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# House of Representatives

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

## DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
*June 15, 2011.*

I hereby appoint the Honorable RICH NUGENT to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
*Speaker of the House of Representatives.*

## MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2011, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

## IN MEMORY OF GRAHAM B. PURCELL, JR.

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

Mr. THORNBERRY. Mr. Speaker, I rise today to inform the House that one of our former colleagues, the Honorable Graham P. Purcell, Jr., has passed away at the age of 92.

Graham Purcell was a larger-than-life figure who led a remarkable life of service. Whether it was as a soldier in World War II, a State judge, or a U.S. Congressman, he served with a strength of character and with a love of country that has provided an example and an inspiration for many people, including me. A man of deep faith, Graham possessed a generosity of spirit that extended to all aspects of his life. He was a member of the Greatest Generation that saved the world from totalitarianism and then came home to build the most prosperous nation the world has ever known. But Graham Purcell was also an individual who would stand out in any generation, rising from humble roots to help make history.

He was born in Archer County, Texas, on May 5, 1919. After high school, he enrolled in Texas A&M, but the war came, and shortly after Pearl Harbor he entered the Army, serving in Tunisia and in Italy, and earning, among other awards, the Silver Star. Even after he was discharged, he continued to serve in the Army Reserves for a number of years. When he returned from the war, he finished his degree at Texas A&M and then Baylor Law School. After practicing law for a few years, he was appointed judge for the 89th district court in Texas, and served from 1955 until 1962, when he resigned in order to run for Congress in a special election.

Serving in the House from January 1962 until January 1973, Congressman Purcell focused primarily on his work on the Agriculture Committee, serving as chairman of the Livestock Subcommittee. He also played a key role in the Congressional Prayer Breakfast, and served the people of North Texas with integrity and distinction for 11 years. After Congress, Graham practiced law and helped found a large law firm and then served as a visiting district judge in Texas. But in whatever capacity—soldier, judge, Congressman, citizen—Graham was committed to serving others. He and his wife, Nancy, just recently received an award for helping children in crisis in the Wichita Falls community.

Graham Purcell led a rich, full, remarkable life. How many others can say that they shook hands with Winston Churchill while serving as a soldier in Italy; had Vice President Johnson come pick him and his family up at the airport just after he was elected in a special election to take them to the Johnson home so they could stay for a while until they had a chance to find a place of their own; or, on the last night of President Kennedy's life spent more than an hour with him on the plane from Houston to Forth Worth, swapping stories back and forth, and then was in the motorcade the next day when President Kennedy was assassinated; or, made numerous trips back and forth to Vietnam to thank our soldiers for what they were doing there, always stopping at a burn unit along the way to make sure that those severely wounded would know that their country appreciated what they were doing; or, at age 92, just a few weeks ago, offer important guidance and advice to one of his successors about the importance of putting the country first ahead of party, ahead of personal considerations.

Although Graham loved history—and he certainly loved to regale family and friends with some of his amazing stories—he was also a person who was always looking forward. He was consumed by what kind of country would be left to his children and his grandchildren. And it was this focus on the common good that dominated his life story and really defined him as a man and as a public servant. He and his wife, Nancy, have 8 surviving children as well as 25 grandchildren and 5 great grandchildren, all of whom benefited from his loving care and will miss him greatly.

Although Graham had many titles and roles in his life, he knew that first and foremost he was a child of God. It was from this perspective that he lived—and it is in this assurance that he now rests.



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THE WAR ON DRUGS

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

Mr. COHEN. This past Friday, the United States would have observed—''celebrated'' would be entirely the wrong word—the 40th anniversary of the war on drugs. The war on drugs was initiated by President Richard Nixon. He said we can have a war on drugs 40 years ago.

The fact is, 40 years later, we've spent nearly a trillion dollars on the war on drugs. We have just as much drug use in this country as ever before. We've incarcerated millions and millions of people for victimless crimes. And when we get people who sell drugs, which we need to do, all that happens is like sharks teeth—they're replaced by the next in line; somebody else wanting to make money from a program that the public endorses and supports. So the war on drugs has been a terrible mistake.

Now, don't get the wrong impression. I'm not suggesting that drug abuse and drug addiction is not a great problem that we must deal with. But our approach in treating it as a law enforcement matter and not as a health matter, a health care issue, has led to prison populations increasing, racial disparities of the greatest source in this Nation in the arrest process, and a lost generation of people with no education and no job prospects because those arrests haunt them for the rest of their lives.

Think about how many law enforcement resources have been wasted on drug arrests—nonviolent drug arrests—when policemen could be spending their time working against violent crime and crimes that are dangerous to people—robberies and murders and assaults and other offenses that are truly important to the American public. It has been estimated that the total criminal justice cost of marijuana arrests for State and local governments is as much as $7.6 billion a year. That averages out to about $10,000 per arrest. Think of all the serious criminals that could have been arrested instead.

I was shocked recently to read that the New York City Police Department arrested 50,000 people for low-level marijuana offenses last year. New York City, 50,000 arrests for low-level marijuana offenses. This was more than during a 19-year period between 1978 and 1996 combined. Marijuana use has not skyrocketed in the last year, but arrests have ramped up. They use arrests as a basis to get people, particularly people of color, where it's seven times more likely you'll be arrested if you're African American and four times more likely you'll be arrested if you're Latino, and more likely if you're African American or Latino that you'll spend the night in jail than if you're Caucasian, as a way to take people and arrest them and deprive them of what should be their basic civil rights to go around the city.

Our local budgets are straining like never before. And yet we see more arrests. It's time that we question this policy, this war, knowing that insanity is repeating the same thing over and over again and expecting a different result. This is insane. For 40 years we've had this war on drugs. We've had a war on our own citizens. We've wasted moneys that can be used for better things. And we've treated what is a health problem and a societal problem as a law enforcement problem. It is a mistake. We need to change our approach.

