.

''(2) ALTERNATIVE EDUCATIONAL SETTING.—The term 'alternative educational setting' means—

''(A) a secondary school or secondary school educational program that—

''(i) is designed for students who are under-credited or have dropped out of secondary school; and

''(ii) awards a regular secondary school diploma; or

''(B) a secondary school or secondary school educational program designed to issue a regular secondary school diploma concurrently with a postsecondary degree or not more than 2 years of postsecondary education credit.

''(3) CUMULATIVE GRADUATION RATE.—The term 'cumulative graduation rate' means, for each school year, the percent obtained by calculating the product of—

''(A) the result of—

''(i) the sum of—

''(I) the number of students who—

''(aa) form the adjusted cohort; and

''(bb) graduate in 4 years or less with a regular secondary school diploma (which shall not include a GED or other certificate of completion or alternative to a diploma except as provided in paragraph (6)(B)); plus

''(II) the number of additional students from previous cohorts who graduate in more than 4 years with a regular secondary school diploma (which shall not include a GED or other certificate of completion or alternative to a diploma except as provided in paragraph (6)(B)); divided by

''(ii) the sum of—

''(I) the number of students who form the adjusted cohort for that year's graduating class; plus

''(II) the number of additional student graduates described in clause (i)(II); multiplied by

''(B) 100.

''(4) 4-YEAR ADJUSTED COHORT GRADUATION RATE.—The term '4-year adjusted cohort graduation rate' means the percent obtained by calculating the product of—

''(A) the result of—

''(i) the number of students who—

''(I) formed the adjusted cohort 4 years earlier; and

''(II) graduate in 4 years or less with a regular secondary school diploma (which shall not include a GED or other certificate of completion or alternative to a diploma except as provided in paragraph (6)(B)); divided by

''(ii) the number of students who formed the adjusted cohort for that year's graduating class 4 years earlier; multiplied by

''(B) 100.

''(5) ON-TRACK STUDENT.—The term 'on-track student' means a student who—

''(A) has accumulated the number of credits necessary to be promoted to the next grade, in accordance with State and local educational agency policies;

''(B) has a 90 percent or higher school attendance rate;

''(C) has failed not more than 1 semester in English or language arts, mathematics, science, or social studies; and

''(D) has failed not more than any 2 credit-bearing courses.

''(6) REGULAR SECONDARY SCHOOL DIPLOMA.—

''(A) IN GENERAL.—The term 'regular secondary school diploma' means the standard secondary school diploma awarded to the preponderance of students in the State that is fully aligned with State standards, or a higher diploma. Such term shall not include GEDs, certificates of attendance, or any lesser diploma award.

''(B) SPECIAL RULE.—For a student who has a significant cognitive disability and is assessed using an alternate assessment aligned to an alternate achievement standard, receipt of a regular secondary school diploma or a State-defined alternate diploma aligned with completion of the student's right to a free and appropriate public education under the Individuals with Disabilities Education Act shall be counted as graduating with a regular secondary school diploma for the purposes of this section, except that not more than 1 percent of students served by the State or local educational agency, as appropriate, shall be counted as graduates with a regular secondary school diploma under this subparagraph.

''(7) UNDER-CREDITED STUDENT.—The term 'under-credited student' means a secondary school student who is a year or more behind in the expected accumulation of credits or courses toward an on-time graduation as determined by the relevant local educational agency's and State educational agency's secondary school graduation requirements for an on-time graduation.

''(b) CALCULATING AND REPORTING ACCURATE GRADUATION RATES.—

''(1) CALCULATING GRADUATION RATES.—Not later than school year 2011–2012, and every school year thereafter, each State educational agency and local educational agency that is assisted under this part shall calculate, using a statewide longitudinal data system with individual student identifiers for each school served by the State or local educational agency, as the case may be—

''(A) the 4-year adjusted cohort graduation rate; and

''(B) the cumulative graduation rate.

''(2) CALCULATION AT SCHOOL, LEA, AND STATE LEVELS; DISAGGREGATION AND CROSS TABULATION.—The 4-year adjusted cohort graduation rate and the cumulative graduation rate shall be calculated at the school, local educational agency, and State levels in the aggregate and disaggregated and cross tabulated by race, ethnicity, gender, disability status, migrant status, English proficiency, and status as economically disadvantaged, and made public, except that such disaggregation or cross tabulation shall not be required in a case in which the number of students in a subgroup is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student.

''(3) STATEWIDE EXIT CODES.—Not later than 1 year after the enactment of the Every Student Counts Act, each State that receives funds under this subpart shall—

''(A) design a statewide exit code system, in consultation with local educational agencies;

''(B) require all local educational agencies to use the statewide exit code system; and

''(C) provide technical assistance and support to local educational agencies to assist such agencies with the implementation of the statewide exit code system.

''(4) REPORTING GRADUATION RATES.—Subject to paragraph (5), not later than school year 2011–2012, and every school year thereafter, each State that is assisted under this part shall ensure that the State, all local educational agencies in the State, and all secondary schools in the State report annually, as part of the State and local educational agency report cards required under section 1111(h), each of the following:

''(A) 4-YEAR ADJUSTED COHORT GRADUATION RATE.—The 4-year adjusted cohort graduation rate, in the aggregate and disaggregated by each of the subgroups described in paragraph (2).

''(B) 4-YEAR ADJUSTED COHORT SIZE AND 4-YEAR GRADUATES.—The final number of students in the 4-year adjusted cohort and the total number of 4-year graduates in the aggregate and disaggregated by each of the subgroups described in paragraph (2).

''(C) CUMULATIVE GRADUATION RATE.—The cumulative graduation rate, in the aggregate and disaggregated by each of the subgroups described in paragraph (2).

''(D) NUMBER AND PERCENTAGE OF STUDENTS GRADUATING IN MORE THAN 4 YEARS.—The number and percentage of secondary school students graduating in more than 4 years with a regular secondary school diploma as described in subsection (a)(3)(A)(i)(II), disaggregated by the number of years it took the students to graduate and by each of the subgroups described in paragraph (2).

''(E) NUMBER AND PERCENTAGE OF STUDENTS REMOVED FROM COHORT.—The number and percentage of secondary school students who have been removed from the 4-year adjusted cohort by exit code (as described in subsection (b)(3)), in the aggregate and disaggregated by each of the subgroups described in paragraph (2).

''(F) NUMBER AND PERCENTAGE OF CONTINUING STUDENTS.—The number and percentage of students from each previous adjusted cohort that began 4 years or more earlier who have not graduated from and are still enrolled in secondary school.

''(5) USE OF INTERIM GRADUATION RATE.—In the case of a State that does not have an individual student identifier longitudinal data system, with respect to each graduation rate calculation or reporting requirement under this section, the State and local educational

agencies and secondary schools in the State shall temporarily carry out this section by using an interim graduation rate calculation that meets the following conditions:

''(A) NUMBER OF GRADUATES COMPARED TO NUMBER OF STUDENTS.—The calculation shall measure or estimate the number of secondary school graduates compared to the number of students in the secondary school's entering grade.

''(B) DROPOUT DATA.—The calculation shall not use dropout data.

''(C) REGULAR SECONDARY SCHOOL DIPLOMA.—The calculation shall count as graduates only those students who receive a regular secondary school diploma.

''(D) DISAGGREGATION.—The calculation shall be disaggregated by each of the subgroups described in paragraph (2).

''(E) ANNUAL BASIS AND RATE OF GROWTH.—The calculation shall be used on an annual basis to determine a rate of growth, as described in subsection (c).

''(F) TIMEFRAME LIMITATION.—The interim graduation rate calculation may only be used through the end of school year 2012–2013.

''(G) REPORTING USE OF INTERIM GRADUATION RATE.—Each State that receives assistance under this part and does not have an individual student identifier longitudinal data system shall describe in the State's plan submitted under section 1111 the interim graduation rate used in accordance with this paragraph.

''(6) REPORTING ON ALTERNATIVE SETTINGS.—Not later than school year 2011–2012, and every school year thereafter, each State educational agency and local educational agency that receives assistance under this part and contains an alternative education setting that establishes an alternative 4-year completion requirement as described in subsection (c)(4)(C)(iii), shall report annually as part of the State and local educational agency report cards required under section 1111(h), the following:

''(A) The name of each alternative education setting that establishes an alternative 4-year completion requirement as described in subsection (c)(4)(C)(iii).

''(B) A description of the program provided at each setting and the population served.

''(C) The enrollment of such settings in the aggregate and disaggregated by each of the subgroups described in paragraph (2), including as a percent of overall enrollment.

''(D) Whether the setting is a new school or setting.

''(E) The alternative 4-year completion requirement as described in subsection (c)(4)(C)(iii).

''(7) REPORTING PERCENT OF ON-TRACK STUDENTS.—Not later than school year 2011–2012, and every school year thereafter, each State educational agency, local educational agency, and school that receives assistance under this part shall report annually, as part of the State and local educational agency report cards required under section 1111(h), the percent of on-track students for each secondary school grade served by the State educational agency, local educational agency, and school, respectively, other than the graduating grade for the secondary school, in the aggregate and disaggregated by each of the subgroups described in paragraph (2).

''(8) REPORTING ADDITIONAL INDICATORS.—

''(A) IN GENERAL.—A State may report additional complementary indicators of secondary school completion, such as—

''(i) a college-ready graduation rate;

''(ii) a dropout rate;

''(iii) in-grade retention rates;

''(iv) percentages of students receiving GEDs, certificates of completion, or alternatives to a diploma;

''(v) average attendance rates in the aggregate and disaggregated by each of the subgroups described in paragraph (2); and

''(vi) in the case of a State with exit examinations, students who have completed course requirements but failed a State examination required for secondary school graduation.

''(B) DEFINITIONS FOR INDICATORS.—The Secretary shall promulgate and publish in the Federal Register regulations containing definitions for the indicators described in clauses (i), (ii), and (iii) of subparagraph (A) that are consistent with the definitions used by the National Center for Educational Statistics, in order to ensure that the indicators are comparable across schools and school districts within a State.

''(C) PROHIBITION.—For purposes of reporting or accountability under this section, the additional indicators shall not replace the 4-year adjusted cohort graduation rate or the cumulative graduation rate.

''(D) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to prohibit a State from reporting indicators of secondary school completion that are not described in subparagraph (A).

''(9) DATA ANOMALIES.—

''(A) IN GENERAL.—When an individual student record indicates a student was enrolled in more than 1 secondary school or a student record shows enrollment in a secondary school but no subsequent information, such student record shall be assigned to 1 adjusted cohort for the purposes of calculating and reporting school, local educational agency, and State 4-year adjusted cohort graduation rates and cumulative graduation rates under this subsection.

''(B) SPECIAL RULE.—A student who returns to secondary school after dropping out of secondary school, or receives a diploma from more than 1 school or educational program served by any 1 local educational agency, shall be counted—

''(i) only once for purposes of reporting and accountability under this section; and

''(ii) as part of the student's original adjusted cohort.

''(10) MONITORING OF DATA COLLECTION.—Each State that receives assistance under this part shall conduct regular audits of the data collection, use of exit codes (as described in subsection (b)(3)), reporting, and calculations that are carried out by local educational agencies in the State. The Secretary shall assist States in their efforts to develop and retain the capacity for collection, analysis, and public reporting of 4-year adjusted cohort graduation rate and cumulative graduation rate data.

''(c) SCHOOL, LOCAL EDUCATIONAL AGENCY, AND STATE ACCOUNTABILITY.—

''(1) GRADUATION RATE GOAL.—Each State that receives assistance under this part shall—

''(A) seek to have all students graduate from secondary school prepared for success in college and career; and

''(B) meet the graduation rate goal as described in this subsection.

''(2) GRADUATION RATE CALCULATION.—Each State that receives assistance under this part shall use aggregate and disaggregated 4-year adjusted cohort graduation rates or cumulative graduation rates as the additional indicator described in section 1111(b)(2)(C)(vi) for the purposes of determining each secondary school's and local educational agency's adequate yearly progress.

''(3) MEETING GRADUATION RATE GOAL.—In order to meet the graduation rate goal, a State, local educational agency, or school shall demonstrate that it has a 4-year adjusted cohort graduation rate or a cumulative graduation rate above 90 percent in the aggregate and for all subgroups described in subsection (b)(2).

''(4) ANNUAL MEASURABLE OBJECTIVES.—The Secretary shall require a State, local educational agency, or school that receives assistance under this part and that has not met the graduation rate goal in the aggregate or for any subgroup described in subsection (b)(2) to increase the 4-year adjusted cohort graduation rate or the cumulative graduation rate, in the aggregate or for such subgroup, respectively, in order to make adequate yearly progress under section 1111(b)(2), as follows:

''(A) BASELINE FOR 4-YEAR ADJUSTED COHORT AND CUMULATIVE GRADUATION RATES.—

''(i) IN GENERAL.—Subject to subparagraph (B), the 4-year adjusted cohort graduation rate calculated and reported in accordance with this section for the first school year that begins after the date of enactment of the Every Student Counts Act shall serve as the baseline 4-year adjusted cohort graduation rate and the cumulative graduation rate calculated and reported in accordance with this section for such first school year shall serve as the baseline cumulative graduation rate.

''(ii) ANNUAL GROWTH.—Each school year after the baseline year described in clause (i), 4-year adjusted cohort graduation rates and cumulative graduation rates calculated at the school, local educational agency, and State levels in the aggregate and disaggregated by each subgroup described in subsection (b)(2) shall be evaluated for annual growth in accordance with subparagraph (C).

''(B) BASELINE ADJUSTMENT.—In the case of a State that uses an interim graduation rate, after the State has implemented an individual student identifier longitudinal data system and can calculate the 4-year adjusted cohort graduation rate and the cumulative graduation rate, but not later than the 2013–2014 school year, the State shall use the cumulative graduation rate as the baseline graduation rate for reporting and accountability under this section.

''(C) ANNUAL GROWTH.—

''(i) IN GENERAL.—In order for a State, local educational agency, or school to make adequate yearly progress under section 1111(b)(2), the State, local educational agency, or school, respectively, shall demonstrate increases in the 4-year adjusted cohort graduation rate from the baseline 4 year adjusted cohort graduation rate or increases in the cumulative graduation rate from the baseline cumulative graduation rate, in the aggregate and for each subgroup described in subsection (b)(2), by an average of 3 percentage points per school year, until the 4-year adjusted cohort graduation rate or the cumulative graduation rate, in the aggregate and for each such subgroup, equals or exceeds 90 percent.

''(ii) AYP NOT MADE.—A secondary school shall not be considered to have made adequate yearly progress under section 1111(b)(2) if—

''(I) the school's 4-year adjusted cohort graduation rate, in the aggregate or for any subgroup described in subsection (b)(2), falls below the initial baseline 4-year adjusted cohort over a 4-year period; or

''(II) fewer than 90 percent of the students included in the cumulative graduation rate, in the aggregate or for any subgroup described in subsection (b)(2), are students who graduate from secondary school in 4 years.

''(iii) ALTERNATIVE 4-YEAR COMPLETION REQUIREMENT.—Notwithstanding clause (ii), a secondary school or secondary school educational program that is an alternative education setting may apply to the State for a waiver of the requirement in clause (ii) that at least 90 percent of the students included

in the cumulative graduation rate, in the aggregate or for any subgroup described in subsection (b)(2), are students who graduate from secondary school in 4 years if—

''(I) the secondary school or educational program submits to the State—

''(aa) a description of the secondary school or educational program; and

''(bb) an alternative 4-year completion requirement; and

''(II) the State approves the use of the alternative 4-year completion requirement for such purposes.

''(5) DELAYED APPLICABILITY TO SCHOOLS.—Paragraphs (2), (3), and (4)(C) shall not apply to a secondary school until the beginning of school year 2012–2013 or, in the case of a State using an interim rate, shall not apply to a secondary school until the first school year after such State adjusts its baseline graduation rate as described in paragraph (4)(B).

''(d) REPORTING REQUIREMENT.—Not later than 90 days after the date of enactment of the Every Student Counts Act, and annually thereafter, each State educational agency that receives assistance under this part shall submit to the Secretary, and make publicly available, a report on the implementation of this section. Such report shall include—

''(1) a description of each category, code, exit code, and the corresponding definition that the State has authorized for identifying, tracking, calculating, and publicly reporting student status;

''(2) if using an interim graduation rate pursuant to subsection (b)(5), a description of the efforts of the State to implement the 4-year adjusted cohort graduation rate and the cumulative graduation rate and the expected date of implementation, which date shall be not later than the school year 2013–2014; and

''(3) a description of waivers granted in the State under subsection (c)(4)(C)(iii), which shall include—

''(A) the total number of waivers granted in the State under subsection (c)(4)(C)(iii);

''(B) a description of each waiver granted;

''(C) the number of students who are enrolled in secondary schools or secondary school education programs receiving such waivers; and

''(D) the cumulative graduation rates of the secondary schools or secondary school education programs receiving such waivers.''

SEC. 5. AYP CONFORMING AMENDMENTS.