Drug courts have been a successful way to deal with this problem. We have drug courts in my community that have been successful in getting people to see a different approach to life—not a jail, but a different approach. Racial disparities that I mentioned have been tremendous. It is seven times more likely if you're African American, four times more like if you're a Latino, to be arrested. These inequities run throughout our drug policy program and need to directed. We corrected a discrepancy between powder cocaine and crack last year. It was 100-to-1 before we changed the law. It's now 18-to-1 in quantity. Still, it should be equal. And it results in racial disparities once again.

□ 1010

I have introduced legislation, the Justice Integrity Act, which would study those disparities and a Byrne Program Accountability Act which would require States to do studies on their racial disparities. The fact is law enforcement makes arrests for these crimes sometimes to justify getting Byrne funds and getting funds from the Federal Government for the purpose of getting money into their programs and not providing justice.

We need to have expungement laws so that people who have had nonviolent drug offenses can have their records expunged and go on to get employment and have a successful life in America. I have introduced the Fresh Start Act that says if you have a nonviolent Federal offense and you've spent 7 years and had a clean life, you can get your record expunged. This needs to become the law and give people a second chance. Otherwise, they can't get jobs and they resort to crime.

Medical marijuana is an issue that's come up in this country and most States that have had the opportunity to deal with it have passed it, mostly by percentages of over 60 percent. I had a good friend named Oral James Mitchell. Oral James Mitchell was a Navy SEAL and one of the strongest, toughest, best friends I ever had. When O.J. was 54, he got pancreatic cancer. Pancreatic cancer destroys a person, just whittles them away. And a guy who was 210 pounds, who could do all those things the SEALs do, the hand-to-hand and the paratroops, he used medical marijuana, and his mother said, Thank God for the marijuana. It allowed Oral to have a sense of humor and to eat. It worked.

I yield back the balance of my time and urge us to solve the war on drugs by getting out of it. It is a war. It is a crime.

MEDICARE

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

Mr. BOUSTANY. Mr. Speaker, over 14 years in private practice in medicine, I had the great privilege to treat many, many Medicare patients, thousands of Medicare patients. I did open heart surgery, complex open heart surgery, lung cancer surgery, in times of great need, great difficulty for these seniors who had paid many years of their payroll taxes into the Medicare program with the hope and the recognition that this program would be there for them, for their health care needs in their later years.

And I'll tell you, in the '90s, when I was in the midst, at the peak of my practice, it was not unusual, and in fact quite often patients would come into the emergency room with a very difficult situation, without a primary care physician because they had not had previous health problems. And then what would happen is we would have to do emergency heart surgery on them, and once they got through all of this and got through the hospital stay, we could not find a primary care physician to take them on, to treat their everyday problems with hypertension, high blood pressure, diabetes, gout and things of that nature.

I would get on the phone time and time again and I would call family doctors and internal medicine physicians and plead with them, Why can't you take this one more patient into your practice? And it's because the reimbursement situation for Medicare was so bad even back then in the nineties that if a physician took on too many Medicare patients, they couldn't meet their costs. That situation has gotten much worse today, in 2011.

I could tell you that I have grave concerns about the future of the Medicare program and what's going to happen. And I'm not speaking as a Member of Congress, I'm speaking as a physician, as somebody who cared for many, many patients, who valued that doctor-patient relationship. This situation whereby families who have a loved one on Medicare cannot find a primary care doctor, this is a very serious situation today and getting worse by the week.

The bottom line is Medicare is in trouble. I saw this as a doctor, and I see it now as a Member of Congress.

Just a couple of facts. Over 10,000 baby boomers are reaching retirement age every day, leaving fewer workers to support them. We have an aging population. This is putting tremendous cost pressure on this Medicare program. In fact, the Medicare program, according to the Medicare actuaries, the trust fund that provides the money for the

hospital program, is going to be out of money by 2024, and now, in fact, starting last year, more money was being paid out than taken in to support this program. The Medicare actuary predicts that without changes to the current law, something that was basically not looked at when the health care law was passed, in fact, it was assumed that these certain cuts to physicians would occur in the law. In fact, what we know is that without any changes to the law, physician reimbursements will fall from 80 percent of private rates to 57 percent of private rates in 2012.

What does that mean? That means that the situation for physician practices will get even worse, whereby they can't even meet the costs of their practice. Therefore, they're going to continue to limit their exposure to taking on new Medicare patients. That means access problems. That means Medicare patients cannot get access to physicians.

We need real solutions to this. We need fact-based solutions. We need answers to the problem and not political rhetoric. So far, that's all we've seen, largely coming from the other side and from the White House on this. In fact, we're on a path to see the bankruptcy of this Medicare program if we don't act.

Now let's take a step back and look at what happened in the health care bill. This health care bill, which passed without Republican support, cut over $500 billion from this Medicare program to expand coverage into a new entitlement, an extension of the Medicaid program. We're digging a deeper hole for ourselves without a way to pay for this. And now the plan calls for immediate 17 percent cuts in benefits for our current seniors. Current seniors, not people who are going to go on to Medicare in the future. Seniors who depend on this important program today.

Another thing that's in this bill, and it's not well-known, is a new bureaucratic entity that was created. There were many that were created in the health care bill, but there's one that really bothers me as a physician. It's called the Independent Payment Advisory Board. Okay. It sounds kind of innocuous, but what does it do? It's a 15-person board arbitrarily chosen that will make life-and-death decisions about what things will be paid for under the Medicare program.

Now, what is the recourse in all this? This is an arbitrary decision-making body, and you cannot dispute what this body is going to do. In fact, for Congress to override it, it would take three-fifths of the Senate to override it. This is going to damage the doctor-patient relationship. It's bad for Medicare patients.

I could tell you that Republicans have an idea about how we're going to fix this. I can't get into it now, and I'll do it in a subsequent speech.

## DEBT CEILING

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

Mr. WELCH. I thank you, Mr. Speaker.

Members of the House, the default clock is ticking. We face a default on August 2 if we do not raise the debt ceiling. Raising the debt ceiling is always a difficult vote. It is difficult because we have to do something that's necessary but not popular.