Section 1111(b)(2)(C) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(C)) is amended—

(1) in clause (vi), by striking ''and'' after the semicolon;

(2) in clause (vii), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(viii) complies with the requirements of section 1111A.''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 135—REMEMBERING THE 1 YEAR ANNIVERSARY OF THE APRIL 10, 2010, PLANE CRASH THAT CLAIMED THE LIVES OF THE PRESIDENT OF POLAND LECH KACZYNSKI, HIS WIFE, AND 94 OTHERS, WHILE THEY WERE EN ROUTE TO MEMORIALIZE THOSE POLISH OFFICERS, OFFICIALS, AND CIVILIANS WHO WERE MASSACRED BY THE SOVIET UNION IN 1940

Mr. LUGAR submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 135

Whereas on April 10, 2010, the President of the Republic of Poland Lech Kaczynski, his wife Maria, and a cadre of current and former Polish statesmen, military officers, family members, and others departed Warsaw by plane to travel to the Russian region of Smolensk;

Whereas the purpose of the delegation's visit was to hold a ceremony in solemn remembrance of the more than 22,000 Polish military officers, police officers, judges, other government officials, and civilians who were executed by the Soviet secret police, the ''NKVD'', between April 3 and the end of May 1940;

Whereas more than 14,500 Polish victims of such executions have been documented at 3 sites in Katyn (in present day Belarus), in Miednoye (in present day Russia), and in Kharkiv (in present day Ukraine), while the remains of an estimated 7,000 such Polish victims have yet to be precisely located;

Whereas the plane carrying the Polish delegation on April 10, 2010, crashed in Smolensk, tragically killing all 96 persons on board;

Whereas Poland has been a leading member of the transatlantic community and the North Atlantic Treaty Organization (NATO), an Alliance vital to the interests of the United States, and Poland's membership in the Alliance has strengthened NATO;

Whereas the Polish armed forces have stood shoulder-to-shoulder and sacrificed with airmen, marines, sailors, and soldiers of the United States in Iraq, Afghanistan, the Balkans, and around the world;

Whereas Poland has been a leader in the promotion of human rights, not just in Central Europe, but elsewhere around the world; and

Whereas the deep friendship between the governments and people of Poland and the United States is grounded in our mutual respect, shared values, and common priorities on nuclear nonproliferation, counterterrorism, human rights, regional cooperation in Eastern Europe, democratization, and international development: Now, therefore, be it

Resolved, That the Senate—

(1) remembers the terrible tragedy that took place on April 10, 2010, when an aircraft carrying a delegation of current and former Polish officials, family members, and others crashed en route from Warsaw to Smolensk to memorialize the 1940 Katyn massacres, killing all 96 passengers;

(2) honors the memories of all Poles executed by the NKVD at Katyn, Miednoye, Khakriv, and elsewhere and those who perished in the April 10, 2010, plane crash;

(3) expresses continuing sympathy for the surviving family members of those who perished in the tragic plane crash of April 10, 2010;

(4) recognizes and respects the resilience of Poland's constitution, as demonstrated by the smooth and stable transfer of constitutional authority that occurred in the immediate aftermath of the April 10, 2010, tragedy; and

(5) requests that the Secretary of the Senate transmit an enrolled copy of this resolution to the Ambassador of Poland to the United States.

SENATE RESOLUTION 136—TO AUTHORIZE DOCUMENT PRODUCTION IN UNITED STATES V. DOUGLAS D. HAMPTON (D.D.C.)

Mr. REID of Nevada (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 136

Whereas, in the case of *United States* v. *Douglas D. Hampton*, Crim. No. 11–085 (D.D.C.), pending in the United States District Court for the District of Columbia, documents that have been produced to the United States Department of Justice by offices of the Senate in earlier related proceedings may be needed for use in this proceeding;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved that records that have been produced by offices of the Senate in connection with investigation by the Department of Justice are authorized to be used in the case of *United States* v. *Douglas D. Hampton* and any related proceedings.

SENATE RESOLUTION 137—SUPPORTING THE GOALS AND IDEALS OF TAKE OUR DAUGHTERS AND SONS TO WORK DAY

Mr. BURR (for himself, Ms. LANDRIEU, Mrs. HUTCHISON, and Mrs. HAGAN) submitted the following resolution; which was considered and agreed to:

S. RES. 137

Whereas the Take Our Daughters To Work Day program was created in New York City as a response to research that showed that, by the 8th grade, many girls were dropping out of school, had low self-esteem, and lacked confidence;

Whereas, in 2003, the name of the program was changed to ''Take Our Daughters and Sons To Work Day'' so that boys who face many of the same challenges as girls could also be involved in the program;

Whereas the mission of the program, to develop ''innovative strategies that empower girls and boys to overcome societal barriers to reach their full potential'', now fully reflects the addition of boys;

Whereas the Take Our Daughters and Sons To Work Foundation, a nonprofit organization, has grown to become 1 of the largest public awareness campaigns, with more than 33,000,000 participants annually in more than 3,000,000 organizations and workplaces in every State;

Whereas, in 2007, the Take Our Daughters To Work program transitioned to Elizabeth City, North Carolina, became known as the Take Our Daughters and Sons To Work Foundation, and received national recognition for the dedication of the Foundation to future generations;

Whereas every year, mayors, governors, and other private and public officials sign proclamations and lend their support to Take Our Daughters and Sons To Work;

Whereas the fame of the Take Our Daughters and Sons To Work program has spread overseas, with requests and inquiries being made from around the world on how to operate the program;

Whereas Take Our Daughters and Sons to Work Day will be observed on Thursday, April 28, 2011; and

Whereas Take Our Daughters and Sons To Work is intended to continue helping millions of girls and boys on an annual basis

through experienced activities and events to examine their opportunities and strive to reach their fullest potential: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the goals of introducing our daughters and sons to the workplace; and

(2) commends all the participants in Take Our Daughters and Sons To Work for their ongoing contributions to education, and for the vital role the participants play in promoting and ensuring a brighter, stronger future for the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 287. Mr. BROWN of Massachusetts (for himself, Ms. AYOTTE, Mrs. HAGAN, and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill S. 341, to require the rescission or termination of Federal contracts and subcontracts with enemies of the United States; which was ordered to lie on the table.

SA 288. Mr. BROWN of Massachusetts (for himself, Ms. AYOTTE, Mrs. HAGAN, and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill S. 341, supra; which was ordered to lie on the table.

SA 289. Mr. CARPER (for himself, Mr. VITTER, and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 287. Mr. BROWN of Massachusetts (for himself, Ms. AYOTTE, Mrs. HAGAN, and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill S. 341, to require the rescission or termination of Federal contracts and subcontracts with enemies of the United States; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''No Contracting with the Enemy Act of 2011''.

SEC. 2. DEFINITIONS.

In this Act:

(1) ELEMENT OF THE INTELLIGENCE COMMUNITY.—The term ''element of the intelligence community'' means an element of the intelligence community specified or designated in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

(2) ENEMY OF THE UNITED STATES.—The term ''enemy of the United States'' means any person or organization determined by the Secretary of Defense or the Secretary of State to be hostile to United States forces or interests or providing support to any person or organization hostile to United States forces or interests during the time of a declared war, peacekeeping operation, or other military or contingency operation.

(3) EXECUTIVE AGENCY.—The term ''executive agency'' has the meaning given the term in section 133 of title 41, United States Code.

(4) FEDERAL ACQUISITION REGULATION.—The term ''Federal Acquisition Regulation'' means the regulation maintained under section 1303(a)(1) of title 41, United States Code.

(5) FEDERAL CONTRACT.—The term ''Federal contract'' means any contract, including any order under a multiple award or indefinite delivery or indefinite quality contract, entered into by an executive agency for the procurement of property or services (including construction).

(6) COOPERATIVE AGREEMENT.—The term ''cooperative agreement'' has the meaning given the term pursuant to section 6305 of title 31, United States Code.

(7) GRANT.—The term ''grant'' has the meaning given the term pursuant to section 6304 of title 31, United States Code.

SEC. 3. PROHIBITION ON CONTRACTS, COOPERATIVE AGREEMENTS, OR GRANTS WITH ENEMIES.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Federal Acquisition Regulatory Council shall amend the Federal Acquisition Regulation and the Secretary of Defense, the Secretary of State, and the Administrator of the United States Agency for International Development shall prescribe regulations or other guidance, as appropriate—

(1) to provide the authority to restrict the award of Federal contracts, cooperative agreements, or grants to enemies of the United States;

(2) to void any Federal contract, cooperative agreement, or grant with an enemy of the United States immediately at no cost to the United States Government, including any settlement costs or equitable adjustments to the prime or subcontractor, or any other compensation under other contract provision or provision of law;

(3) to provide that the head of an executive agency may provide for an adjudication process to balance restricting the award of, or voiding of, a contract, cooperative agreement, or grant, against operational mission needs of the agency;

(4) to require the contracting official or cooperative agreements or grants official, as the case may be to ensure no further payments, including previously approved payments and compensation, are made to the contractor or grantee; and

(5) to provide that the head of an executive agency shall have access to prime contractor and subcontractor records to facilitate Federal oversight of the obligation or expenditure of funds under contracts, cooperative agreements, and grants.

(b) PROHIBITION ON SUBCONTRACTS.—The regulations prescribed under subsection (a) shall prohibit the awarding of subcontracts under a Federal contract, cooperative agreement, or grant to enemies of the United States, and shall include the following requirements:

(1) Federal contracts, cooperative agreements, and grants shall include a contract clause prohibiting the use of a subcontractor at any tier under the contract, cooperative agreement, or grant that is an enemy of the United States.

(2) If the head of an executive agency determines that a prime contractor has subcontracted at any tier under a Federal contract, cooperative agreement, or grant with a contractor that is an enemy of the United States, the contracting official or cooperative agreements or grants official, as the case may be, shall—

(A) direct the prime contractor to terminate the subcontract immediately with no further payment or compensation to the subcontractor;

(B) notify the prime contractor that failure to terminate the subcontract shall be grounds for default on the prime contract, cooperative agreement, or grant; and

(C) take all necessary actions to ensure that no further payments, including previously approved payments and compensation are made to the subcontractor.

(c) INTELLIGENCE COMMUNITY AND NATIONAL SECURITY EXCEPTION.—The prohibitions under subsections (a) and (b) shall not apply to contracts, cooperative agreements, or grants entered into by elements of the intelligence community in support of intelligence activities or any other contract, cooperative agreement, or grant where national security may be compromised.

(d) MONITORING OF RESCINDED OR VOIDED CONTRACTS, COOPERATIVE AGREEMENTS, OR GRANTS.—Not later than 90 days after the date of the enactment of this Act, the Administrator for Federal Procurement Policy shall direct the Administrator of General Services to add a field to the Federal Awardee Performance and Integrity Information System (''FAPIIS'') to record contracts, grants, and cooperative agreements voided based on a determination that the contract, or any subcontract under the contract, was with an enemy of the United States as defined under section 2(2).

(e) DISSEMINATION.—The Administrator for Federal Procurement Policy, in coordination with the Secretary of Defense and the Secretary of State, shall ensure that the regulations implementing this Act are disseminated to all personnel affected and that all contractors are made aware of this policy prior to contract, cooperative agreement, or grant awards.

SEC. 4. DETERMINATION OF ENEMY STATUS.

(a) REGULATIONS.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State and the Administrator of the United States Agency for International Development, shall prescribe regulations establishing a process for the heads of executive agencies to make a determination that a party to a contract, cooperative agreement, or grant is an enemy of the United States as defined under section 2(2).

(2) ELEMENTS.—The regulations prescribed under paragraph (1) shall establish—

(A) a process for verifying the information on which a determination under such paragraph is sufficiently reliable;

(B) a process for protecting confidential sources;

(C) a process requiring the heads of executive agencies to document the basis for determinations under paragraph (1) and the information relied upon in making such determinations;

(D) a process for retaining such information for possible review under section 5; and

(E) a process that provides a balance between restricting the award of, or voiding of, a contract, cooperative agreement, or grant, against operational mission needs of the agency.

SEC. 5. DUE PROCESS PROCEDURE.

(a) CONTRACTS.—Any contractor whose contract is voided under the procedures prescribed pursuant to sections 3 and 4 may utilize the procedures established under chapter 71 of title 41, United States Code, except that the only basis for a claim under these procedures is that the contractor is not an enemy of the United States as defined under section 2(2).

(b) GRANTS AND COOPERATIVE AGREEMENTS.—The Department of State, the Department of Defense, and the Agency for International Development shall establish internal administrative procedures for reviewing, in the case of a cooperative agreement or grant voided under the procedures prescribed pursuant to sections 3 and 4, the determination that a party to such cooperative agreement or grant is an enemy of the United Stated as defined under section 2(2).

(c) PROTECTION OF NATIONAL SECURITY.—The regulations established under chapter 71 of title 41, United States Code, as amended pursuant to subsection (a), and the regulations prescribed under subsection (b) shall provide for the protection of national security as appropriate when a claim is submitted pursuant to this section.

SEC. 6. APPLICABILITY.

This Act and the amendments made pursuant to this Act shall apply with respect to contracts entered into on or after the date of the enactment of this Act.

SA 288. Mr. BROWN of Massachusetts (for himself, Ms. AYOTTE, Mrs. HAGAN, and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill S. 341, to require the rescission or termination of Federal contracts and subcontracts with enemies of the United States; which was ordered to lie on the table; as follows:

Amend the title so as to read: ''A bill to restrict and void Federal contracts and subcontracts, cooperative agreements, and grants with enemies of the United States.''.

SA 289. Mr. CARPER (for himself, Mr. VITTER, and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. _____. SALE OF EXCESS FEDERAL PROPERTY.

(a) IN GENERAL.—Chapter 5 of subtitle I of title 40, United States Code, is amended by adding at the end the following:

''SUBCHAPTER VII—EXPEDITED DISPOSAL OF REAL PROPERTY

''§ 621. Definitions

''In this subchapter:

''(1) COUNCIL.—The term 'Council' means the Federal Real Property Council established by section 622(a).

''(2) DIRECTOR.—The term 'Director' means the Director of the Office of Management and Budget.

''(3) LANDHOLDING AGENCY.—The term 'landholding agency' means a landholding agency (as defined in section 501(i) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11411(i))).

''(4) REAL PROPERTY.—

''(A) IN GENERAL.—The term 'real property' means—

''(i) a parcel of real property under the administrative jurisdiction of the Federal Government that is—

''(I) excess;

''(II) surplus;

''(III) underperforming; or

''(IV) otherwise not meeting the needs of the Federal Government, as determined by the Director; and

''(ii) a building or other structure located on real property described in clause (i).

''(B) EXCLUSION.—The term 'real property' does not include—

''(i) any parcel of real property, and any building or other structure located on real property, that is to be closed or realigned under the Defense Authorization Amendments and Base Closure and Realignment Act (10 U.S.C. 2687 note; Public Law 100–526);

''(ii) any property that is excluded for reasons of national security by the Director;

''(iii) any public lands (as defined in section 203 of the Public Lands Corps Act of 1993 (16 U.S.C. 1722)) administered by—

''(I) the Secretary of the Interior, acting through the Director of the Bureau of Land Management, the Director of the National Park Service, or the Commissioner of Reclamation; or

''(II) the Secretary of Agriculture, acting through the Chief of the Forest Service; or

''(iv) any Indian lands (as defined in section 203 of the Public Lands Corps Act of 1993 (16 U.S.C. 1722)).

''§ 622. Establishment of a Federal Real Property Council

''(a) ESTABLISHMENT.—There is established within the Office of Management and Budget a council to be known as the 'Federal Real Property Council'.

''(b) PURPOSE.—The purpose of the Council shall be to develop guidance for the asset management program of each executive agency.

''(c) COMPOSITION.—

''(1) IN GENERAL.—The Council shall be composed exclusively of—

''(A) the senior real property officers of each executive agency;

''(B) the Deputy Director for Management of the Office of Management and Budget;

''(C) the Controller of the Office of Management and Budget;

''(D) the Administrator of General Services; and

''(E) any other full-time or permanent part-time Federal officials or employees, as the Chairperson determines to be necessary.

''(2) CHAIRPERSON.—The Deputy Director for Management of the Office of Management and Budget shall serve as Chairperson of the Council.

''(3) ADMINISTRATIVE SUPPORT.—The Office of Management and Budget shall provide funding and administrative support for the Council, as appropriate.

''(d) DUTIES.—The Council shall—

''(1) in consultation with the heads of executive agencies, establish performance measures to determine the effectiveness of Federal real property management that are designed—

''(A) to enable Congress and heads of executive agencies to track progress in the achievement of property management objectives on a governmentwide basis; and

''(B) allow for comparison of the performance of executive agencies against industry and other public sector agencies in terms of performance;

''(2) in developing and implementing the performance measures described in paragraph (1), use existing data sources and automated data collection tools;

''(3) not later than 180 days after the date of enactment of this subchapter, submit to the Committees on Environment and Public Works and Homeland Security and Governmental Affairs of the Senate and the Committees on Transportation and Infrastructure and Oversight and Government Reform of the House of Representatives a report that contains—

''(A) an evaluation of the leasing process in effect as of the date of submission of the report to identify and document inefficiencies in that process;

''(B) a suggested strategy to reduce the reliance of executive agencies on leased space for long-term needs if ownership would be less costly; and

''(C) an assessment of domestically held, federally leased space, including—

''(i) a description of the overall quantity and type of space leased by executive agencies; and

''(ii) an identification of current contracts for leased office space in which the leased space is not fully used or occupied (including a plan for subletting of unoccupied space); and

''(4)(A) review contracts for leased office space that are in effect as of the date of submission of the report; and

''(B) work with executive agencies to renegotiate leases having at lest 2 years remaining in the term of the leases to recognize potential cost savings as quickly as practicable.