Now, the question of the debt ceiling is about paying obligations already incurred. It's not about giving this House of Representatives permission to spend more money. But what has happened with this debt ceiling debate is that it is being used as leverage by both sides to try to get its way on a long-term budget resolution, and the reality is that this country needs both. It needs, number one, to have a long-term resolution on its fiscal situation, but, number two—this is the immediate need—it has to pay its bills.

America is a great country. It has always paid its bills, and the debt ceiling is about that and nothing more. Incidentally, those bills are ones that have been incurred by Congresses that many of us were never part of. And it's not a question of whether it's a bill that you would have supported incurring the expense for: the Iraq war, the Afghanistan war, the Medicare prescription part D, the two cuts in taxes during the Bush administration, all of which were on the credit card. I was against those, but those are obligations that we have and we must pay them.

The risk of default is enormous. Every increase in the interest rate of 1 percent will cost the American taxpayers $160 billion. The default clock is ticking.

Now, 2 weeks ago the majority brought to the floor a clean debt ceiling bill for the purpose of defeating it, and immediately upon bringing this bill to the floor and defeating it, with unanimous Republican opposition and many Democrats voting no, Members went back to their offices and called Wall Street and said, Just kidding. We will raise the debt ceiling but we wanted to send a signal.

□ 1020

We are playing with fiscal fire here. You know, it's fine to negotiate, but negotiations cannot lead to default.

Mr. Speaker, if we in this Congress, with the Republican majority now leading the way, fail to honor the Nation's obligations by making good on our responsibility to pay our bills, the bond market will work its will and we will lose our AAA credit rating, and we will do enormous damage to this economy.

This is not about a Democrat or Republican speaking. Let me quote Chairman Bernanke and a few others who commented on the urgency of paying our bills. Chairman Bernanke just yesterday said that failure to raise the debt ceiling would create fundamental doubts about the creditworthiness of the United States and damage the special role that the dollar and the Treasury securities have in the global market. Now, I understand the desire to use the debt limit deadline to force some necessary and difficult fiscal policy adjustments, Mr. Bernanke said, but the debt limit is the wrong tool for that important job.

A few other people commenting on this:

JPMorgan CEO Jamie Dimon: A default would be a moral disaster. It will dwarf Lehman. Every single company with treasuries, every insurance fund, every requirement that—it will start snowballing, automatic, if you don't pay your debt. There will be default by rating agencies. All short-term financing will disappear. That's Jamie Dimon of JPMorgan.

The Chamber of Commerce: Failure to raise the debt ceiling would create uncertainty and fear and threaten the credit rating of the United States.

Moody's Rating Service on downgrading America's rating: Since the risk of continuing stalemate has grown, if progress in negotiations is not evident by the middle of July, such a rating action is likely.

Fitch Rating Service: Failure to raise the debt ceiling in a timely manner would imply a crisis of governance that could imperil the U.S.'s AAA status.

So we have two problems. We have a long-term problem that requires resolution, a long-term fiscal plan, but we have an immediate problem, and that is to protect the integrity of America's reputation for paying its bills.

If we have a downgrade in our rating, it's going to affect the interest rates that we pay, and that's going to hurt folks in Republican districts. It's going to hurt folks in Democratic districts who have no power to do anything.

We must raise our debt. We must pay our bills.

## WE NEED TO GET PEOPLE BACK TO WORK

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

Mr. KINZINGER of Illinois. Mr. Speaker, last September President Obama referred to America's small businesses as the ''anchors of our Main Streets.'' Unfortunately, economic data released on Wednesday proved that the President's actions speak louder than words. The failed policies of the Obama administration have left small businesses struggling.

According to the National Federation of Independent Businesses, confidence in small business has dropped into recessionary levels. And the reason? Small businesses will tell you that their economic uncertainty is caused by low sales, high taxes, and burdensome government regulations.

Now, I hail from the State of Illinois. Let me tell you a little story about Illinois. Illinois just went and raised its

personal income tax level and it raised its corporate tax level. So, as a result of this, just a few days ago, we saw The Wall Street Journal put out an editorial which basically said Illinois has raised $300 million in revenue because of the corporate tax increase. Oh, but however, because of the businesses threatening to leave Illinois, they've already spent $240 million in giveaways to corporations to keep them there.

This idea, this thing that we've been on over the last couple of years of tax, borrow, and spend our way to prosperity isn't working. I remember when the President's economic—well, you know what? In my own home district, unemployment exceeds 11 percent in many of the counties. People are asking me: What are you doing to create jobs? Well, I tell them this: Look, the Federal Government can do one thing. We can create an environment for job creation, but the Federal Government doesn't create jobs, and that's been the problem, because in the last 2 years we've been counting an $800 billion stimulus as a miraculous job recovery bill.

In fact, the President promised that by this time unemployment would be 6.7 percent. How's that working out? The President's team promised that if we passed an $800 billion stimulus bill unemployment would never exceed 8 percent. We saw it approach 10 percent, and now it's back on the rise again.

Mr. Speaker, you don't solve our jobs problem by spending more money, because we spent money, and where are the jobs? Where are the jobs? What we need to do is to understand that jobs are not created by this body, but they're created by the private sector, by the folks who get up every day and they put their minds together. They come up with an idea. They risk their capital. They risk their financial well-being, and they hire somebody in hopes that this dream that they have succeeds. In many cases, it doesn't. A lot of folks with an idea to begin a small business are not successful, but then they get up and they try again.

But if you talk to any small business owner, you talk to any manufacturer in the United States, they will tell you that the biggest impediment to job creation is government regulation and taxation.

Is there really anybody that believes—now, I understand some people can argue we have to raise taxes to get more money to government, fundamental disagreement, but I understand people can argue that. But is there anybody that truly believes that raising taxes creates jobs? Is there anybody who really believes that? And what's the number one issue we have right now.

We want to take people, the almost 10 percent, the 9.1 percent of folks in this country that desperately want to have a job, we want to take them from a tax recipient to a taxpayer because they want to be a taxpayer, too.

The definition of insanity is doing the same thing over and over and over and over and over and expecting different results each time. But you're going to get the same result. When this body spends money, when we spend $800 billion on a stimulus, we've got nothing but a future of debt, doubt, and despair. Well, I believe we have a future in this country that's prosperous, that never accepts second best.

There's a lot of youth watching here today, but you have a job when you graduate from college, a country that never accepts anything less than being a world leader, and I believe we never ever accept second best. So when we talk about what to do in the future, we need to talk about the most important thing. We do have to rein in spending, but we have to get people back to work, and more and more spending isn't going to do that.

## MEDICARE

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

Mr. McDERMOTT. Mr. Speaker, I rise today to talk about Medicare, Medicare in a fact-based universe where truth matters.

With Medicare, people's health is at stake and their financial life is at stake as well. Republicans and Democrats don't agree on much these days, but most people agree that the long-term deficits of this country are driven by ever-rising health care costs. If you solve the problem of skyrocketing health care costs, our deficit problem would largely go away. What to do is the problem.

Democrats feel we have an unbreakable compact with seniors. Democrats think basic health needs of the elderly should be guaranteed and the elderly should never be driven into bankruptcy. Republicans think there is no compact with the elderly and that bankruptcy is just natural economics.

So the Republicans have wanted to kill Medicare ever since it was passed in 1965. As recently as 1993, Speaker Gingrich said: We want it to wither on the vine. The craziest thing about the Republican plan to kill Medicare is that their plan does nothing to control costs. Despite all the Republican screaming about budgets and deficits, their plan does nothing to fix the single largest problem that threatens the whole of our economic situation in this country.

□ 1030

The Republican plan is to give seniors a coupon for about half their monthly premium and then walk away. If you can't pay the other half of the premium, too bad, no health care for you. If you can pay and it bankrupts you, too bad. Costs will continue to skyrocket.

We Democrats think that the Ryan wrecking ball is the wrong way to go. Democrats are responsible stewards of the Medicare system. Democrats want to lower costs, improve care, and keep the elderly from going bankrupt.

Now, it's important to keep the debate on Medicare reality based. The fact is that when we passed the health care law last year, the Republicans went around wildly screaming about death panels and scaring as many voters as possible. It was all politics, and it was not true.

The fact is that the health care reform had 165 measures in it to improve Medicare. Medicare is about paying for doctors, nurses, hospitals, drugs. The health care law improved Medicare by helping doctors focus more on taking care of patients, by keeping nurses from drowning in paperwork, by making hospitals more efficient, and by getting fairer prices for drugs.

The Democrats worked with hospitals to improve the payments and, so, saved the country $157 billion in the hospital payments. The Republican plan did nothing to save Americans money. It just shifted the cost from the government onto Grandma and her kids. The Democratic health care law saved $136 billion by reducing payments to insurance companies. The Republican plan gave a runaway train of money to insurance companies.

The annual Medicare trustee report came out last month, and it said that the new health care law was a sizable improvement to Medicare. $500 billion of savings and better care for more people. Those are the facts. It's what any good company would do—increase quality and lower costs.

The Democrats have a plan for Medicare, and we passed it in the Accountable Care Act last year. That's why the Republicans want to repeal it.

You've got to understand what all this repeal talk is about. They want to get rid of the improvements that we made in health care. We cut money from one place that didn't make sense and improved care for prevention, for other places for seniors. We knew what we were doing.

But the Republicans' goal has always been to end Medicare as we know it. They have been very clear from 1964 right straight through Newt Gingrich and through the Ryan plan. They don't want to have a Medicare that guarantees seniors' security. They want to give them a little coupon and say: Now go find an insurance company that will take care of you, Grandma.

Think about that.

What seniors really want is certainty. When you get old, what you worry about is: How am I going to take care of myself? And how am I going to help my kids and leave a little something to them? Am I going to have to go to my kids and say: I can't go to the doctor because I can't pay for it?

That Medicare card is their security. The Republicans want to get rid of it. We have already passed a plan to save it.

## BISHOP JOHN M. SMITH'S GOLDEN JUBILEE, 50 YEARS OF PRIESTHOOD AND EXTRAORDINARY SERVICE

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Jersey (Mr. SMITH) for 5 minutes.

Mr. SMITH of New Jersey. Mr. Speaker, words are inadequate to convey my profound respect, admiration, and gratitude for Trenton Diocese Bishop Emeritus John Mortimer Smith, who celebrated his golden jubilee, an amazing 50 years as a Catholic priest, on May 22 at a mass attended by over 800 people at the St. Mary of the Assumption Cathedral in Trenton, New Jersey.

The mass, concelebrated by several bishops, including Bishop David M. O'Connell, now bishop of Trenton, and several priests, including Bishop Smith's brother Father Andrew Smith, was filled with joy and reflection, befitting acknowledgement of a great servant of God.

In his moving homily, Cardinal Theodore McCarrick noted that Bishop Smith is an ''extraordinary brother and an extraordinary friend. A man filled with faith, filled with zeal—zeal for the church, zeal for the people he serves, and, in a special way as a bishop, zeal for his priests.'' The cardinal said we are called to ''model Jesus Christ to our people and imitate Christ. Mort Smith,'' he continued, ''has lived it well.''

Cardinal McCarrick brought smiles and laughter throughout the cathedral when he said, ''I'm not here to canonize Bishop Smith, although that may come,'' and then went on to call Bishop Smith ''the world's greatest kibitzer'' due to his legendary penchant for telling stories, usually long, no usually very long, and happily, usually very funny.

Once when I was about to give an address at the St. Thomas More dinner in Trenton, I turned to Bishop Smith, seated with my wife and me at a table, desperate for a joke. He gave me two, and I, courtesy of his jokes, had them rolling in the aisle. Bishop Smith's uncanny ability to infuse humor and hope-filled lightheartedness into almost all things is not only entertaining but makes presentation of the gospel to an often confused and stressed-out world more efficacious.