''§ 623. Duties of landholding agencies

''(a) IN GENERAL.—Each landholding agency shall—

''(1) maintain adequate inventory controls and accountability systems for property under the control of the agency;

''(2) continuously survey property under the control of the agency to identify excess property;

''(3) promptly report excess property to the Administrator;

''(4) establish goals that lead the agency to reduce excess real property in the inventory of the agency;

''(5) reassign property to another activity within the agency if the property is no longer required for purposes of the appropriation used to make the purchase;

''(6) transfer excess property under the control of the agency to other Federal agencies and to organizations specified in section 321(c)(2); and

''(7) obtain excess properties from other Federal agencies to meet mission needs before acquiring non-Federal property.

''(b) REPORT.—Not later than 90 days after the date of enactment of this subchapter, and annually thereafter, each landholding agency, in consultation with the Council, shall submit to Congress a report that describes, for the year covered by the report—

''(1) all surplus real property under the jurisdiction of the landholding agency;

''(2) an asset disposal plan, or an update of such a plan, that includes annual goals for the disposal of surplus real property; and

''(3) the number of real property disposals completed, including the disposal method used for each individual real property.

''§ 624. Database

''The Administrator shall—

''(1) establish and maintain a single, comprehensive, and descriptive database of all real property under the custody and control of all executive branch agencies, except when otherwise required for reasons of national security; and

''(2) shall collect from each executive agency such descriptive information (except for classified information) as the Administrator determines will best describe the nature, use, and extent of real property holdings for the Federal Government.

''§ 625. Disposal program

''(a) IN GENERAL.—

''(1) REQUIRED DISPOSAL.—

''(A) IN GENERAL.—The Director shall, by sale, demolition, or any other means of disposal, dispose of any real properties identified as of the date of enactment of this subchapter that, as determined by the Director, are surplus, are not being used, and will not be used to meet the needs of the Federal Government for the period of fiscal years 2012 through 2016.

''(B) CONVEYANCE.—Before taking any action to dispose of real property under subparagraph (A), the Director may consider whether the real property can be conveyed to State and local governments, nonprofit organizations, or the homeless for various public purposes or uses as allowed by applicable law.

''(2) WEBSITE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Director shall ensure that all real properties selected for disposal under this section are listed on a website that shall—

''(i) be updated routinely; and

''(ii) include the functionality to allow any member of the public, at the option of the member, to receive updates of the list through electronic mail.

''(B) NATIONAL SECURITY EXEMPTION.—The Director may, for purposes of national security, exclude from listing on the website under subparagraph (A) any real property selected for disposal under this section.

''(b) USE OF PROCEEDS.—

''(1) IN GENERAL.—Proceeds received from the disposal of any real property shall be retained and distributed in accordance with paragraphs (2) and (3).

''(2) AGENCIES THAT MAY RETAIN PROCEEDS.—With respect to a landholding agency that, as of the date of enactment of this subchapter, has statutory authority to retain full monetary proceeds from the disposal of real property—

''(A) nothing in this subsection affects the authority of such a landholding agency to retain those full monetary proceeds; but

''(B) the proceeds so retained—

''(i) shall be used—

''(I) by not later than 1 year after the date of disposal of the real property; and

''(II) only for activities relating to Federal real property asset management and disposal; and

''(ii) if not used by the date described in clause (i)(I), shall be returned to the general fund of the Treasury for debt reduction purposes.

''(3) AGENCIES THAT DO NOT RETAIN PROCEEDS.—With respect to a landholding agency that, as of the date of enactment of this subchapter, does not have statutory authority to retain full monetary proceeds from the disposal of real property—

''(A) the landholding agency—

''(i) may retain not more than 25 percent of the proceeds from the disposal of real property under this subchapter;

''(ii) shall use those proceeds—

''(I) by not later than 1 year after the date of disposal of the real property; and

''(II) only for activities relating to Federal real property asset management and disposal; and

''(iii) shall return amounts remaining unexpended after the date described in clause (ii)(I) to the general fund of the Treasury for debt reduction purposes; and

''(B) the remainder of those proceeds shall be deposited in the Treasury for debt reduction purposes.

''(c) ENFORCEMENT.—

''(1) IN GENERAL.—Except as provided in paragraph (2), if the surplus real properties described in subsection (a) are not disposed of as required under this section by September 30, 2015, no landholding agency may acquire any real property not under the administrative jurisdiction of the Federal Government, by sale or lease, until the Director submits a certification to Congress of the disposal of all of those surplus real properties.

''(2) WAIVER.—Paragraph (1) shall not apply to a landholding agency until such date as—

''(A) the landholding agency submits to the Director and the Committees on Environment and Public Works and Homeland Security and Governmental Affairs of the Senate and the Committees on Transportation and Infrastructure and Oversight and Government Reform of the House of Representatives a written justification describing the reasons why the surplus real properties described in subsection (a) under the jurisdiction of the landholding agency were not disposed of; and

''(B) Congress enacts a law approving the waiver.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 5 of subtitle I of title 40, United States Code, is amended by inserting after the item relating to section 611 the following:

''SUBCHAPTER VII—EXPEDITED DISPOSAL OF REAL PROPERTY

''Sec.
''621. Definitions.
''622. Establishment of a Federal Real Property Council.
''623. Duties of executive agencies.
''624. Database.
''625. Disposal program.''.

(c) REPORT OF THE COMPTROLLER GENERAL.—Not later than 5 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the use by executive agencies of the authorities provided by this Act and amendments made by this Act.

NOTICES OF INTENT TO SUSPEND THE RULES

Mr. DEMINT. Mr. President, in accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend Rule XIV, paragraphs 3 and 4 for the purpose of moving to proceed to H.R. 1363, Department of Defense and Further Additional Continuing Appropriations Act, 2011.

Mr. PAUL. Mr. President, in accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend Rule XIV, paragraphs 3 and 4 for the purpose of moving to proceed to S. 768, a bill to provide for continuing operations of Government in a fiscally responsible manner.

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 a hearing scheduled before the Senate Committee on Energy and Natural Resources has been postponed. This hearing was scheduled to be held on Thursday, April 14, 2011, at 9:30 a.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of this hearing was to review S. 343 a bill to amend Title I of PL 99–658 regarding the Compact of Free Association between the Government of the United States of America and the Government of Palau, to approve the results of the 15-year review of the Compact, including the Agreement Between the Government of the United States of America and the Government of the Republic of Palau following the Compact of Free Association Section 432 Review, to appropriate funds for the purposes of the amended PL 99–658 for fiscal years ending on or before September 30, 2024, and to carry out the agreements resulting from that review.

For further information, please contact Al Stayman at (202) 224–7865 or Abigail Campbell at (202) 224–1219.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. TESTER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on April 7, 2011, at 9:30 a.m.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. TESTER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on April 7, 2011, at 9:30 a.m., in room 366 of the Dirksen Senate Office Building.

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

COMMITTEE ON FINANCE

Mr. TESTER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on April 7, 2011, at 10 a.m., in 215 Dirksen Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. TESTER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on April 7, 2011, at 2:15 p.m., to hold a East Asian and Pacific Affairs subcommittee hearing entitled, ''Combating Human Trafficking in Asia.''

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. TESTER. Mr. President, I ask uanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on April 7, 2011, at 1:30 p.m. to conduct a hearing entitled ''Securing the Border: Progress at the Local Level.''

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

COMMITTEE ON INDIAN AFFAIRS

Mr. TESTER. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate April 7, 2011, at 2:15 p.m. in Room 628 of the Dirksen Senate Office Building.

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

COMMITTEE ON THE JUDICIARY

Mr. TESTER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on April 7, 2011, at 10 a.m., in SD–226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. TESTER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on April 7, 2011, at 2:30 p.m.

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

FAA REAUTHORIZATION AND REFORM ACT OF 2011

Mr. DURBIN. Madam President, I understand the Senate has received H.R. 658 from the House and, under the previous order, I ask that the Senate proceed to that measure.

The PRESIDING OFFICER. Pursuant to the order of February 17, 2011, all after the enacting clause is stricken, and the text of S. 223, as passed, is inserted in lieu thereof, and the bill, as amended, shall be read a third time.

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

The bill was read the third time.

The PRESIDING OFFICER. The clerk shall read the pay-go statement.

The assistant legislative clerk read as follows:

Mr. Conrad: This is the Statement of Budgetary Effects of PAYGO Legislation for H.R. 658, as amended.

Total Budgetary Effects of H.R. 658 for the 5-year Statutory PAYGO Scorecard: net reduction in the deficit of $17.796 billion.

Total Budgetary Effects of H.R. 658 for the 10-year Statutory PAYGO Scorecard: net reduction in the deficit of $19.467 billion.

Also submitted for the RECORD as part of this statement is a table prepared by the Congressional Budget Office, which provides additional information on the budgetary effects of this Act, as follows:

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CBO ESTIMATE OF THE STATUTORY PAY-AS-YOU-GO EFFECTS FOR H.R. 658, THE FAA REAUTHORIZATION AND REFORM ACT OF 2011, AS AMENDED BY S. 223, THE FAA AIR TRANSPORTATION MODERNIZATION AND SAFETY IMPROVEMENT ACT, AS PASSED BY THE SENATE ON FEBRUARY 17, 2011

[Millions of dollars, by fiscal year]

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2011–2016	2011–2021
NET INCREASE OR DECREASE (−) IN THE DEFICIT													
Statutory Pay-As-You-Go Impact	−7	−3,455	−6,071	−4,602	−2,611	−1,049	−479	−277	−266	−295	−355	−17,796	−19,467

Major provisions of H.R. 658 would:
—Reauthorize programs administered by the Federal Aviation Administration;
—Extend and modify certain aviation-related revenues;
—Rescind $44 billion in unobligated balances of discretionary budget authority (thereby reducing outlays by an estimated $22 billion over the 2011–2020 period).
Note: For this estimate, CBO assumes H.R. 658 will be enacted by June 1, 2011.
Sources: Congressional Budget Office and Joint Committee on Taxation.

The PRESIDING OFFICER. Under the previous order, the bill, as amended, is passed, the motion to reconsider is considered made and laid upon the table, the Senate insists upon its amendment, requests a conference with the House on the disagreeing votes of the two Houses, and the Chair appoints Mr. ROCKEFELLER, Mrs. BOXER, Mr. NELSON of Florida, Ms. CANTWELL, Mrs. HUTCHISON, Mr. ENSIGN, Mr. DEMINT, and from the Committee on Finance Mr. BAUCUS and Mr. HATCH conferrees on the part of the Senate.

UNITED STATES V. DOUGLAS D. HAMPTON

Mr. DURBIN. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 136 submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 136) to authorize document production in United States v. Douglas D. Hampton.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Madam President, this resolution concerns records that several offices of the Senate have provided to the Department of Justice in connection with a criminal investigation.

As those documents may be needed in a pending criminal case arising out of that investigation, United States v. Douglas D. Hampton, this resolution would authorize the use of these documents in connection with this case or any related proceedings.

Mr. DURBIN. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table with no intervening action or debate, and any statements related to the resolution be printed in the RECORD.

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

The resolution (S. Res. 136) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 136

Whereas, in the case of *United States v. Douglas D. Hampton*, Crim. No. 11–085 (D.D.C.), pending in the United States District Court for the District of Columbia, documents that have been produced to the United States Department of Justice by offices of the Senate in earlier related proceedings may be needed for use in this proceeding;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by Permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved that records that have been produced by offices of the Senate in connection with investigation by the Department of Justice are authorized to be used in the case of *United States v. Douglas D. Hampton* and any related proceedings.

TAKE OUR DAUGHTERS AND SONS TO WORK DAY

Mr. DURBIN. Madam President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 137, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 137) supporting the goals and ideals of Take Our Daughters and Sons To Work Day.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. Madam President, I ask unanimous consent that the resolution be 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. 137) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 137

Whereas the Take Our Daughters To Work Day program was created in New York City as a response to research that showed that, by the 8th grade, many girls were dropping out of school, had low self-esteem, and lacked confidence;

Whereas, in 2003, the name of the program was changed to ''Take Our Daughters and Sons To Work Day'' so that boys who face many of the same challenges as girls could also be involved in the program;

Whereas the mission of the program, to develop ''innovative strategies that empower girls and boys to overcome societal barriers to reach their full potential'', now fully reflects the addition of boys;

Whereas the Take Our Daughters and Sons To Work Foundation, a nonprofit organization, has grown to become 1 of the largest public awareness campaigns, with more than 33,000,000 participants annually in more than 3,000,000 organizations and workplaces in every State;

Whereas, in 2007, the Take Our Daughters To Work program transitioned to Elizabeth City, North Carolina, became known as the Take Our Daughters and Sons To Work Foundation, and received national recognition for the dedication of the Foundation to future generations;

Whereas every year, mayors, governors, and other private and public officials sign proclamations and lend their support to Take Our Daughters and Sons To Work;

Whereas the fame of the Take Our Daughters and Sons To Work program has spread overseas, with requests and inquiries being made from around the world on how to operate the program;

Whereas Take Our Daughters and Sons to Work Day will be observed on Thursday, April 28, 2011; and

Whereas Take Our Daughters and Sons To Work is intended to continue helping millions of girls and boys on an annual basis through experienced activities and events to examine their opportunities and strive to reach their fullest potential: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the goals of introducing our daughters and sons to the workplace; and

(2) commends all the participants in Take Our Daughters and Sons To Work for their ongoing contributions to education, and for the vital role the participants play in promoting and ensuring a brighter, stronger future for the United States.

MEASURE PLACED ON THE CALENDAR—H.R. 1363

Mr. DURBIN. I ask unanimous consent the following bill be placed on the calendar: H.R. 1363.

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

MEASURE READ THE FIRST TIME—S. 768

Mr. DURBIN. I understand there is a bill at the desk. I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 768) to provide for continuing operations of Government in a fiscally responsible manner.

Mr. DURBIN. I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, 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.

ORDERS FOR FRIDAY, APRIL 8, 2011

Mr. DURBIN. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 11 a.m. on Friday, April 8; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that the Senate proceed to a period of morning business until 4 p.m. for debate only, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, and any time spent in quorum calls be equally divided.

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

PROGRAM

Mr. DURBIN. Madam President, we are hopeful we can reach an agreement on the budget tomorrow. Senators will be notified when votes are scheduled.

ADJOURNMENT UNTIL TOMORROW

Mr. DURBIN. If there is no further business to come before the Senate, I ask unanimous consent it adjourn under the previous order.

There being no objection, the Senate, at 9:45 p.m. adjourned until Friday, April 8, 2011, at 11 a.m.

EXTENSIONS OF REMARKS

IN HONOR OF LIONVILLE FIRE COMPANY

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 7, 2011

Mr. GERLACH. Mr. Speaker, I rise today to congratulate Lionville Fire Company on its 100th anniversary of selfless dedication and commitment to the community.

This is a great milestone and a momentous accomplishment and I take great pleasure in being able to honor the men and women of the Lionville Fire Company for their dedication and outstanding service.

For 100 years, the officers, firefighters, and fire police of Lionville Fire Company have proudly and capably served and protected the thousands of citizens of Chester County, including the Townships of Upper Uwchlan, Uwchlan, and West Pikeland. They have always answered the call to help their neighbors in distress, whether it is putting out a fire, aiding those whose homes have flooded, or rescuing animals. During these years of service, the Company has also lost the lives of fallen firefighters as they have answered the call. Special tribute needs to be paid to these brave servants: Charles Martin, Jonathan Windle and David Good.

Mr. Speaker, I ask that my colleagues join me today in recognizing Lionville Fire Company on its 100th anniversary and to honor this exemplary organization for its commitment, dedication, and outstanding history of service to the community.

RECOGNIZING THE ANNIVERSARY OF THE ASSASSINATION OF DR. MARTIN LUTHER KING, JR.

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 7, 2011

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today on the 40th anniversary of the assassination of Dr. Martin Luther King, Jr. to honor his legacy and recognize the innumerous Americans who continue along the path he paved towards justice and liberty for all citizens.

It is rare that one person can change the fate of our Nation; however Dr. King was able to do just that. Dr. King relied on his relationship with God and his faith in justice to articulate his vision for America in a way that touched the hearts and minds of the American public.

Dr. King called on all of us to no longer stand alone in silence, but to stand up together as a voice against injustice. He inspired us to fight for change through nonviolent means, and paved the road for us to continue that fight even after his death.

Few people would sacrifice time and energy for loved ones, fewer for strangers, yet Dr. King humbled himself to do just that. He ultimately sacrificed his life and his family sacrificed their patriarch for the struggle towards political justice for all Americans. Today we pay homage for their selflessness and publicly thank them for their commitments to humanity.

Dr. King left us with the challenge to courageously fight and secure the civil rights for all, from the impoverished and disenfranchised underclass to the politically and economically endowed. Although his challenge was issued 40 years ago, we still have not fully realized his noble request.

Today, that legacy is as much about the past as it is about the future. Dr. King's dream is truly timeless, and I hope that our next generation will find inspiration in his faith and vision.