Bishop Smith connects amazingly well with the youth. I have witnessed it many times at schools and at the annual Catholic Men's Rally. Bishop Smith has an uncanny way of challenging everyone, especially our young people, to faithfully and courageously live the gospel. And you know, it never fails. Within a minute or two of being with Bishop Smith, you always find yourself smiling and your spirits lifted.

For the many years that I have known him, Bishop Smith not only radiates the love of Christ, but he works hard and smart. Often I don't know where he finds the time.

Ordained a priest on May 27, 1961, he has really done it all. Bishop Smith has earned several degrees and got his doctorate from Catholic University of America in the sixties and was deployed as a pastor in the Newark Archdiocese.

Over the years, he has chaired or been the director of numerous boards, including the Institute for Continuing Theological Education, the U.S. Bishops Consultation IV, and the Archdiocesan Vocational Board. He has also served in leadership positions on the Bishops' Committee on Migration and Refugee Services and served on the board of directors for St. Vincent de Paul Seminary, Notre Dame Seminary, St. Joseph College Seminary, Catholic Relief Services, St. Francis Medical Center in Trenton, and Pontifical North American College in Rome. I would note, parenthetically, he made five humanitarian trips to Africa as part of Catholic Relief Services' mission there.

As bishop, his pastoral plan, Led by the Spirit, identified seven pastoral priorities, including dealing with charity and justice, pastoral leadership, ethnic diversity, youth and young adult ministry, faith formation, and Sunday worship. Today, all 111 parishes in the diocese of Trenton are developing action plans to implement Led by the Spirit.

Bishop Smith also created the Institute for Lay Ecclesial Ministry, which has formed and commissioned approximately 100 people to date. He also updated and expanded the strategic use of media to advance the gospel and the culture of life and created Realfaith TV, an award-winning teen talk show. And he has boosted the Trenton diocese's online outreach to the Hispanic community to protect the sanctity of human life and to reach an even wider audience with news and commentary published in the excellent diocesan newspaper, The Monitor.

Faced with declining enrollment in the diocesan schools, largely due to escalating costs, which include some 36 elementary schools and eight high schools, Bishop Smith's ''Commitment to Excellence'' initiative established benchmarks to make an already effective education program even better.

Mr. Speaker, my wife, Marie, and I were among those offering prayers of thanks at Bishop Smith's jubilee mass. We rejoiced with his family and friends for his accomplishments that are without number. We rejoiced over his bold, consistent, and compassionate commitment to defending unborn children, their mothers, and the sanctity of life. We rejoiced and were inspired anew by his life well lived.

And, Mr. Speaker, we gave thanks that, while his extraordinary ministry has changed in ''retirement,'' he is far from done.

## NOT AS OWNER OR TENANT: NO MILITARY BASES IN AFGHANISTAN

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

Ms. WOOLSEY. Mr. Speaker, a year and a half ago, we were promised a new way forward in Afghanistan, a way that would include a significant military drawdown. The date for the redeployment to begin was July 1, 2011, just 2 weeks away. Then last year, the goalposts were removed and it was decided that, in fact, our troops would remain in Afghanistan through 2014.

□ 1040

But apparently that wasn't enough. Negotiations are now under way with the Karzai government—negotiations that are happening apparently in secret and without proper accountability and transparency—for the construction of military bases in Afghanistan. Officials are being very careful not to say that these bases would be permanent, but it's clear that our government could be hammering out the details of an agreement that would call for a U.S. military presence in Afghanistan for as far as the eye can see.

I can't understand the logic here, Mr. Speaker. Why can't we grasp the very idea that the longer we are perceived to be an occupying power, the more resentment we breed in Afghanistan? The longer we're there, the more we fuel the insurgency, the more we leave our troops vulnerable, the more we put our own national security in jeopardy. Erecting permanent bases would be the biggest favor we could do for the Taliban.

I salute my good friend and fellow Californian, Congresswoman BARBARA LEE, for her leadership on this issue, and I would urge my colleagues to consider my legislation that would require the President to negotiate a Status of Forces Agreement that would clearly prohibit the establishment of permanent bases.

Mr. Speaker, the outgoing Defense Secretary, Mr. Gates, says we're seeking joint bases where the United States acts as a tenant as opposed to an occupying force, but I don't believe for a minute that the Taliban appreciates the subtlety of that distinction.

As long as there are boots on the ground, and not just boots but large installations with American trappings and English language street signs and so forth, the more we embolden the very radical forces we're trying to defeat.

We're going exactly the wrong direction, Mr. Speaker. At a moment when the American people are crying out for this military occupation to end, our leaders look as if they are preparing to extend it into perpetuity. At a moment when casualties are on the rise, we're preparing for a long-term presence that will further endanger, not protect, Americans.

We can't afford permanent war. It's unsustainable. We can't afford the cost in blood, treasure, lost credibility or dwindling moral authority. It's time to bring our troops and our contractors

home and leave no military footprint behind.

## ELDER ABUSE AWARENESS DAY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from New York (Ms. BUERKLE) for 5 minutes.

Ms. BUERKLE. Mr. Speaker, I rise today to call attention to the issue of elder abuse. Today is Elder Abuse Awareness Day. Hundreds of thousands of Americans each year are the victims of elder abuse. According to the National Center on Elder Abuse, this number could be as high as 1 to 2 million Americans.

Elder abuse, Mr. Speaker, is a broad term for the victimization of seniors 65 years and older. There is no one picture of what elder abuse looks like. It can be physical abuse, neglect, sexual abuse, emotional abuse or exploitation.

The perpetration of elder abuse also varies—spouses, partners, caregivers in nursing homes, even neighbors. Our older elder Americans are especially vulnerable to abuse, particularly those who suffer from dementia or other mental diseases.

I find it unconscionable that the very people who fought for us in World War II and Korea, who nurtured us, who taught us, who built this society around us, would be victimized in the twilight of their lives. Our elderly citizens have given us so much, and they deserve our appreciation, our respect, and most importantly, our protection, not just for what they've contributed, Mr. Speaker, but for the ways they still enrich our society and enrich us as a people.

This August my mother, Mr. Speaker, will turn 90 years old. Three years ago, when my father died, she was lost. She was particularly vulnerable. Fortunately for my mother, she has children, grandchildren and great-grandchildren to help her and to support her. But how many other Americans, elderly folks are out there who don't have that support system, Mr. Speaker?

This is not a Democratic or a Republican issue. This is an American issue. Our seniors, our elderly, deserve our help. They deserve our protection. Please, as Americans, today is Elder Abuse Awareness Day. Let us be particularly aware of our most vulnerable, our elderly citizens.

## AGRICULTURE APPROPRIATIONS

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

Ms. SEWELL. Mr. Speaker, today I rise in support of farmers and producers all across these United States, and especially in the Seventh Congressional District of Alabama. As we debate and discuss issues surrounding the Agriculture appropriations bill, let us remain mindful of the enormous impact that the agriculture sector has had on the United States and our world economy.

Agriculture employs more than 21 million American workers and accounts for 15 percent of the total U.S. workforce. In fact, in my home State of Alabama, agriculture contributes nearly $5 billion to the State's economic sector every year. Any Agriculture appropriations bill must take into account the potential economic impact and the strengthening of the agriculture sector that is needed for the 21st century.

I understand that we are making very difficult budgetary decisions; however, I am concerned that the types of cuts proposed in this year's Agriculture appropriations bill are ill-advised and disproportionate. This bill reduces the funding for agriculture research programs, including the Agriculture Research Service and the National Institute for Food and Agriculture, by over $354 million from last year's level.

Now, I know that that's a substantial cut in very important research that must be done, both nationally and within our individual States. In fact, the National Institute for Food and Agriculture fulfills this mission by supporting research education and extension programs at land grant universities like those in Alabama like Auburn, Tuskegee, Alabama A&M University and others. We must preserve funding for each of these critical and important investments in the future of agriculture research and food safety.

Under this Republican appropriations bill, food and nutrition programs like SNAP and child nutrition are funded at nearly $2 billion less than the President's budget. SNAP is an important and essential program in these challenging times for low-income individuals who cannot afford to purchase food for themselves and their families. Since the program was created, SNAP has literally saved millions of lives, and currently provides essential support to over 165,000 individuals in my district alone.

The proposed funding for the Women, Infants and Children Food Assistance program, WIC as it's known, is far below what is needed to serve all those individuals who are eligible for benefits. WIC provides essential nutrition to new mothers, babies and small children under 5 that are nutritionally at risk.

Nearly 50 percent of the babies born in our country each year rely on WIC. In Alabama, WIC provides assistance to over 140,000 individuals and over 25,000 just in my district alone.

Contrary to popular belief, this program is cost-efficient, and it serves nearly 10 million people each year, costing less than $100 per person receiving benefit. The lack of proper funding in this appropriations bill is yet another example of Republican attacks on hardworking families and children that definitely need assistance for nutrition. I cannot stand idly by and let this occur.

We must ensure that any appropriations bill provides robust and adequate funding for these essential programs, both now and in the future. The Republican Agriculture appropriations bill reduces funding for essential rural development programs by $337 million below last year's levels. These reductions disproportionately impact loan authority for 502 direct housing programs.

□ 1050

Without these loans, low-income rural families could not find financing options that would help them purchase homes and simply be able to live.

This bill also seeks to reduce funding for agriculture business and rural business grants by $20 million below last year's level. In a time of economic recovery, we must continue to make strategic investments in small and rural businesses, and not make reductions.

It is important that we who know better do better. Agriculture in our global society is of the utmost importance. As our global population increases, food security and adequate food production will be necessary for our national security, economic development, and our overall survival. It is my hope that all on both sides of the aisle will pass an agriculture approps bill that is both fiscally responsible, forward-thinking, and makes economic sense.

## NATURAL RESOURCES AND AMERICAN JOBS

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

Mr. DENHAM. Mr. Speaker, I rise today to talk about natural resources and whether or not they can create American jobs. The answer is yes; with oil production alone, 1.2 million jobs between the three bills that Republicans passed out of committee and off of the House floor; a total of 2 million jobs if you add in the American Energy Independence and Price Reduction Act; 2 million American jobs. Not only could we be energy independent in our great Nation, but we can put Americans back to work with 2 million jobs alone in this area.

We need to have States' rights, allowing States to explore oil exploration or natural gas or utilize all of their natural resources, whether you're in Alaska and you want to drill in ANWR, or you're the Governor of California and you want to pass Tranquillon Ridge and clean up the old oil wells off of the coast. States should have those rights to be able to do that and to be able to put their own people back to work in those States.

The President's policies on our natural resources are just flawed. My friends across the aisle continue to talk about the bills that come off of this floor, whether they create jobs or not. This is indisputable, 2 million jobs. You don't have to like these jobs, but nevertheless, they are American

jobs and it gives us our energy independence.

The President has said we have 2 percent of the world's oil, but we utilize 25 percent of the world's oil with our vehicles. Now I agree, we use 25 percent; we've got a lot of cars on the roads, we have a lot of goods movement, but 2 percent? The number is flawed again. As we went through the Natural Resources Committee, we have over 65 percent of the world's natural resources between natural gas, oil, and oil shale, we just have to be willing to go get it. So rather than going to Brazil, rather than going to the Middle East and putting our troops at risk, we ought to be self-sufficient and utilize our own natural resources and put Americans back to work in the process.

Now in my district, we've got natural resource issues as well. We've seen timber issues across the Nation. In Arizona, we've seen catastrophic disasters with national forests. In my district we've got national or natural forests as well. These national forests we've got to manage better. We've got to be able to take the fuel off of the forest floor. We've got to be able to harvest some of the timber. We'll never catch up at this point because our timber harvesting plants are so far behind. But nevertheless, we've got to put Americans back to work, we've got to put Californians back to work dealing with our timber industry.