RECOGNIZING THE ORGANIZERS OF ''LZ: RGV''—A FITTING WELCOME HOME TO VETERANS OF VIETNAM WAR

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 7, 2011

Mr. CUELLAR. Mr. Speaker, I rise today to recognize the important work of Manuel Cantu, Jr., Judge Ramon Garcia and the American Legion Post 408 of Edinburg, Texas. These gentlemen, along with the Legion Post, are planning a remarkable and poignant event for this Saturday in McAllen, Texas, that pays a debt 38 years overdue.

Four years ago, Judge Ramon asked Mr. Cantu, then Legion Post commander, if the Vietnam Veterans in South Texas had ever gotten a proper homecoming celebration after their service in the war. No such recognition had ever been given and the good people of South Texas have worked to correct that omission.

Their efforts culminate in the three day ''LZ: RGV''—Landing Zone: Rio Grande Valley—a sincere welcome home to the veterans of the Vietnam conflict.

The honor, duty and sacrifice of these veterans could not be clearer. Of the two and a half million men and women who served in Vietnam, six hundred and sixty spent time as prisoners of war, three hundred thousand were wounded—seventy-five thousand suffering permanent disability, over two thousand remain missing, and fifty-eight thousand died in service to their country.

However, when these servicemembers returned home, they were overshadowed by the crossfire of public debate over our nation's involvement in the Vietnam War. As a result, these brave men and women never received the welcome home, salute and gratitude they justly deserved.

Today, thanks to the efforts of Post 408, as well as other veteran organizations and fellow Texans, there will be a spectacular and fitting recognition of the Vietnam veterans. Centered around the McAllen, Texas Convention Center and stretching from Thursday, April 7 to Saturday, April 9, LZ: RGV will feature the traveling Wall That Heals (a half scale replica of the Vietnam Memorial), dedication of a new memorial to Texans who died in the Vietnam War, a day of education and exhibits, dramatic presentations, and a motorcycle procession headed by the Warriors Watch Riders.

I am heartened by the support of the whole community in making this event special and meaningful for Vietnam Veterans. Five countries, several cities, and the Texas House and Senate in concurrent resolution, have proclaimed Saturday, April 9 as Welcome Home South Texas Vietnam Veterans Day. The list of sponsors is long and filled with public agencies, businesses, nonprofit groups, and private individuals. Several individuals have given their time and talent to produce a first-class experience.

Mr. Speaker, I am honored to have had the time to recognize LZ: RGV, which so fittingly and joyously acknowledges, appreciates, and celebrates the sacrifice of Vietnam veterans and provides the welcome home they deserved.

A CELEBRATION OF 90 YEARS OF THE LIFE, LEGACY, LEADERSHIP AND LOVE OF DR. THELMA DAVIDSON ADAIR—VILLAGE MOTHER OF HARLEM ''EDUCATOR, PIONEER, ACTIVIST, MOTHER, GRAND & GREAT GRANDMOTHER''

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 7, 2011

Mr. RANGEL. Mr. Speaker, I rise today in celebration of the Life, Legacy, Leadership and Love of our Village Mother of Harlem and my longtime friend and confidant, Dr. Thelma Davidson Adair.

On Sunday, April 3, 2011, the Mount Morris Ascension Church and the Greater Harlem community join together to celebrate the wonderful legacy and work of our ''Educator, Pioneer, Activist, Mother, Grand & Great Grandmother,'' Dr. Thelma Davidson Adair.

Dr. Adair, a Harlem icon and matriarch, is a graduate of Barber-Scotia Jr. College, Concord, North Carolina and Bennett College, Greensboro, North Carolina. She earned a Master's Degree and Doctorate of Education from Teacher's College, Columbia University. This outstanding remarkable woman has been an outstanding educator, world-renowned church leader, advocate of human rights, peace and justice issues, writer and public speaker.

Beginning her life in the ''Jim Crow South,'' in North Carolina, she refused to let social limitations stand in the way of sharing her gift for teaching with the world. Thelma Davidson met and married the Reverend Dr. Arthur Eugene

Adair, founder and Senior Pastor of the landmarked Mount Morris Ascension Presbyterian Church. Eugene and Thelma through God's unyielding hand contributed their talent, energy, generosity and educated minds in service to the children and families of Harlem, New York City and beyond. They are responsible for organizing many of Harlem's first Head Start programs, including the Mount Morris New Life Children's Day Care Center.

In 1976, Dr. Thelma C. Davidson Adair became the first African-American woman to be elected Moderator of the Presbyterian Church 188th Assembly. Her efforts and involvement with the Presbyterian Church have been nationally recognized by foreign and national heads of states and United States presidents.

An expert in early childhood education, Adair is Professor Emeritus of the City University of New York's Queens College, where she taught for 31 years. She also taught religious education at Union Theological Seminary, was a lecturer at the University of Ghana and Columbia University, and trained members of the U.S. Peace Corps for service in Africa, South America and the Caribbean.

Through all her tremendous efforts and achievements, Dr. Adair has been duly honored, receiving countless awards and numerous Honorary Doctorate Degrees. Her impressive resume of accomplishments does not speak to the deep connections the community feels for her as a mother to all. Dr. Adair shares her wisdom and love with so many people in unofficial contexts, providing mentorship and friendship to Harlem's youth. Her role as a community leader does not end when she leaves the church and her life of service to the world in the face of very real social challenges sets an example for us all.

The Arthur Eugene and Thelma Adair Community Life Center, Inc. Head Start serves over 250 children and their families annually in five Head Start Centers in Harlem. Dr. Adair's publications on early childhood education have become an authoritative guide for early childhood educators throughout the United States. Today, Dr. Adair is an ordained elder in the Mount Morris Ascension Presbyterian Church of New York City, the church founded by her late husband the Reverend Arthur Eugene Adair.

Her numerous awards and degrees include: The Thelma C. Adair Award on Presbyterian Senior Services; Barber-Scotia Alumni Award for Meritorious Service in the Field of Education; Columbia University, Teacher's College Distinguished Alumni Award; United Negro College Fund Distinguished Award for Outstanding Service and Commitment of Higher Education; and Woman of the Year Award.

Her current affiliations include: Chair, Presbyterian Senior Services; Advisor, Church Women United, National Board; Board of Visitor, Davidson College; Advisory Council, National Council of Churches; Member, Harlem Hospital Community Advisory Board.

During her prestigious career of service, Dr. Adair has worked closely with leaders, including the late Reverend Dr. Martin Luther King, Jr. and Presidents John F. Kennedy, Lyndon B. Johnson and Jimmy Carter, to bring about social justice and economic empowerment. She even was a part of President William Jefferson Clinton's delegation that attended the historic inauguration of South African President Nelson Mandela.

Mr. Speaker, please join me in tribute of the living life, legacy, leadership and love of our beloved Village Mother of Harlem, Dr. Thelma C. Davidson Adair's 90 years of service to a very grateful nation.

IN HONOR OF BERKS COUNTY CHAPTER OF THE PENNSYLVANIA SPORTS HALL OF FAME

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 7, 2011

Mr. GERLACH. Mr. Speaker, I rise today to congratulate the seven new members of the Berks County Chapter of the Pennsylvania Sports Hall of Fame and to honor them on their outstanding athletic careers.

Charlie Engle has been an outstanding softball pitcher for 60 years and he famously pitched a no-hitter in 2010 at the age of 79. For his career, he has pitched 13 perfect games and 18 no-hitters. In addition to pitching in more than 2,000 games and receiving 31 MVP awards, Charlie led the Honey Brook Comets to county, district, state, regional and national American Softball Association titles in 1968 and 1969.

Doreen Kase Larson, one of the top swimmers in Berks County history, won seven District 3 gold medals, setting records in the 100-yard and 200-yard freestyles. She also won five PIAA golds, three in the 100-yard and two in the 200-yard freestyles, setting marks in both events. She was inducted into the Berks County Aquatic Hall of Fame in 2000.

Mike Reedy was a basketball and baseball standout, helping to lead the 1977 Wilson Bulldogs to the Berks County basketball title. He is fourth on the school's career scoring list. Mike also batted .531 in baseball and went on to standout careers in both sports at Albright College. He has been inducted into the Wilson and Albright Sports Halls of Fame.

Mike Reitz was an All-State football player for the Wilson Bulldogs, leading them to its first undefeated season in 1967 when he rushed for 1,274 yards to set the school career record of 2,257 yards. He was also the Berks heavyweight champion in wrestling. Mike went on to play college football at Penn State and Maryland. He has been inducted into the Wilson Sports and Berks Football Halls of Fame.

Joe Stallone, an outstanding gymnast, won 48 gold, silver and bronze medals in PIAA competition and was the national high school champion in rings and vaulting. After graduating from Holy Name in 1976, Joe went on to an All-American career at Penn State. He has coached at many levels, including the USA Olympic Festival team three times, and he directed the U.S. Junior National team to four world titles.

Ken Thomason, Reading High Class of 1958, was a football and wrestling standout. He was an All-Central Penn League and Big 33 selection in football and went on to play for the semi-pro Reading Keystones. Ken was also a District 3 champion in wrestling and has been inducted into the Berks Wrestling Coaches and Berks Football Halls of Fame.

Ross Tucker, Wyomissing Class of 1997, was an All-Berks selection in football and basketball for the Spartans. He went on to start in football for four years at Princeton where he earned All-Ivy League and Academic All American honors. Ross then played for seven seasons as an offensive lineman in the NFL with the Redskins, Bills, Cowboys and Patriots.

Mr. Speaker, in light of the outstanding athletic careers of these seven individuals, I ask that my colleagues join me today in recognizing their outstanding achievements on the occasion of their induction to the Berks County Chapter of the Pennsylvania Sports Hall of Fame.

CELEBRATING THE 89TH BIRTHDAY OF GEORGE N. ZENOVICH

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 7, 2011

Mr. COSTA. Mr. Speaker, I rise today to congratulate the Honorable George N. Zenovich on the occasion of the celebration of his 89th year.

George N. Zenovich was born of Serbian ancestry on April 29, 1922 in Fresno, California. Raised in his beloved San Joaquin Valley, in 1955 he wed Vera Sarenca in Belgrade, Yugoslavia. To their great joy, they became the parents of two children, Ninon and Marina. George proudly served a tour of duty for our Nation as a member of the U. S. Army Air Force during World War II. Mr. Zenovich embodies what has become known as the "Greatest Generation" and indeed all that is honorable about our esteemed veterans. As journalist Tom Brokaw wrote in his 1998 book, "The Greatest Generation," he defended our country neither for fame nor recognition, but because it was the right thing to do. That sense of honor would stay with George Zenovich throughout his entire career.

A calling for public service would continue to run deep within George Zenovich. When his military service to our country concluded, Mr. Zenovich continued his education in the area of law, becoming a noted attorney; a calling which would later serve as the foundation for democratic representation of the people of the State of California.

In 1963, George Zenovich was elected to serve in the California State Assembly. As a testament to his leadership, he earned the distinction of serving in the post of Assembly Majority Leader, a position second only to the Assembly Speaker. This service marked the first time that two San Joaquin Valley legislators from the same political party had held high positions simultaneously in the state legislature. In 1968, his passion for representing those under the democratic umbrella led him to be selected as a delegate for the 1968 Democratic National Convention. Shortly thereafter, George Zenovich was elected to the position of State Senator for California, providing representation for all those in his cherished Central Valley.

During his tenure in the State Senate, George was instrumental in passing several landmark pieces of legislation. It was during his time in the California Senate that the notable California Arts Council was created by the Dixon-Zenovich-Maddy California Arts Act of 1975. This legislation was enacted to encourage artistic awareness, participation, and expression; to assist independent local groups develop art programs; to promote the employment of artists in both the public and private

sector; to provide for the exhibition of artwork in public buildings; and, to enlist the assistance of all state agencies in the task of ensuring the fullest expression of artistic potential.

George was also a tireless champion for California's agricultural workers, co-sponsoring the Alatorre-Zenovich-Dunlap-Berman California Agricultural Labor Relations Act which became the first law in the nation recognizing the right of farm workers to bargain collectively. He was also responsible for the Zenovich-Moscone-Chacon Housing and Home Finance Act which authorized bonds for low and moderate income housing and established the California Housing Finance Agency.

However, George Zenovich's greatest passion was championing the cause of physically, mentally, and neurologically handicapped children. He sponsored funding of programs for autistic children, established the Diagnostic School for Neurologically Handicapped children in Fresno in 1973, and chaired the Select Committee on Children and Youth. As a legislator his passion for California was truly remarkable.

In order to further fulfill his quest for justice, in 1979 Mr. Zenovich accepted the coveted position as an associate justice for the 5th District Court of Appeals where he balanced the scales of justice for those in Fresno, Tulare, Kings, Madera, Mariposa, Merced, Kern, Tuolumne and Stanislaus counties. It was during this time that the appellate court expanded from three justices to eight, and this court has now grown to include ten associate justices.

As a testament to George N. Zenovich, in 2008 Fresno's new 5th District Court of Appeals building was named the George Zenovich Court of Appeals. Always a humble man dedicated to his ancestry, George Zenovich shared this honor with Armenians who settled in the Central Valley area more than a century ago.

The leadership and commitment Mr. Zenovich has demonstrated has never wavered nor has his honor in service. I respectfully ask my colleagues to join me in bestowing best wishes to The Honorable George Zenovich as we acknowledge all that he has done during his lifetime for those throughout the great State of California.

THE QUALITY HEALTH CARE COALITION ACT OF 2011

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 7, 2011

Mr. CONYERS. Mr. Speaker, today I am pleased to introduce H.R. 1409, the "Quality Health Care Coalition Act of 2011." This bill will strengthen patient safety and quality of care by clarifying the application of the antitrust laws to negotiations between groups of health care professionals and health plans and health care insurance issuers.

Currently, the insurance industry, including health care insurance companies, is immune from federal antitrust laws under the McCarran-Ferguson Act. In contrast, health care providers can presently be prohibited from collectively negotiating against insurance companies. Accordingly, the playing field is terribly unbalanced.

At a hearing the House Committee on the Judiciary held last Congress on the disparate treatment of physicians and health insurers by the antitrust enforcement agencies, I heard troubling testimony revealing that health care providers find themselves in an untenable situation. On the one hand, they are directed to find new efficiencies and coordinate care with other providers. On the other hand, they risk running afoul of the antitrust laws if they coordinate too closely.

To level the playing field, I am pleased to join Rep. RON PAUL (R–TX) in introducing bipartisan legislation to allow health care providers the ability to collectively negotiate against insurance companies. The Quality Health Care Coalition Act of 2011 will give health care providers the ability to collectively negotiate contractual terms with insurers, including provisions that affect the quality of patient care.

By balancing the playing field between health care professionals and insurance companies, this legislation will help improve quality of patient care.

PRIOR CONGRESSIONAL ACTIVITY

In 2000, the House passed H.R. 1304, the Quality Healthcare Coalition Act of 1999) that Rep. Tom Campbell (R–CA) and I co-sponsored. H.R. 1304, which is similar to the bill that I am introducing today, would have created a limited antitrust exemption for physician collective bargaining, putting health care professionals on the same footing as other collective bargaining units immunized under the National Labor Relations Act. The bill passed the House by a vote of 276–136, but was blocked in the Senate. Similar legislation was introduced in the 107th (H.R. 3897) and 108th (H.R. 1120) Congresses, but were never voted on by the House.

IN TRIBUTE TO DR. ARNOLD MITCHEM

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 7, 2011

Ms. MOORE. Mr. Speaker, I rise today to recognize Dr. Arnold Mitchem, who is being honored by my alma mater, Marquette University, on April 29, 2011, as Alumnus of the Year. Over a 40-year career span, Dr. Mitchem, the first and only President for the Council for Opportunity in Education has been a voice for low-income, first-generation college students and individuals with disabilities.

In fact, his career began on the History faculty at Marquette University in Milwaukee. In 1969, he was named director of the Educational Opportunity Program at Marquette, serving in that role until 1986, when he relocated to Washington, DC to represent low-income and disabled students nationally. Thanks to his work, the federally funded TRIO Programs (the largest discretionary program in the U.S. Department of Education) have expanded by nearly 400 percent and now serves more than 872,000 students at 1,200 colleges and universities.

Dr. Mitchem graduated from the University of Southern Colorado in 1965. Before receiving his Ph.D. in Foundations of Education at Marquette University in 1981, he studied European History as a Woodrow Wilson Fellow at the University of Wisconsin. He is married to his soul mate, Freda Mitchem, and has four children and seven grandchildren.

Dr. Mitchem is a member of the Executive Committee of the European Access Network as well as a former trustee of the College Board, and past-president of the Committee for Education Funding, a Washington-based coalition of national education associations. He currently serves on the Board of Trustees of Marquette University. Dr. Mitchem has been awarded honorary doctorates from eight universities, including: St. Louis University; CUNY-Lehman College in New York; DePaul University; and the University of Liverpool, England.

Mr. Speaker, I am proud to recognize my friend, Dr. Mitchem. He recruited, nurtured and continues to mentor me and countless other former Marquette University students who had the privilege of coming under his influence. Dr. Mitchem's true legacy is the millions of students who have achieved an education due in no small part to his advocacy on their behalf. The citizens of the fourth congressional district, the State of Wisconsin and the nation have benefited tremendously from his dedicated service. I am honored for these reasons to pay tribute to Dr. Mitchem.