And in the Central Valley, where we have the largest abundance of ag production, all of the fresh fruits, the nuts, packaged salads, we have so many different things that California produces and yet we see some of the highest unemployment in the Nation. As our national unemployment continues to escalate, we're at 9.1 percent now, we're double that in the Central Valley, and it's a direct correlation to the water. One of our natural resources, when you shut off the water to the valley and only give it 10 percent of the contracted allocation, you have 36 percent unemployment. And in some cities it's even higher. When you go to the food lines and you see Americans—44 percent unemployment in some cities—it seems un-American to not utilize our natural resources.

So we have the ability in this great Nation. We have the bills that we're passing off of this floor. What we need to do is have the will to move them through both Houses and encourage the President to have American jobs—not Republican jobs, these aren't Republican jobs, not Democratic jobs, but American jobs; putting people back to work; avoiding the natural disasters that happen with forest fires and the natural disasters we have with flooding when we don't manage our water; creating clean energy in the process. But the most important issue, when you've got 9.1 percent unemployment and escalating across the Nation, when you've got double that in the Central Valley and continuing to escalate but you have the natural resources and the ability to solve your own problems but ignore the fact and don't do so, we have an American problem with jobs.

As Republicans, we are willing to fix that problem. We will continue to pass these natural resources bills, but at some point we would ask our friends across the aisle to work with us. We will not solve California's energy problems or the Nation's job issue without addressing our natural resources.

## REPUBLICAN AGENDA LACKS COMMON SENSE

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

Mr. DEFAZIO. I appreciate the fact that the gentleman who preceded me in the well talked about unemployment and creating jobs. I may not have agreed with his particular nostrums, but at least that's one Republican who's talking about creating jobs.

Unfortunately, the Republican majority, in the last 6 months of leadership in the House, has brought forward no bills to put Americans back to work except they say do more of the same. What? Yes, more of the same.

The last decade, George Bush dramatically cut taxes—twice—decreased regulations under the theory that that would create jobs. Unfortunately, the facts are in. We had the worst job creation post World War II in the last decade under George Bush and doubled the deficit and debt while doing it. It didn't create jobs. Trickle down economics doesn't work. It didn't work in the Reagan era. It didn't work then. Compare that to the Clinton era. We raised taxes, yes, particularly on rich people and big corporations. We actually balanced the budget, we paid down debt, we had 3.8 percent unemployment, and real incomes went up for the middle class. I'd love to go back to those ''bad old days,'' but no, it's the Bush policies that will work, we've just got to do more of them. Reduce spending even more.

Government can't do anything to create jobs, they say. Well, what about investing in the Nation's infrastructure? Who built the national highway system? Who built the bridges? Who built the transit systems in this country? Who helped build the rail systems? Who has maintained our ports and waterways? The Federal Government—sometimes in partnership with States or local government or the private sector. But those investments pay off.

And what do the Republicans want to do? In the face of 150,000 bridges on the national highway system that are about to—or in the not-too-distant future—have the same fate as the bridge in Minneapolis, Minnesota that is collapsed, they need either total replacement or repair 150,000 bridges; 40 percent of the pavement on the national highway system; $60 billion backlog on our transit systems.

They want to cut Federal investment in transit. And they say if we give that money to rich people and to the corporations—who are sitting on $2 trillion worth of cash—they'll take care of the problem. Oh, really? What are you going to do, toll 150,000 bridges across the country in order to induce the private sector to come in and rebuild them? Are you going to toll the existing interstate in order to bring it up to a decent system of good repair?

And transit systems, they all lose money. Now some on the Republican side say, well, we should just do away with transit systems, we don't need those things. Come on, let's have a little bit of common sense here. You want to talk about saving fuel? Invest in transit. You want to talk about creating jobs? Invest in infrastructure. We have the strongest Buy American requirements in transportation and infrastructure as any program of the Federal Government. We create more jobs per billion dollars than anything else. Way more than the Defense Department—where they want to shower all their funds—can be created in transportation. You can put Americans to work; not only construction workers who have horrible unemployment, not only steel workers for the bridges, not only people who maintain these systems, but engineers, software engineers, people who make tires, people who make rail cars, people who make streetcars.

□ 1100

We are making street cars in America for the first time in 70 years in Oregon due to one of those horrible earmarks they want to ban. We were buying them overseas. Now we are making them in America. Is that bad? They seem to think it is, and they want to decrease investment in these sorts of things that are proven job generators.

Now, I have to give the Obama administration a big fat D-minus on this same issue. The so-called stimulus, which they rightly criticize, which I voted against, $800 million, 40 percent of it was Bush tax cuts, which didn't work for Bush and didn't work for Obama. Now all the Obama administration is talking about is more tax cuts. Extending the payroll tax holiday on Social Security, that will put America back to work.

Give me a break. These things haven't worked. We need real investment. If you borrow money to build a bridge that lasts 100 years, at least you can look your kids and grandkids straight in the eye when they say, what did you do with all that money, because I am still paying the bills 30 years from now. And you can say, we built that bridge you drove over to go to work. We rebuilt that transit system that you took to work today. We made America more competitive in the international economy with those investments.

You have got to start distinguishing between investments and wasteful spending. If you want to talk about cut-and-spend, then let's talk about it.

Subsidies to people to not grow things, $5 billion a year; another $15 billion a year in agriculture subsidies to grow surplus crops? Don't want to touch that one. Tax loopholes, giveaways to the oil companies, let's cut that. No, we can't cut the tax subsidies to the oil companies.

You know, common guys, let's get real here. Let's invest in America, in the American people, and put people back to work. We need a real program, and you people have offered us nothing.

## DEMOCRATS HAVE WRITTEN THE WRONG PRESCRIPTION FOR MEDICARE

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

Mr. GINGREY of Georgia. Mr. Speaker, I stand here today not just as a Congressman, but as a physician with nearly 30 years of experience treating and interacting with patients. Wearing both of these hats has allowed me to understand our health care system at each end of the spectrum, and it allows me to say with absolute certitude that the Democrats and President Obama have written the wrong prescription for Medicare. With 47 million Americans relying on our Medicare system and millions more to enter soon, it is absolutely irresponsible not to inform the public accurately of the facts about its current path if left unchanged.