IN HONOR OF THE BAPTIST CHURCH IN THE GREAT VALLEY, CHESTER COUNTY, PENNSYLVANIA

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 7, 2011

Mr. GERLACH. Mr. Speaker, I rise today to congratulate The Baptist Church in the Great Valley, Chester County, Pennsylvania on its 300th anniversary.

The history of The Baptist Church in the Great Valley is a long and storied one, extending back in time to before the American Revolution. This third oldest Baptist church in Pennsylvania was founded in 1711 by Welsh Baptists who came to the country to find freedom of worship. When the Continental Congress called for a day of prayer and fasting on July 20, 1775, David Jones, then pastor of Great Valley, was invited to preach to a gathering of troops. On that occasion, more than 3,000 men gathered at the church along with members of the congregation to hear Pastor Jones' sermon entitled, "Defensive War in a Just Cause Sinless."

In 1820, The Baptist Church in the Great Valley adopted a resolution "that in the future the women shall be entitled to vote on all questions that arise in the church," thus becoming one of the very first churches in the area to break from the then-current custom of not permitting women to be involved in church matters. In the 1830's, then pastor Leonard Fletcher and several other members of the church were instrumental in supporting the Wilberforce Anti-Slavery Society in the area.

The Baptist Church in the Great Valley has long been open to the participation of African-Americans within its membership. The first African-American joined the church in 1762, which by that time included persons of Welsh, English, German, and other European backgrounds. Over the years, the membership has

grown to include persons of Hispanic and Asian ancestry.

Mr. Speaker, I ask that my colleagues join me today in congratulating The Baptist Church in the Great Valley and its storied history on the occasion of its 300th anniversary and to extend best wishes for the Church's continuing work to meet the pastoral and spiritual needs of its congregation and the community.

RECOGNIZING THE LIFE OF CLAUDE B. DUNLAP, JR.

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 7, 2011

Mr. MILLER of Florida. Mr. Speaker, on behalf of the United States Congress, I rise today to honor the life of Northwest Florida's beloved Claude B. Dunlap, Jr.

A native of Florida's First Congressional District, Mr. Dunlap spent his childhood and adolescence in Baghdad, Florida. Mr. Dunlap then enlisted in the United States Army and served with honor and distinction during the Vietnam War. He earned the Good Conduct Medal, the National Defense Service Medal, the Vietnam Service Medal, the Vietnam Campaign Medal, and the Expert Rifle Medal.

Following his military service, Mr. Dunlap joined the Baghdad Volunteer Fire Department in 1973. For nearly 40 years, Mr. Dunlap served the citizens of Baghdad and Santa Rosa County, Florida. Mr. Dunlap's dedication to the fire department was evident from the beginning, and his leadership capabilities were clearly demonstrated as he rose to Captain and then to Assistant Chief. In 1995, Mr. Dunlap was named Chief of the Baghdad Volunteer Fire Department, a position that he held until his recent passing.

During his tenure as the Fire Chief, the Baghdad Volunteer Fire Department grew tremendously. Mr. Dunlap ensured that firefighters had the necessary safety equipment to operate on a daily basis and respond to calls. Mr. Dunlap also oversaw the purchase of a new Engine, Rescue truck, Brush truck, boat, and 2 staff vehicles, as well as the beginning of construction on a new fire station.

In addition to his duties as Fire Chief, Mr. Dunlap worked for more than 30 years at the Florida Department of Transportation, where he served as a Maintenance Supervisor. In this capacity, Mr. Dunlap traveled extensively throughout the state of Florida to assist in the cleanup efforts after numerous hurricanes.

To some, Claude Dunlap will be remembered as a Fire Chief and a dedicated servant to the Santa Rosa County community. To others he will be remembered as a hero and a patriot, who answered the call of duty with honor and distinction. He will long be remembered by his family and friends as a loving husband, father and grandfather, and his impact on the Northwest Florida community will not be forgotten.

Mr. Speaker, on behalf of the United States Congress I am proud to honor the life of Claude Dunlap and his lasting legacy.

HONORING SUSAN SORDONI

HON. TOM MARINO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 7, 2011

Mr. MARINO. Mr. Speaker, I rise today in honor of one of my constituents, Susan Sordoni, as the recipient of the Distinguished Service Award from the Eastern Pennsylvania/Delaware Region Anti-Defamation League.

Susan Sordoni graduated from College Misericordia in 1968 with a Bachelor's degree in biology. She went on to conduct her post-Graduate work in biology at Wilkes University in 1968 and 1969. In 1980 and 1981, Susan pursued Liberal Studies at the New School for Social Research in 1980 and 1981.

With the support of her family, Susan returned to school to pursue her childhood dream of becoming a physician. She attended Wilkes University in 1991 and 1992 to pursue Post Baccalaureate studies. At age 45, Susan took the Medical College Admission Test. She was accepted at the Medical College of Pennsylvania. She graduated in 1997, and in November of 2000, she completed a family practice residency through Hahnemann Medical School.

Upon opening her practice, Susan saw a great need for medical services for those with little or no insurance. In response to this need, Susan founded the Volunteers in Medicine Medical Clinic in Wilkes-Barre. She has served as the Chairperson of the organization, as well as a Physician volunteer, since the organization's founding. The clinic has served over 4,000 patients in the Wyoming Valley and continues to expand its services to include a dental clinic.

Susan currently serves at the Medical Director for Home Hospice in Kingston. Susan, along with her husband Andy, founded Circle of Friends at Misericordia University, to help mentally challenged women as they transition into the work place.

Susan continues to devote her time to many community organizations including the Osterhout Free Library, Pennsylvania Ballet, Commonwealth Medical College of Pennsylvania, University of Scranton, Commonwealth Commission of the Bicentennial of the United States and the Scranton Diocese Special Education Program.

Mr. Speaker, I rise today to honor Dr. Susan Sordoni. Dr. Sordoni continues to serve the people of the Wyoming Valley. She is a remarkable woman with strong commitments to her family, her career, and her community.

HONORING THE BRITISH FLIGHT TRAINING SCHOOL IN TERRELL, TEXAS

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 7, 2011

Mr. HENSARLING. Mr. Speaker, I would like to recognize the 70th Anniversary of the Lend-Lease Act and the subsequent establishment in Terrell, Texas of the first British Flying Training School in the United States.

On March 11, 1941, the Lend-Lease Act was signed into law by President Franklin D. Roosevelt. The President described the Lend-Lease Act as ''helping to put out the fire in your neighbor's house before your own house caught fire and burned down.''

During World War II, thousands of British pilots learned to fly at six civilian training schools in the United States. The first and largest of the schools was in Terrell, Texas, located in Kaufman County. After the United States entered the War, American Aviation Cadets also trained at the school. More than 2,000 Royal Air Force and American Army Air Force pilots earned their wings in the skies over North Texas between 1941 and 1945 to help our nation achieve victory.

As the Congressman for the Fifth District of Texas, I am pleased today to recognize founding of the first British Flying Training School in the nation. Today, its legacy is commemorated by the No. 1 British Flying Training School Museum in Terrell, Texas. It is my honor to recognize the dedicated museum board of directors and patrons whose efforts afford future generations the opportunity to understand and appreciate America's history.

RECOGNIZING FRED FRERES FOR HIS RETIREMENT FROM CHRISTIAN BROTHERS HIGH SCHOOL

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 7, 2011

Mr. COHEN. Mr. Speaker, today I rise to honor Mr. Fred Freres after learning of his upcoming retirement after thirty nine years of teaching at Christian Brothers High School in Memphis, Tennessee.

A native of Chicago, Fred moved to Memphis to attend what was then called Christian Brothers College where he became the first person in his family to attend college and received his degree in History in 1970. A decade later he would receive his Masters in Political Science from Memphis State University.

That same year he married his college sweetheart, Cathy, and went to work selling insurance to support his new family. His dream to teach and inspire young people proved unflappable and his opportunity came in August, 1972 at Christian Brothers High School teaching in the history department—a department he would later chair.

Due to his passion for teaching and his tireless efforts at coordinating numerous extracurricular activities, Fred became an integral part of the CBHS family. Participants in organizations such as the Key Club, the Organization for Young Political Scientists, the LaSallian Development Committee, and the National Honor Society Committee found a tireless mentor and advocate. Fred even worked as the baseball and basketball announcer for five years and coached the Cross Country team for three years.

As I read an article in the CBHS newsletter about Fred, I was moved by a quote where he used the word ''vocation'' to describe his profession—and that part of that vocation was inspiring the young men he taught, ''to become good citizens, not just interested in what's happening in their community, nation and world, but have a positive impact on their world.''

Mr. Speaker, now more than ever the nation is in need of teachers who inspire young people to become active participants in our democracy and dedicate significant portions of their lives to public service. Fred Freres has done just that over his thirty nine years in the classroom. Proof of this can be found right here on Capitol Hill, where numerous ''Brother's Boys'' have worked over the years after having been encouraged by Fred Freres.

I wish Fred and Cathy nothing but the best for their future and hope that they get to spend more time with one another and their three daughters, Catie, Julie and Annie as well as their two grandchildren—Hailey and Clara. And if he gets really lucky Mr. Speaker, he might even live long enough to see his beloved Chicago Cubs win the World Series.

Thank you Fred Freres for the dedication to your vocation, service to your community and inspiration you have provided to your students over the course of your career.

THE IMPORTANCE OF PATIENT SAFETY

HON. JAIME HERRERA BEUTLER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 7, 2011

Ms. HERRERA BEUTLER. Mr. Speaker, I rise today to promote increased awareness about patient safety and a higher quality of health care in our country. According to the 1999 Institute of Medicine report, more than 98,000 patients die annually from medical errors that occur in the hospital. The HealthGrades analysis of patient safety published in 2009 stated that almost 100,000 preventable deaths occurred annually in Medicare patients from 2005 to 2007. Based on these findings, patient safety has not improved in almost a decade.

All of us have either been patients or know someone who has been a patient, and we expect our loved ones to receive excellent patient care. Recently, I had the opportunity to meet with a nurse from Vancouver, Washington, who shared the touching story regarding the death of her father. Kristi Victoria Goodwin told me about her father Kenneth Edgar Anderson, who died from multiple preventable medical errors.

Mr. Anderson, a 55 year old, went to his doctor after experiencing chest pains while riding his bicycle. The doctor ordered cardiac testing, but, unfortunately, Mr. Anderson was never notified that his cardiac tests were abnormal. Based on his cardiac tests, Mr. Anderson should have received a cardiology consult, further cardiac testing, and based on his autopsy results, he would have been a candidate for open heart surgery. Instead, almost three months after his cardiac workup was completed, Mr. Anderson died from sudden cardiac death while riding his bicycle.

I ask my colleagues to join me in thanking Kristi for coming to D.C. to share this personal story to illustrate the importance of the issue of patient safety. I also ask that you join me in promoting patient safety and improving the quality of health care in this country.

TRIBUTE TO BRIGADIER GENERAL PHILIP M. RUHLMAN

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 7, 2011

Ms. BORDALLO. Mr. Speaker, I rise to recognize and pay tribute to Brigadier General Philip M. Ruhlman for 31 years of service and dedication to the United States Air Force. He currently serves as the Director of Manpower, Organization and Resources in Washington, D.C., and will retire from active duty on May 1, 2011. He will be missed by many.

Brigadier General Ruhlman graduated from the U.S. Air Force Academy in 1980, and earned his wings the following year. He received his first assignment as a jump-qualified battalion air liaison officer and forward air controller, flying the O–2A Skymaster. He transitioned to the F–16 Fighting Falcon, and has since flown every version assigned to the Air Force. In 1987, he earned a master's degree in Aeronautical Science from Embry-Riddle Aeronautical University. He has also served as a National Defense Fellow and Air Force Fellow for the National Defense University, and as a Senior Executive Fellow for the John F. Kennedy School of Government at Harvard University.

A command pilot with more than 3,200 flight hours, Brigadier General Ruhlman has led a fighter squadron, fighter operations group, and two wings—including the largest operational F–16 fighter wing in the Air Force. He flew 43 F–16 combat missions over Iraq and Kuwait during Operation Desert Storm, and served as a wing weapons officer, instructor pilot, and Chief of Standardization and Evaluation. His staff assignments include joint element, major command, direct reporting unit, Air Staff and NATO levels serving at home and abroad.

Throughout his career, Brigadier General Ruhlman's exemplary service earned him numerous awards and military decorations. During his command of the 36th Wing on Andersen Air Force Base, Guam, he was instrumental in resolving road access issues for landlocked properties contiguous to the base. His efforts to find solutions to these issues demonstrated his commitment to building and maintaining a positive relationship between the civilian and military communities. In addition, I wish to recognize Brigadier General Ruhlman's efforts in implementing the Joint Region Marianas—a collaboration between the Air Force and the U.S. Navy that provides installation support for all components of the Department of the Defense on Guam and in the Northern Mariana Islands. Brigadier General Ruhlman was always a staunch advocate for Guam and understood the need for greater collaboration with the local government to make the military build-up a success. His efforts were successful, in great part, because of the leadership and guidance that he received from leaders in the Air Force like retired General Howie Chandler.

Mr. Speaker, Brigadier General Ruhlman distinguished himself as an exceptional leader during his career with the U.S. Air Force. His commitment and dedication will be remembered for many years to come. I trust my fellow members of the House will join me in wishing the very best to General Ruhlman, his wife Lina, and son, Alex on their future endeavors.

IN MEMORY OF ELIZABETH ''MOTHER LIZ'' ANN SAMUELS

HON. KEITH ELLISON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 7, 2011

Mr. ELLISON. Mr. Speaker, I rise today to mourn the passing of Civil rights activist, leader, and community advocate Elizabeth Ann Samuels. Elizabeth Samuels was known by those in the community of North Minneapolis as ''Mother Liz'' for her nurturing and strong demeanor and as a champion of human and civil rights.

A longtime resident of North Minneapolis, Mother Liz graduated from North High School and attended Augsburg College. Mother Liz served her neighborhood and the African American community in a number of key civic posts. For example, she spent many years as Director of the American Red Cross in North Minneapolis and also worked for the Coalition of Black Churches, the African American Leadership Summit, and the Willard Homewood Organization.

Mother Liz was deeply dedicated to her friends, family, and community and touched the lives of many people through her work, volunteering, and care-giving. I ask that we remember the spirit and passion for equality and peace that Mother Liz helped shape in the Minneapolis community.

IN RECOGNITION OF KATHLEEN COLLINS, PRESIDENT OF THE KANSAS CITY ART INSTITUTE

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 7, 2011

Mr. CLEAVER. Mr. Speaker, I proudly rise today in recognizing the outstanding achievements and cultural legacy nurtured at the Kansas City Art Institute by retiring President, Kathleen Collins. She took over the duties as President in 1996 and through the years has built strong community partnerships that resulted in creative and innovative projects. Her efforts enhanced and modernized the quality and function of the Kansas City Art Institute into providing an education in creativity, professionalism and business practices.

The Kansas City Art Institute dates back to 1885 to a group of artists who referred to themselves as the Sketch Club. Walt Disney, Thomas Hart Benton, Robert Rauschenberg and Robert Morris have all been associated with the Institute. Two of Kansas City's most well known businessmen, J.C. Nichols and William T. Kemper, Jr., served on the Board of Trustees. Today, the Kansas City Art Institute is an integral part of the cultural growth of Kansas City and continues to sustain the support of the community.

Under Kathleen Collins' leadership, enrollment escalated and the Institute expanded, with over $25 million in renovations and improvements on campus. The H&R Block Artspace, the Jannes Library and Learning Center, the Lawrence and Kristina Dodge Painting Building, the Café Nerman, and the

J.C. Nichols Patio Garden are all new additions cultivated through Kathleen Collins' vision. Additionally, she has secured the Institute's financial future with a $40 million endowment.

As President, Kathleen Collins reorganized the Institute into four schools: Foundation, Fine Arts, Design, and Liberal Arts. The curriculum emphasizes liberal arts while expanding the curriculum to the School of Design and Electronic Arts. The Institute maintains its foundation of art while educating artists in the fundamentals of business through its required Professional Practice program.

Kathleen launched a Community Arts and Service Learning certificate program that provides an opportunity for students to work in partnerships for the betterment of the community. The Brush Creek Community Rain Garden project is one example of this successful program. Students partnered with city and state officials and private sector companies to design an environmental solution based on regional ecological principals. By using native plants in a garden setting, they addressed the ecological impact from stormwater runoff. The partnerships created a beautiful solution that serves as an artistically green example for the community.

The presence of the Art Institute can be seen throughout our community. The latest addition of community partnership will be unveiled when the Kauffman Center for Performing Arts opens. Patrons will have the wonderful experience of viewing extraordinary murals created by KCAI students in partnership with architect Moshe Safdie.

Mr. Speaker, it is an honor and privilege for me to recognize Kathleen Collins. She began her career as President of the Kansas City Art Institute 15 years ago and during her tenure worked tirelessly to solve financial and creative challenges. As she retires, she can look with pride on her accomplishments that propelled the Kansas City Art Institute into the recognizable and renowned institution that it is today. We wish her well as she returns to photography and travel and enjoys the good life with her husband, Jeff Love. On behalf of the people of Missouri's Fifth Congressional District, I wish this academic leader a well-deserved retirement.

RECOGNIZING THE 145TH ANNIVERSARY OF THE AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS (ASPCA)

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 7, 2011

Mr. NADLER. Mr. Speaker, I rise today to pay tribute to an organization in my Congressional District that has served this nation for more than a century, protecting pets from abuse and helping to make America a more humane country. Founded on the belief that animals are entitled to kind and respectful treatment and must be protected under the law, the American Society for the Prevention of Cruelty to Animals (ASPCA) is celebrating its landmark 145th anniversary on April 10, 2011.

Inspired to take action after witnessing the beating of a work horse on a New York City street, Henry Bergh founded the ASPCA in 1866. He believed that protecting animals was an issue that crossed party lines and class boundaries. He used his gifts of oration to make a commanding moral and legal case to protect animals, persuading some of Manhattan's most prominent leaders at the time, including members of the Rockefeller family and the Mayor of New York City to support him in this important fight.

From the beginning, the ASPCA fought hard to provide care and protection for the city's working horses and transform dog pounds into professionally run adoptions facilities. And they opened an animal hospital which serves New York City to this very day.

The modern ASPCA also includes a Humane Law Enforcement department, which upholds state animal cruelty laws in the five boroughs. Last year alone, the ASPCA investigated some 4,000 reported complaints of animal cruelty, made 51 arrests, and helped more than 400 animals. With a 90 percent conviction rate for their animal cruelty investigations, the ASPCA is helping to make New York a safer place for both the city's residents and animals.

I am proud to say the ASPCA's Bergh Memorial Animal Hospital is one of the largest full-service animal hospitals in New York, with more than 24,000 patient visits in 2009, including almost 5,000 emergency exams. The hospital's Intensive Care Unit operates 365 days a year. This was particularly lucky for Gary, a one year old cat that fell from an apartment building window in April of 2010 and was brought to the ASPCA's hospital in critical condition, with a life-threatening fractured pelvis. The hospital's veterinarians worked tirelessly, against all odds, to save Gary. He is alive today thanks to their skills.

My colleagues will find it interesting that Bergh Memorial Animal Hospital was an early leader in radiation therapy for cancer in animals and, during World War I, ASPCA veterinarians helped care for the horses used by the U.S. Army.

Mr. Speaker, the ASPCA has helped to change the way Americans view animals and the tools that are needed to care for them. It led the way with a wide variety of innovations from horse ambulances to the cardboard boxes that people use to carry home the pets they adopt—boxes that were devised by an ASPCA shelter clerk.

Furthermore, Mr. Speaker, nearly 4,000 cats and dogs are saved each year when they are adopted from the ASPCA Adoption Center. The state-of-the-art adoption center was recently renovated and now houses more than 300 cats and dogs in accommodations designed to create an inviting, appealing space for both pets and people.

The ASPCA also manages the Animal Poison Control Center, which-handled more than 167,000 cases of pets exposed to toxic substances last year—treating cases that ranged from cats and dogs to horses and livestock. Its location in Urbana, Illinois provides the ASPCA with a strong presence in the Midwest to complement the New York City Headquarters.

In closing, the ASPCA's founding mission "to provide effective means for the prevention of cruelty to animals" continues to. resonate today some 145 years later, and I am proud to rise today to pay tribute to this organization in my district. I hope you will all join me in wishing them many good years to come.

A TRIBUTE TO KIT MCNALLY

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 7, 2011

Ms. MOORE. Mr. Speaker, I rise today to recognize an advocate, community leader, wife, mother, and mentor. On May 5, 2011, Kit Murphy McNally, Executive Director of the Benedict Center, will retire after 23 years of distinguished service. The Benedict Center is an interfaith non-profit criminal justice agency with a 37-year history in Milwaukee of justice advocacy.

Ms. McNally advocates for positive change in the criminal justice system by demonstrating best practices through the Center's education and treatment programs. An example of this approach is their holistic, gender-responsive, Women's Harm Reduction Program, utilized by both the Milwaukee County district attorney's office and Milwaukee County judges as a diversion to prison program.

The community partnership style promoted by Kit McNally is reflected in the Community Justice Center for Day Reporting Program. In 1998, this successful education and treatment alternative was established through the Benedict Center's advocacy as a partnership between many community treatment providers and Milwaukee County. Further, under the direction of Ms. McNally, the Benedict Center has been a state-wide leader in assisting to draft a model Community Justice Act for Wisconsin. The model would return money to local communities that succeed in reducing state incarceration costs through implementation of effective treatment and diversion programs.

Ms. McNally is deeply involved with issues of mental health and racial and economic disparities in criminal justice. She has served on local and national advisory boards, committees, task forces and commissions. She served as the citizen representative on the Executive Committee of the Milwaukee Community Justice Council. The council consists of top leaders on criminal justice issues, including the mayor, county executive, police chief, sheriff, district attorney and chief judge. Ms. McNally also served on the national boards of the National Alliance of Sentencing Advocates and Mitigation Specialists, and theInternational Community Corrections Association.

After graduating from Indiana University in Journalism and Criminology, she worked as a part-time reporter for the Milwaukee Journal and later directed corporate communications for Kohl's Food Stores and public relations for Mount Sinai Hospital and later Aurora Health Care.

Mr. Speaker, for these reasons, I am honored to pay tribute to Kit Murphy McNally, who has worked with victims, offenders, and the community toward achieving a system of justice that is fair and treats everyone with dignity and respect. Ms. McNally's contributions have richly benefitted the citizens of the Fourth Congressional District, the State of Wisconsin, and the Nation.

HEARING ON: ''ASSESSING THE IMPACT OF EPA GREENHOUSE GAS REGULATIONS ON SMALL BUSINESS''

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 7, 2011

Mr. KUCINICH. Mr. Speaker, I submit my opening statement given at the hearing.

Mr. Chairman, thank you for holding this important hearing. Today, we are here to discuss the impact of greenhouse gas regulations on small businesses. America's small businesses are the lifeblood of this country's economy. Competition, innovation and the entrepreneurial spirit have driven America's prosperity, and it is our job in Congress to ensure that we facilitate and promote an environment of economic opportunity. It is also our job to protect the well being of America's citizens, with the bottom line of providing the highest quality of life possible for each and every person.

Based on actual results, and future projections, it is clear that the Clean Air Act strikes a balance between economic growth and keeping each and every one of us healthy. By 2020, for every taxpayer dollar invested in the Clean Air Act, there will be an estimated 30 dollar return in benefits. In the year 2010 alone, the Clean Air Act prevented over 160,000 deaths, over three million lost school days and 13 million days of lost work. These numbers are illustrative of the benefits to both businesses and public health facilitated by the Clean Air Act.

The regulation of greenhouse gases under the Clean Air Act is imperative to protecting public health and welfare. The threat posed by climate change is based on peer-reviewed, accurate, and concrete science—the threat is real, and preventative steps are necessary. The EPA's regulation of greenhouse gases under the Clean Air Act is a measured, commonsense approach to mitigating climate change that protects not only public health and welfare, but business as well.

Opponents of greenhouse gas regulation claim that small entities will be overly burdened by costly and unattainable emissions standards. However, the EPA's implementation of the ''Tailoring Rule'' is a small business-conscious method of protecting public health, and this country's employers and employees. The tailoring rule, by setting a high greenhouse gas emission threshold, exempts 95 percent of all stationary sources of greenhouse gas emissions. Essentially, the tailoring rule lifts a regulatory burden off of small businesses.

In written testimony provided for today's hearing, the Small Business Majority, a representative of US small businesses, states that:

''Some will claim that a variety of small businesses—everything from bookstores to diners and plumbers—would be impacted by the greenhouse gas standards. This simply isn't the case.''

Further, as described in the Small Business Majority's testimony, a significant number of small business owners welcome measures to reduce environmental pollution; this sentiment cannot simply be ignored.

As I have said at this subcommittee's past two meetings, we cannot have a productive discussion about the impacts of regulations without considering both costs and benefits. For example, when we talk about the new tailpipe emissions standards we cannot simply discuss a potential increase in the sticker price of a vehicle.

The proposed standards for heavy and medium duty trucks—despite a marginal increase in sticker price—are projected to save over $74,000 over the life of the truck, and save over 500 million barrels of oil. Multiply that times all the trucks on the road, and the reduced fuel consumption and reduced greenhouse gas pollutant emissions can help us achieve energy independence while improving our public health.

I look forward to having a well rounded discussion about greenhouse gas emission standards, their costs and their benefits, with today's witnesses.

ENERGY TAX PREVENTION ACT OF 2011

SPEECH OF

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 6, 2011

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 910) to amend the Clean Air Act to prohibit the Administrator of the Environmental Protection Agency from promulgating any regulation concerning, taking action relating to, or taking into consideration the emission of a greenhouse gas to address climate change, and for other purposes:

Mrs. MALONEY. Mr. Chair, the bill before us today is bad for America's health and reduces progress in our nation's energy independence. I oppose this 'dirty air act' that would eliminate the ability of the EPA to address the very serious public health threats from carbon pollution.

The Clean Air Act requires that if the EPA finds carbon pollution to be detrimental to our health, then the EPA must regulate greenhouse gas emissions. Despite the U.S. Supreme Court upholding this authority, today's legislation would exempt our nation's largest polluters from regulation, eliminate public health protections, and push back efforts to reduce our dependence on foreign energy resources. By preventing the EPA from setting carbon pollution national automobile standards, this bill does nothing to reduce consumption and reliance on foreign oil.

The EPA helps protect our nation's most vulnerable—including children, seniors and those suffering from respiratory ailments—by guaranteeing the air we breathe is safe and healthy. Dirty air has been linked to an increase in asthma rates, especially among young people, an increase in emergency room visits and hospitalizations, and an increase in heart attacks and strokes. In New York, pediatric asthma affects an estimated half million children and an additional estimated 1.5 million adults 18 and over have asthma, based on 2009 rates.

All across the country, Americans overwhelmingly support EPA protections for the air we breathe and the water we drink. Supporting this bill disregards science, ignores public health concerns, and does nothing to curb carbon emissions. I urge a no vote.

ENERGY TAX PREVENTION ACT OF 2011

SPEECH OF

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 6, 2011

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 910) to amend the Clean Air Act to prohibit the Administrator of the Environmental Protection Agency from promulgating any regulation concerning, taking action relating to, or taking into consideration the emission of a greenhouse gas to address climate change, and for other purposes:

Mr. VAN HOLLEN. Mr. Chair, over forty years after the passage of the Clean Air Act, there are apparently still Members of this House who think you can't have jobs unless you have a polluted environment. Nothing could be further from the truth.

Over the past 40 years, the Clean Air Act has reduced smog-producing sulfur dioxide and particulate pollution by 60% while our economy has nearly tripled. Since the Clean Air Act Amendments of 1990, electricity production has increased and prices have remained stable. A rigorous, peer-reviewed analysis of the Benefits and Costs of the Clean Air Act from 1990–2020 conducted by the EPA found that air quality improvements under the Clean Air Act will save $2 trillion and prevent at least 230,000 deaths annually.

The record is clear: a healthy environment and a strong economy are not mutually exclusive. They go hand in hand. Which is why this attempt to gut the Clean Air Act by preventing EPA from regulating carbon pollution is so misplaced. Given our 40-year history with the Clean Air Act, the last thing Americans want is a bunch of politicians substituting their own ideological agenda for sound science and telling EPA it can't do its job.

I urge a no vote.

HABITAT FOR HUMANITY

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 7, 2011

Mr. WOLF. Mr. Speaker, today I wish to acknowledge the hard work and determination that Habitat for Humanity has provided for a deserving family in my district. Habitat for Humanity of Prince William County, Manassas, and Manassas Park purchased a three-bedroom townhouse in Manassas using funds from the Neighborhood Stabilization Program administered by the Virginia Department of Housing and Community Development. The organizations began extensive renovations on the townhouse on October 9, 2010.

The deserving recipient is a single mother who offers support and care for her disabled mother, along with working full-time and caring for her son. With the high cost of living in northern Virginia, the mother believed that she would never be able to purchase a home. She learned about the Habitat for Humanity home ownership program and applied in November 2009. After 1,100 hours of volunteer labor by nearly 100 volunteers, the house was dedicated on April 2 to the woman and her family.

The family will purchase the home from Habitat at cost and finally be able to have a place to call home.

Mr. Speaker, I am proud to recognize Habitat for Humanity for its continuing work to help make the American dream of home ownership come true and salute its volunteers and donors for their hard work. This deserving family looks forward to living in a safe and pleasant community.

IN RECOGNITION OF THE 20TH ANNIVERSARY OF THE CHABAD OF PORT WASHINGTON

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 7, 2011

Ms. MOORE. Mr. Speaker, I rise today to congratulate the Chabad of Port Washington for 20 years of exceptional spiritual leadership and community service. For countless families and individuals in the Port Washington community, the Chabad has been an anchor of welcoming faith—a constant source of spiritual support for anyone who seeks it.

An ''unorthodox Orthodox Synagogue,'' the Chabad of Port Washington's membership is a conglomeration of Jews from a wide array of ages, backgrounds, and levels of observance. This diverse membership creates a welcoming atmosphere rich in culture and accessible to every corner of the Jewish community. The Chabad's unrivaled religious and educational experiences provide a forum for individuals of disparate backgrounds to come together as a single, unified congregation.

The Chabad's mission focuses on bringing to life traditional Jewish values to promote spiritual growth in a way that is both enjoyable and easy to understand. It is dedicated to promoting wisdom, comprehension, and knowledge of Judaism to both the membership and the broader community. The Chabad provides not only classes focused on a deep and comprehensive understanding of the Torah, but educational opportunities for young Jews experiencing their first exposure to the joys of Hebrew School. This approach to education allows the Chabad to reach out to a broad swatch of Jews and create the best opportunities for spiritual growth.

Tonight, the Chabad celebrates its 20 years of good works and pays special tribute to some of the individuals who have made it possible. Adam Katz, the President of the Chabad's board of directors, will have a new athletic center dedicated in his honor. The celebration also will recognize John Maura, Jr. with the Community Service Award; Chaim (Bryan) Sherman and Dr. Orly Calderon-Sherman with the Community Builders Award; and Alan Schoenfeld with the Chesed Award. Without the contributions of these extraordinary individuals, as well as many others, the exceptional achievements of the Chabad would not be possible.

Mr. Speaker, since 1991, the Chabad of Port Washington has been working tirelessly to educate, enlighten, and support its local community. I am proud to recognize the extraordinary dedication and accomplishments of the Chabad and I ask that my colleagues join me in thanks and gratitude for its two decades of tremendous work supporting the community and promoting Jewish faith.

CONGRATULATING PRESIDENT NURSULTAN NAZARBAYEV OF KAZAKHSTAN ON HIS RECENT RE-ELECTION

HON. ENI F.H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 7, 2011

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today to congratulate His Excellency Nursultan Nazarbayev on his re-election as President of the Republic of Kazakhstan.

Kazakhstan welcomed more than 1,059 domestic and international observers to monitor the conduct of the electoral process for purposes of making sure that the election was free and fair and open and transparent. These observers included an OSCE Election Observation Mission (EOM), 400 short-term observers from the Office for Democratic Institutions and Human Rights (ODIHR) as well as independent observers from the OSCE Parliamentary Assembly, the Commonwealth of Independent States (CIS), the Parliamentary Assembly of the Council of Europe and other international and non-profit organizations. Some 90 foreign media representatives were also temporarily accredited with the Ministry of Foreign Affairs of Kazakhstan to cover the election.

Although the election was not without criticism, the OSCE stated that ''compared to the last presidential election, the media provided more equality in covering candidates in the news programmes,'' and suggestions made by ODIHR and the OSCE observer mission regarding ways to further improve the electoral process were well taken by Astana.

On April 4, 2011, the U.S. Embassy in Astana was among the first to congratulate President Nazarbayev on his April 3, 2011 re-election, acknowledging Kazakhstan's commitment to further liberalize the political environment while urging the government of Kazakhstan to address the shortcomings the OSCE report highlighted. I stand with our U.S. Embassy and commend Kazakhstan for the progress it is making on its march towards democracy, especially given that Kazakhstan only achieved its independence twenty years ago, having lived under Soviet oppression for some one hundred years.

As President Nazarbayev noted in his Op Ed of April 1, 2011 published in the Washington Post, ''It took the great democracies of the world centuries to develop'' and, as such, Kazakhstan is not going to become a fully developed democracy overnight. But Kazakhstan has proved that its commitment to democracy is irreversible. So is Kazakhstan's long-standing friendship with the U.S.

Since its independence, Kazakhstan has fully supported U.S.-led efforts against nuclear proliferation and, under the leadership of President Nazarbayev, Kazakhstan continues to provide indispensable aid to U.S. troops in Afghanistan.

I am proud of Kazakhstan's accomplishments and, once more, I congratulate President Nazarbayev on his re-election as President of Kazakhstan. I have every confidence that he will spare no effort in delivering stability, security and prosperity for and on behalf of the people of the Republic of Kazakhstan.

INTRODUCTION OF THE EVERY STUDENT COUNTS ACT

HON. ROBERT C. ''BOBBY'' SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 7, 2011

Mr. SCOTT of Virginia. Mr. Speaker, I rise today to introduce the ''Every Student Counts Act,'' legislation that will prioritize high school graduation for all of our nation's students.

In 2001, the No Child Left Behind Act (NCLB) passed with broad bipartisan support. The purpose of NCLB was to ensure that every student in America would receive a quality education. However, over the past ten years, NCLB has not lived up to its promises. Certain aspects of the law are difficult to implement and are not bringing about the results we thought it would. One of the major shortcomings of NCLB is its failure to hold schools accountable for dropouts. Although we believed we addressed this issue in the original NCLB legislation, this portion of the law has not been implemented as we had hoped. Instead, under current law, the only meaningful accountability standard for high schools is students' scores on standardized tests, with virtually no concern given to how many students graduate or drop out of school. Unfortunately, this myopic accountability standard has created an incentive for high schools to push out students who are struggling academically, so that their test scores are not counted in the assessments. Furthermore, the current accountability system also has allowed States to report graduation rates inconsistently and in misleading ways. Finally, NCLB does not require the disaggregation of graduation rates by subgroup, leading to incomplete data on how our schools are doing with one subgroup compared to others.

What is clear is the fact that the current high school accountability system is failing both our students and our nation. Each year, approximately 1.23 million secondary school students—one-third of all secondary school students—fail to graduate with their peers. In addition, nearly 2,000 secondary schools—roughly 12 percent of all secondary schools in the United States—produce about half of the nation's secondary school dropouts. In these schools, the number of seniors is routinely 60 percent or less than the number of freshmen three years earlier. Moreover, almost half of the nation's African-American students and nearly 40 percent of Latino students attend these so called ''dropout factories,'' while only 11 percent of White students do.

Unfortunately, these dismal numbers are just the beginning of the story. Research shows that the difference in lifetime earnings between a high school dropout and a high school graduate is about $260,000. A dropout's loss in potential earnings can cause serious hardships throughout his or her life. For example, statistics show that high school dropouts are more likely to be on public assistance programs such as welfare than students who complete high school. In addition, high school dropouts that do find employment are much more likely to work at unskilled jobs that offer little opportunity for upward mobility. There is also a strong correlation between high school dropouts and juvenile delinquency and teen pregnancy. Therefore, we cannot sit back and allow this problem to escalate. We must hold

schools, districts and states accountable for graduation rates and dropouts so that all students are graduating with a high school diploma and improving their life outcomes.

By holding schools, districts and states accountable for graduation rates and dropouts, we also improve America's position as a leader in the global economy. According to the 2008 Department of Labor report entitled "America's Dynamic Workforce," by 2016 almost 90 percent of the fastest growing and best paying jobs in the United States will require at least some postsecondary education. Yet, an estimated 3.5 million Americans ages 16 to 25 are not enrolled in school and do not have a high school diploma. Attaining a high school diploma is a student's first step toward becoming an educated member of the American workforce. An American workforce that lacks a considerable number of high school graduates—and a considerable number of college graduates—will eventually diminish our nation's global competitiveness. The major advantage America has in the global economy is an educated workforce. We can't allow—or afford—any of our nation's high students to dropout and not reach their full potential.

Until recently, federal policy did not place enough importance on graduating the nation's high school students. In October 2008, the U.S. Department of Education released regulations that did much to correct the lack of attention to graduation rates in the federal accountability system; the regulations require a uniform graduation rate calculation and improvement in graduation rates over time. Though these regulations are a laudable step in the right direction, they do not go far enough in setting consistent, high graduation rate goals and aggressive, attainable graduation rate growth targets. Without clear guidance and meaningful accountability, most secondary schools can continue to achieve Adequate Yearly Progress (AYP) by making negligible annual improvement in graduation rates and can do so with a consistent, or even growing, graduation gap. In fact, under current law even a so called "dropout factory" can make AYP.

The Every Student Counts Act will bring meaningful accountability to America's high schools by requiring a consistent and accurate calculation of graduation rates across all fifty states to ensure comparability and transparency. The legislation builds on the National Governors Association's Graduation Rate Compact, which was signed by all 50 of the nation's governors in 2005. Under the Every Student Counts Act, graduation rates become a significant factor in determining AYP in addition to test scores. Moreover, the Every Student Counts Act would require high schools to have aggressive, attainable and uniform annual growth requirements as part of AYP. This will ensure consistent increases to graduation rates for all students by meeting annual, research-based benchmarks with the long-term goal of reaching a 90 percent graduation rate. The bill would also require the disaggregation of graduation data by subgroup to make certain that schools are held accountable for increasing the graduation rate for all of our students and require that school improvement activities focus on closing any achievement gaps.

Recognizing that some small numbers of students take longer than four years to graduate, the bill will give credit to schools, school districts and states for graduating these students while maintaining the primacy of graduating the great preponderance of all students in four years. The Every Student Counts Act will provide incentives for schools, districts and states to create programs to serve students who have already dropped out and are overage or under credited. Some credit has to be given to those who get a GED and also those who take more than one or two years and maybe even three years longer than others to graduate. If no credit is given, the school system has no incentive to continue these important programs.

Some states have already taken the initiative to implement reforms similar to those included in the Every Student Counts Act. I am proud to say that my home state of Virginia is one of them. For example, since 2008 Virginia has been using the "Virginia On-Time Graduation Rate" calculation, a flexible graduation rate calculation that accurately measures the number of students from a freshman class who graduate four years later. In addition, Virginia will start using a "Graduation and Completion Index" in addition to standardized test scores in order to determine the accreditation ratings of high schools in the Commonwealth. High schools must earn a score of 85 on the "Graduation and Completion Index" to receive full accreditation from the state. The requirement will go into effect during the 2011–2012 school year. Reforms like these have had and will have a positive impact on Virginia's graduation rate and should be implemented nationwide.

Thus far, 24 national and state organizations support the Every Student Counts Act, including the Alliance for Excellent Education, America's Promise Alliance, American Association of University Women, American School Counselor Association, Bazelon Center for Mental Health Law, Council of Administrators of Special Education, First Focus, Knowledge Alliance, Learning Disabilities Association of America, League of United Latin American Citizens, National Association of School Psychologists, National Association of Secondary School Principals, National Association of State Directors of Career Technical Education Consortium, National Association for the Education of Homeless Children and Youth, National Collaboration for Youth, National Council of La Raza, National Council for Learning Disabilities, National Indian Education Association, National PTA, Project GRAD, Public Education Network, School Social Work Association of America, Southeast Asia Resource Action Center (SEARAC), Teachers of English to Speakers of Other Languages, United Way Worldwide, and Youth Service America. This list is expected to grow.

In order to truly ensure that all children have access to a quality education, it is imperative that we take steps to immediately end America's dropout crisis. We must ensure not only that graduation rates increase, but that earning a high school diploma is a meaningful accomplishment. We must use the indicators of student achievement and graduation to know which high schools are doing their job. Those who are must be recognized and supported. Those that are not must be identified and improvements made.

I hope that with the Every Student Counts Act we can make greater strides nationally toward graduating more of America's students and preparing them to succeed in college, the workforce, the military, and ultimately in life. I ask my colleagues to join me in passing this bill and seeing to it that it is quickly enacted into law to ensure—at a minimum—that every child becomes a high school graduate.

ENERGY TAX PREVENTION ACT OF 2011

SPEECH OF

HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 6, 2011

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 910) to amend the Clean Air Act to prohibit the Administrator of the Environmental Protection Agency from promulgating any regulation concerning, taking action relating to, or taking into consideration the emission of a greenhouse gas to address climate change, and for other purposes:

Mr. ROTHMAN of New Jersey. Mr. Chair, I rise today to voice my opposition to the Upton-Inhofe bill.

Clean air should be a priority that we all can agree on, but some in Washington, D.C. are playing dangerous games with public health. Today, the U.S. House of Representatives passed the Upton-Inhofe bill, an extreme measure that will eliminate the Environmental Protection Agency's (EPA) authority to address carbon dioxide, methane, nitrous oxide, fluorinated gases and other harmful emissions. This legislation, which I opposed, reverses EPA's scientific finding that these pollutants are harmful to public health and the environment. The bill means that even with strong state-level environmental regulations New Jersey will suffer. Since the movement of air pollution isn't restricted by state borders, wind currents from neighboring states will push harmful pollution into the air that we breathe here at home.

As a father and a strong advocate for the environment, I am proud of New Jersey's leadership in keeping our air clean. In New Jersey, we've implemented laws to reduce toxic emissions and mercury pollution from power plants, increase clean energy from solar power, and speed up production of offshore wind along the Atlantic seaboard. These regulations improve the quality of the air we breathe, but we should still be doing more and New Jersey cannot do it alone. Federal regulation of dangerous pollutants is necessary to make sure that states with tough emissions standards aren't unfairly subject to dirty air from neighboring states that have lenient emission laws. Some in Washington, D.C. may want to secure an extreme ideological "victory" by undermining the EPA, but the families, children, and elderly in New Jersey cannot afford the consequences of the Upton-Inhofe bill.

For many New Jerseyans, the impact of this bill could be deadly. For example, in the Ninth Congressional District—which includes sections of Bergen, Hudson, and Passaic Counties—there are an estimated 80,000 people, including nearly 20,000 children, who live with asthma. Lower air quality standards will lead to more pollutants in our air and raise the risk of life-threatening asthma attacks. In fact, the National Institute of Health estimates that

5,000 asthma-related deaths occur each year in the United States. And those who suffer from asthma are just one group who will face drastic consequences from the Upton-Inhofe bill. Fully enforcing the Clean Air Act and a strong EPA will improve the lives of countless Americans (including New Jerseyans)—especially those who already have compromised health.

The Upton-Inhofe bill is harmful to New Jersey and our entire nation. Specifically, this legislation would weaken the Clean Air Act, overturn the Supreme Court ruling that gave the EPA authority to regulate dangerous air pollutants, and derail efforts to move toward energy independence by reducing emissions from cars and trucks. It is for these reasons and many others that health advocacy and environmental groups—from the American Lung Association and the Union of Concerned Scientists to Environment New Jersey and the Asthma and Allergy Foundation of America—oppose this harmful legislation. In opposition to the Clean Air Act and the EPA, and supporting the Upton-Inhofe bill, are groups like big oil companies and billion-dollar corporations with vested interests in avoiding the costs of cleaning up the environmental messes they make. I and many of my constituents and people throughout our state choose to stand with those who want to keep New Jersey's air clean, not those who put profit over public health.

There is a clear path forward to keeping our air clean in New Jersey. With the strengthening of the Clean Air Act in 1970, our country took a stand for the quality of our health, our air and our future. The EPA is planning to update the Clean Air Act to implement long-overdue federal limits on soot, smog, mercury, and carbon pollution. This solution makes sense—the Clean Air Act has proven to be one of the greatest tools we have to cost-effectively protect the health of Americans and our environment. We must stand up against efforts to weaken the Clean Air Act and work with the EPA to implement strong limits on pollution to protect the air we all breathe in New Jersey and throughout our country.

IN RECOGNITION OF THE 75TH ANNIVERSARY OF STANFORD SETTLEMENT NEIGHBORHOOD CENTER

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 7, 2011

Ms. MATSUI. Mr. Speaker, I rise today in recognition of the Stanford Settlement Neighborhood Center's 75th anniversary. It is a great pleasure to recognize the Center's dedication to providing social services to the people of Sacramento. As the staff, supporters and beneficiaries of the Stanford Settlement Neighborhood Center celebrate this historic milestone, I ask all my colleagues to join me in honoring their leadership in the Sacramento community.

Over the last 75 years, the Stanford Settlement Neighborhood Center has provided neighborhood outreach, emergency assistance, children's programs, a teen center, and senior services to all those in need of their help. Their work in the neighborhood helps residents connect to the community by hosting meetings with city officials, publishing a newsletter, and providing a wide range of programs, such as the Free Income Tax Assistance Program. Other programs, like the Emergency Assistance Program helps individuals and families with the immediate emergency assistance, such as food and crisis intervention. The Center's Children's Program consists of after school activities, a summer day camp, as well as supportive services for schools and families.

The Stanford Settlement Neighborhood Center has also grown to include the Carl R. Hansen Teen Center, and is geared towards students in middle and high school. The services they provide encourage children to stay in school, build healthy relationships, and achieve their academic goals. The Sister Jeanne Felion Senior Center provides many services to seniors and offers them with a place to socialize and stay active.

Mr. Speaker, I am honored to pay tribute to the Stanford Settlement Neighborhood Center, and their outstanding commitment to providing social services to all people, both young and old. The past 75 years have been tremendously successful and I am sure they will continue to enjoy success in the future. While the Stanford Settlement Neighborhood Center's staff, supporters, and friends gather together to celebrate the organization's 75th anniversary, I ask all my colleagues to once again join me in honoring their outstanding work throughout Sacramento.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 7, 2011

Mr. COFFMAN of Colorado. Mr. Speaker, today our national debt is $14,259,761,986,879.66.

On January 6th, 2009, the start of the 111th Congress, the national debt was $10,638,425,746,293.80.

This means the national debt has increased by $3,621,336,240,585.80 since then.

This debt and its interest payments we are passing to our children and all future Americans.

HONORING PETE SCHENKEL

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 7, 2011

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to honor Pete Schenkel, recipient of the 82nd Annual Linz Award. Given each year, the Linz Award is bestowed upon individuals or couples for outstanding work in the community or humanitarian efforts.

In addition to his distinguished career with Dean Foods, Mr. Schenkel has been greatly involved in assisting the Dallas community. He has been particularly active in the areas of civic involvement, health care and public safety.

Mr. Schenkel was a leader in securing the Cotton Bowl as the location for the annual Red River Rivalry game between the University of Texas at Austin and the University of Oklahoma. Mr. Schenkel worked to raise millions of dollars for the renovation of the Cotton Bowl ensuring that this historic football game remains in Dallas for years to come.

Mr. Schenkel has been immensely involved in local law enforcement and helped launch the Dallas Blue Foundation over 20 years ago. The Dallas Blue Foundation assists families of Dallas police officers killed or wounded in the line of duty. He also played a role in raising funds to provide rewards for tips in solving major crimes.

Assisting the Dallas community in healthcare access and advocacy, Mr. Schenkel has served as a board member and former chairman of the Methodist Hospital System Foundation. During his 20 years of service he has supported programs in emergency, cardiology, orthopedics and neurology. A recipient of the 2010 Norman Brinker Humanitarian Award, Pete Schenkel and his wife Pat are renowned for providing outstanding work and leadership in the healthcare field.

Amongst many other recognitions, Mr. Schenkel serves as a member of the Dallas Citizens Council, and Cotton Bowl Athletic Association and Salesman Club. He also formerly served as chair of the Dallas/Ft. Worth International Airport Board, and as former chair of the State Fair of Texas Board.

Pete Schenkel has made an immeasurable impact on Dallas, and made our community a better place. He is an outstanding citizen of our community and this recognition is imminently well deserved.

PERSONAL EXPLANATION

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 7, 2011

Mr. NADLER. Mr. Speaker, I was on medical leave and missed votes on March 16–17, 2011. Had I been able to, I would have voted "no" on rollcall vote No. 181; "aye" on rollcall vote No. 182; "aye" on rollcall vote No. 183; "aye" on rollcall vote No. 184; "aye" on rollcall vote No. 185; "aye" on rollcall vote No. 186; "no" on rollcall vote No. 188, final passage of the NSP Termination Act; "no" on rollcall vote No. 189; "no" on rollcall vote No. 190; "aye" on rollcall vote No. 191; "no" on rollcall vote No. 192 prohibiting funding for National Public Radio; and "aye" on rollcall vote No. 193 directing the President to remove the United States Armed Forces from Afghanistan.

Daily Digest

HIGHLIGHTS

The House passed H.R. 1363, Department of Defense and Further Additional Continuing Appropriations Act, 2011.

Senate

Chamber Action

Routine Proceedings, pages S2215–S2286

Measures Introduced: Fifteen bills and three resolutions were introduced, as follows: S. 754–768, and S. Res. 135–137. **Page S2266**

Measures Reported:

S. 394, to amend the Sherman Act to make oil-producing and exporting cartels illegal.

S. 410, to provide for media coverage of Federal court proceedings. **Page S2266**

Measures Passed:

FAA Reauthorization and Reform Act: Senate passed H.R. 658, to modernize the air traffic control system, improve the safety, reliability, and availability of transportation by air in the United States, provide modernization of the air traffic control system, reauthorize the Federal Aviation Administration, after striking all after the enacting clause and inserting in lieu thereof the text of S. 223, Senate companion measure, as amended. **Page S2285**

Senate insisted on its amendment, asks a conference with the House thereon, and the Chair appointed the following conferees on the part of the Senate: Senators Rockefeller, Boxer, Nelson (FL), Cantwell, Baucus, Hutchison, Ensign, DeMint, and Hatch. **Page S2285**

Authorizing Document Production: Senate agreed to S. Res. 136, to authorize document production in *United States v. Douglas D. Hampton* (D.D.C.). **Page S2285**

Take Our Daughters and Sons To Work Day: Senate agreed to S. Res. 137, supporting the goals and ideals of Take Our Daughters and Sons To Work Day. **Pages S2285–86**

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report on the continuation of the national emergency originally declared in Executive Order 13536 on April 12, 2010 with respect to Somalia; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–8) **Page S2264**

Messages from the House: **Page S2264**

Measures Placed on the Calendar: **Page S2264**

Measures Read the First Time: **Page S2264**

Executive Communications: **Pages S2264–66**

Executive Reports of Committees: **Page S2266**

Additional Cosponsors: **Pages S2266–68**

Statements on Introduced Bills/Resolutions: **Pages S2268–82**

Additional Statements: **Pages S2263–64**

Amendments Submitted: **Pages S2282–84**

Notices of Intent: **Page S2284**

Notices of Hearings/Meetings: **Page S2284**

Authorities for Committees to Meet: **Page S2284**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 9:48 p.m., until 11 a.m. on Friday, April 8, 2011. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S2286.)

Committee Meetings

(Committees not listed did not meet)

FEDERAL HOUSING ADMINISTRATION

Committee on Appropriations: Subcommittee on Transportation, Housing and Urban Development, and Related Agencies concluded a hearing to examine an overview of the Federal Housing Administration and

the future of housing finance, after receiving testimony from Shaun Donovan, Secretary of Housing and Urban Development.

APPROPRIATIONS: FEDERAL BUREAU OF INVESTIGATION

Committee on Appropriations: Subcommittee on Commerce, Justice, Science, and Related Agencies concluded open and closed hearings to examine proposed budget estimates for fiscal year 2012 for the Federal Bureau of Investigation, after receiving testimony from Robert S. Mueller III, Director, Federal Bureau of Investigation, Department of Justice.

APPROPRIATIONS: DEPARTMENTS OF DEFENSE AND NAVY

Committee on Appropriations: Subcommittee on Military Construction and Veterans Affairs, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2012 for the Department of Defense and the Department of Navy, after receiving testimony from Robert F. Hale, Under Secretary of Defense, Comptroller, Dorothy Robyn, Deputy Under Secretary of Defense for Installations and Environment, Jackalyne Pfannenstiel, Assistant Secretary of the Navy for Energy, Installations and Environment, Major General Robert R. Ruark, Assistant Deputy Commandant, Installations and Logistics (Facilities), and Rear Admiral David M. Boone, USN, Director, Shore Readiness Division, Office of the Chief of Naval Operations, and Vice Commander, Navy Installations Command, all of the Department of Defense.

DEFENSE AUTHORIZATION REQUEST AND FUTURE YEARS DEFENSE PROGRAM

Committee on Armed Services: Committee concluded a hearing to examine U.S. Transportation Command and U.S. Africa Command in review of the Defense Authorization Request for fiscal year 2012 and the Future Years Defense Program, after receiving testimony from General Duncan J. McNabb, USAF, Commander, United States Transportation Command, and General Carter F. Ham, USA, Commander, United States Africa Command, both of the Department of Defense.

DEPARTMENT OF ENERGY BIOFUEL PROGRAMS AND INFRASTRUCTURE

Committee on Energy and Natural Resources: Committee concluded a hearing to examine Department of Energy biofuel programs and biofuel infrastructure issues, including S. 187, to provide for the expansion of the biofuels market, after receiving testimony from Senator Harkin; Henry Kelly, Acting Assistant Secretary of Energy for Energy Efficiency, Office of Energy Efficiency and Renewable Energy; Bill Brady, Mascoma Corporation, Lebanon, New Hampshire; Shane Karr, Alliance of Automobile Manufacturers, and Bob Dinneen, Renewable Fuels Association, both of Washington, D.C.; and John Eichberger, National Association of Convenience Stores, Alexandria, Virginia.

NOMINATIONS

Committee on Finance: Committee concluded a hearing to examine the nominations of David S. Cohen, of Maryland, to be Under Secretary for Terrorism and Financial Crimes, who was introduced by Senator Cardin, and Jenni Rane LeCompte, of the District of Columbia, to be an Assistant Secretary, who was introduced by Senator Schumer, both of the Department of the Treasury, after the nominees testified and answered questions in their own behalf.

HUMAN TRAFFICKING IN ASIA

Committee on Foreign Relations: Subcommittee on East Asian and Pacific Affairs concluded a hearing to examine combating human trafficking in Asia, after receiving testimony from Luis CdeBaca, Ambassador-at-Large, Office to Monitor and Combat Trafficking in Persons, Department of State.

SECURING THE BORDER

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine securing the border, focusing on progress at the local level, after receiving testimony from Veronica Escobar, El Paso County Judge, El Paso, Texas; Raymond Loera, Imperial County Sheriff, El Centro, California; Raymond Cobos, Luna County Sheriff, Deming, New Mexico; and Paul Babeu, Pinal County Sheriff, Florence, Arizona.

BUSINESS MEETING

Committee on Indian Affairs: Committee ordered favorably reported the following business items:

S. 675, to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity; and

S. 676, to amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian tribes, with an amendment.

ECONOMIC DEVELOPMENT IN INDIAN COUNTRY

Committee on Indian Affairs: Committee concluded an oversight hearing to examine the role of SBA 8(a) Program in enhancing economic development in Indian Country, after receiving testimony from Joseph G. Jordan, Associate Administrator for Government

Contracting and Business Development, and Peter L. McClintock, Deputy Inspector General, both of the Small Business Administration; Jackie Johnson-Pata, National Congress of American Indians, Washington, D.C.; Julie E. Kitka, Alaskan Federation of Natives, Anchorage; Byron Mallott, SeaAlaska Corporation, Juneau, Alaska; Chief J. Allan, Coeur d'Alene Tribe, Plummer, Idaho; Lance Morgan, HoChunk, Inc, Winnebago, Nebraska, on behalf of the Native American Contractors Association; and Larry Hall, S&K Electronics, Inc., Ronan, Montana.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 410, to provide for media coverage of Federal court proceedings;

S. 627, to establish the Commission on Freedom of Information Act Processing Delays, with an amendment;

S. 394, to amend the Sherman Act to make oil-producing and exporting cartels illegal; and

The nominations of Goodwin Liu, of California, to be United States Circuit Judge for the Ninth Circuit, Esther Salas, to be United States District Judge for the District of New Jersey, J. Paul Oetken, and Paul A. Engelmayer, both to be United States District Judge for the Southern District of New York, and Ramona Villagomez Manglona, to be Judge for the District Court for the Northern Mariana Islands.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 29 public bills, H.R. 1409–1437; 1 private bill, H.R. 1438; and 8 resolutions, H.J. Res. 55–56; and H. Res. 208–213, were introduced. **Pages H2533–34**

Additional Cosponsors: **Pages H2535–36**

Reports Filed: There were no reports filed today.

Journal: The House agreed to the Speaker's approval of the Journal by a yea-and-nay vote of 307 yeas to 113 nays with 2 voting "present", Roll No. 244. **Pages H2413, H2425–26**

Department of Defense and Further Additional Continuing Appropriations Act, 2011: The House passed H.R. 1363, making appropriations for the Department of Defense for the fiscal year ending September 30, 2011, by a yea-and-nay vote of 247 yeas to 181 nays, Roll No. 247. **Pages H2426–H2505**

Agreed to table the appeal of the ruling of the chair on a point of order sustained against the Hoyer 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 yea-and-nay vote of 236 yeas to 187 nays, Roll No. 245. **Pages H2501–03**

Rejected the Owens 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 yea-and-nay vote of 191 yeas to 236 nays, Roll No. 246. **Pages H2503–04**

H. Res. 206, the rule providing for consideration of the bill, was agreed to by a recorded vote of 228 ayes to 189 noes, Roll No. 243, after the previous question was ordered by a yea-and-nay vote of 238 yeas to 185 nays, Roll No. 242. **Pages H2415–24**

Energy Tax Prevention Act of 2011: The House passed H.R. 910, to amend the Clean Air Act to prohibit the Administrator of the Environmental Protection Agency from promulgating any regulation concerning, taking action relating to, or taking into consideration the emission of a greenhouse gas to address climate change, by a yea-and-nay vote of 255 yeas to 172 nays, Roll No. 249. Consideration of the measure began yesterday, April 6th. **Pages H2505–07**

Rejected the McNerney motion to recommit the bill to the Committee on Energy and Commerce with instructions to report the same to the House forthwith with an amendment, by a recorded vote of 175 ayes to 251 noes, Roll No. 248. **Pages H2505–06**

Rejected:

Polis amendment to the title. **Page H2507**

H. Res. 203, the rule providing for consideration of the bill, was agreed to yesterday, April 6th.

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow, April 8th, for morning hour debate and 12 noon for legislative business. **Page H2507**

Presidential Message: Read a message from the President wherein he notified Congress that the national emergency declared in Executive Order 13536 with respect to Somalia is to continue in effect beyond April 12, 2011—referred to the Committee on Foreign Affairs and ordered printed (H. Doc. 112–16). **Pages H2510, H2514**

Quorum Calls—Votes: Six yea-and-nay votes and two recorded votes developed during the proceedings of today and appear on pages H2423, H2424, H2425, H2503, H2504, H2504–05, H2506, and H2507. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 6:54 p.m.

Committee Meetings

MARKET PROMOTION PROGRAMS

Committee on Agriculture: Subcommittee on Rural Development, Research, Biotechnology, and Foreign Agriculture held a hearing to review market promotion programs and their effectiveness on expanding exports of U.S. agricultural products. Testimony was heard from John Brewer, Administrator, Foreign Agricultural Service, Department of Agriculture; and public witnesses.

COMMERCE, JUSTICE, SCIENCE

Committee on Appropriations: Subcommittee on Commerce, Justice, Science, and Related Agencies held a hearing on National Institute of Standards and Technology—FY 2012 Budget Request. Testimony was heard from Patrick Gallagher, Under Secretary of Commerce for Standards and Technology and Director of the National Institute of Standards and Technology.

LABOR, HEALTH HUMAN SERVICES

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies held a hearing on DOL Job Training Programs. Testimony was heard from Andrew Sherrill, Director, Education, Workforce, and Income Security, GAO; and public witnesses.

MILITARY CONSTRUCTION, VETERANS AFFAIRS

Committee on Appropriations: Subcommittee on Military Construction, Veterans Affairs, and Related Agencies held a hearing on Air Force Posture. Testimony was heard from General Norton A. Schwartz, Chief of Staff of the Air Force, and Major General Byers, the Civil Engineer, U.S. Air Force.

TRANSPORTATION AND HOUSING AND URBAN DEVELOPMENT

Committee on Appropriations: Subcommittee on Transportation and Housing and Urban Development and Related Agencies held a hearing on Amtrak—FY 2012 Oversight and Budget. Testimony was heard from Joseph Boardman, Amtrak President and CEO.

HOMELAND SECURITY

Committee on Appropriations: Subcommittee on Homeland Security held a hearing on the Secret Service Budget. Testimony was heard from Mark Sullivan, Director, Secret Service. This is a classified and closed hearing.

SUSTAINING THE FORCE

Committee on Armed Services: Subcommittee on Readiness held a hearing on Sustaining the Force: Challenges to Readiness. Testimony was heard from Brigadier General Lynn A. Collyar, USA, Director, Logistics Operations, Defense Logistics Agency; Major General Michelle Johnson, USAF, Director, Strategy, Policy, Programs and Logistics, J5/4, Transportation Command; Lieutenant General Frank A. Panter, Jr., USMC, Deputy Commandant, Installations and Logistics Headquarters; and Lieutenant General Mitchell H. Stevenson, USA, Deputy Chief of Staff, Logistics, G4.

POLICIES GOVERNING SERVICE BY OPENLY GAY AND LESBIAN SERVICE MEMBERS

Committee on Armed Services: Full Committee held a hearing on repeal of law and policies governing service by openly gay and lesbian service members. Testimony was heard from General Peter W. Chiarelli, Vice Chief of Staff, USA; Admiral Gary Roughead, USN, Chief of Naval Operations; General James F. Amos, USMC, Commandant; and General Norton A. Schwartz, USAF, Chief of Staff.

EDUCATION REFORMS

Committee on Education and the Workforce: Full Committee held a hearing on Education Reforms: Promoting Flexibility and Innovation. Testimony was heard from public witnesses.

IMPACTS OF THE NATION ACT OF 2011

Committee on Energy and Commerce: Subcommittee on Energy and Power held a hearing on the American Energy Initiative, focusing on discussion draft legislation of the ''Transparency in Regulatory Analysis of Impacts on the Nation Act of 2011''. Testimony was heard from public witnesses.

CONSUMER PRODUCTS SAFETY IMPROVEMENT ACT

Committee on Energy and Commerce: Subcommittee on Commerce, Manufacturing, and Trade held a hearing on discussion draft legislation to revise the Consumer Product Safety Improvement Act. Testimony was heard from Robert J. Howell, Assistant Executive Director, Hazard Identification and Reduction, Consumer Product Safety Commission; and public witnesses.

BULLION COIN PROGRAMS

Committee on Financial Services: Subcommittee on Domestic Monetary Policy and Technology held a hearing entitled ''Bullion Coin Programs of the United States Mint: Can They Be Improved?'' Testimony was heard from public witnesses.

REFORMING THE UNITED NATIONS

Committee on Foreign Affairs: Full Committee held a hearing on Reforming the United Nations: The Future of U.S. Policy. Testimony was heard from Susan Rice, Permanent Representative to the United Nations, Department of State.

INTERNATIONAL AVIATION SECURITY

Committee on Homeland Security: Subcommittee on Transportation Security held a hearing entitled Strengthening International Cooperation on Aviation Security''. Testimony was heard from John W. Halinski, Assistant Administrator, Office of Global Strategies, TSA; and public witnesses.

EFFECT OF THE PRESIDENT'S FY–2012 BUDGET AND LEGISLATIVE PROPOSALS FOR THE OFFICE OF SURFACE MINING ON PRIVATE SECTOR JOB CREATION, DOMESTIC ENERGY PRODUCTION, STATE PROGRAMS AND DEFICIT REDUCTION

Committee on Natural Resources: Subcommittee on Energy and Mineral Resources held a hearing entitled ''Effect of the President's FY–2012 Budget and Legislative Proposals for the Office of Surface Mining on Private Sector Job Creation, Domestic Energy Production, State Programs and Deficit Reduction.'' Testimony was heard from Joseph Pizarchik, Director, Office of Surface Mining, Department of the Interior; Loretta Pineda, Director, Division of Reclamation, Mining and Safety; Virginia; Bradley C. ''Butch'' Lambert, Deputy Director, Department of Mines, Minerals and Energy, Virginia; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Natural Resources: Subcommittee on Fisheries, Wildlife, Oceans, and Insular Affairs held a hearing on the following: H.R. 306, Corolla Wild Horses Protection Act; H.R. 588, to redesignate the Noxubee National Wildlife Refuge as the Sam D. Hamilton Noxubee National Wildlife Refuge; S. 266, to redesignate the Noxubee National Wildlife Refuge as the Sam D. Hamilton Noxubee National Wildlife Refuge; H.R. 258, Chesapeake Bay Accountability and Recovery Act of 2011. Testimony was heard from Rep. Jones; Rep. Harper; Greg Siekaniel, Assistant Director, National Wildlife Refuge System; and public witnesses.

AMERICAN INDIAN JOB CREATION

Committee on Oversight and Government Reform: Subcommittee on Technology, Information Policy, Intergovernmental Relations and Procurement Reform held a hearing entitled ''Regulatory Barriers to American Indian Job Creation''. Testimony was heard from Mary Kendall, Acting Inspector General, Department of the Interior; Anu Mittal, Director, Natural Resources and Environment Team, GAO; and public witnesses.

ASSESSING EARTHQUAKE RISK REDUCTION

Committee on Science, Space, and Technology: Subcommittee on Technology and Innovation held a hearing on Are We Prepared? Assessing Earthquake Risk Reduction in the United States. Testimony was heard from public witnesses.

SMALL BUSINESS INNOVATION ACT OF 2011—CREATING JOBS

Committee on Small Business: Subcommittee on Healthcare and Technology held a hearing entitled ''The Creating Jobs Through Small Business Innovation Act of 2011.'' Testimony was heard from public witnesses.

RAILROAD AND HAZARDOUS MATERIALS TRANSPORTATION PROGRAMS

Committee on Transportation and Infrastructure: Subcommittee on Railroads, Pipelines, and Hazardous Materials held a hearing on Railroad and Hazardous Materials Transportation Programs: Reforms and Improvements to Reduce Regulatory Burdens. Testimony was heard from Christopher A. Hart, Vice Chairman; National Transportation Safety Board; Joe McHugh, Vice President, Government Affairs and Corporate Communications, Amtrak; and public witnesses.

PENDING TRADE AGREEMENT WITH PANAMA

Committee on Ways and Means: Subcommittee on Trade held a hearing on the pending trade agreement with South Korea. Testimony was heard from Demetrios Marantis, Deputy Trade Representative,

Office of the United States Trade Representative; and public witnesses.

FY 2012 BUDGET—NATIONAL RECONNAISSANCE PROGRAM AND NATIONAL GEOSPATIAL PROGRAM

House Permanent Select Committee on Intelligence: Full Committee held a hearing on National Reconnaissance Program and National Geospatial Program FY 2012 Budget Overview. This was a closed hearing. Testimony was heard from departmental officials.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR FRIDAY, APRIL 8, 2011

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No meetings are scheduled.

Next Meeting of the SENATE

11 a.m., Friday, April 8

Senate Chamber

Program for Friday: Senate will be in a period of morning business.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Friday, April 8

House Chamber

Program for Friday: Consideration of H.J. Res. 37—Disapproving the rule submitted by the Federal Communications Commission with respect to regulating the Internet and broadband industry practices (Subject to a Rule).

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