The truth is, Mr. Speaker, when the President's health care bill was signed into law, it ended Medicare as we know it. According to the nonpartisan Medicare Actuary, Medicare will run out of money in 2024. That is what, 13 years from now. The Congressional Budget Office says it will be as soon as 2020, 9 years from now.

House Republicans have chosen to face the facts and responsibly proposed a comprehensive plan for Medicare. The Republican budget saves Medicare by maintaining benefits as they are for those 55 years and older, while also strengthening it by bringing true choice and competition to maintain and save Medicare for our children and for our grandchildren.

Mr. Speaker, the Democrats' plan for Medicare reform is included in the 2,400 pages of, you guessed it, ObamaCare, which is bad for American seniors and bad for the country. Their plan empowers a panel of unelected bureaucrats to ration senior health care. This panel will focus its cuts on the chronically ill and the disabled, these Medicare recipients who need care the most because they use the most health care services.

Health care rationing has never, Mr. Speaker, has never been the American way, but it certainly appears to be the Democrats' way. As a doctor, I know that the last thing patients need are bureaucrats who are unanswerable to the public, indeed, even to the Congress, making health choices for them.

The Democrats' plan also allows for a $500 billion raid on Medicare to fund programs in ObamaCare, a fact that they have conveniently ignored while they are consistently criticizing Republicans for so-called ''cutting'' care. The plan put forth by President Obama and the Democrats is a plan that cuts Medicare for seniors today, and it leaves Medicare bankrupt for our future generations, our children and our grandchildren.

Mr. Speaker, my diagnosis is that American seniors should be worried only if we sit back and do nothing about Medicare or accept the Democrats' plan to gut it from sick and disabled seniors. We cannot allow it to continue on its current path to insolvency, as the Democrats and President Obama would have it. We need to support Medicare reform now so that we will have Medicare tomorrow, and that includes eliminating this rationing board as soon as possible.

## OPPOSE THE SECURE COMMUNITIES PROGRAM

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

Ms. CHU. I rise today in strong opposition to the Secure Communities program. I am for the stated goals of the Secured Communities program. Anyone who is undocumented in this country and who has been convicted of a serious violent offense should be removed from this country, period. But I can't support the program because of the significant evidence that Secure Communities is failing to achieve its goal.

When you look at the numbers, nearly half of the undocumented individuals from my home county of Los Angeles who have been taken into custody through this program have not committed or been convicted of a serious violent offense, and that is a problem.

Take the story of Isaura Garcia, a 20-year-old who suffered three turbulent years of abuse and beatings at the hands of her boyfriend. In February, she finally found the courage to call 911 for help. Earlier that day, her boy friend, Ricardo, had thrown Isaura and their 1-year-old daughter out of their apartment. When she came back to the house to get her things, Ricardo showed up and it began again. He started throwing things at her, and when she tried to protect herself and her child she accidentally scratched his neck.

After the 911 call, the police showed up and put her boyfriend in cuffs, but after they saw the scratches, they took them off of him and put them on Isaura. Shocked at what was happening, she fainted. At the hospital, doctors found bruises covering her body from the weeks and years of abuse. Despite being identified by a doctor as a victim of domestic violence, she had been arrested as the abuser.

After the arrest, Isaura landed in the L.A. County jail, which was participating in the Secure Communities program. Because of this program, she was fingerprinted and found to be here in an undocumented way. It was too late. Before she knew it, she was sent to an immigration detention center in Santa Ana.

It is stories like Isaura's that are causing the DHS inspector general to investigate the Secure Communities program. Washington State, Pennsylvania, and Washington, D.C., refused to join Secure Communities. New York, Illinois, and Massachusetts are suspending their participation in this program, and California is discussing this as well.

But that is only a first step. The concerns about Secure Communities must be properly and permanently addressed. This is first and foremost about public safety. The people on the front lines of this program, our police officers, have expressed serious concerns about its implementation. LAPD Chief Beck has noted that the program is causing a breach of trust between the LAPD and our immigrant communities, hindering our officers' duties to protect and serve all of our residents. And the numerous reports of domestic violence victims being detained through this program are simply unacceptable. If a program is causing a victim of violence to fear reaching out for help, then that program is causing more harm than good.

Secure Communities has undermined our police departments' mission of protecting the public, it has weakened protections against racial profiling, and it will have a chilling effect on immigrants' willingness to report crimes or provide useful information to the police.

We must take a long, hard look at the negative effects of Secure Communities. We must allow States to opt out of the program. We must protect the safety and welfare of all our residents and truly ensure that we will have safer, more secure communities.

□ 1110

## SAVING MEDICARE

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

Mr. COURTNEY. Mr. Speaker, yesterday afternoon, Bloomberg News released an analysis, district by district around America, of the highest concentration of 45- to 54-year-olds. The reason they did this analysis was to see and focus on where the impact of the Republican Medicare plan would land the hardest. In the top 10 districts which they identified, the headline of this article, which obviously is Bloomberg News, a nonpartisan news service, was: Medicare Cuts Would Hit Republican Lawmakers. Nine out of the top 10 districts in America with that highest 45 to 54 concentration are Republican districts. The 10th is the Second Congressional District, which I

have the honor of representing in eastern Connecticut.

Now, some may ask why was Bloomberg looking at the population of 45- to 54-year-olds? Well, the Ryan Medicare plan radically alters the Medicare program, starting in 2022, for people who today are 54 years old or younger. Starting with that age group, Medicare will no longer be a guaranteed benefit, but instead will be a voucher plan where Americans will be given an $8,000 payment and told, Good luck. Go out and buy insurance.

The Congressional Budget Office has already analyzed what that means to someone aged 54 today in terms of out-of-pocket costs. In fact, it would double the out-of-pocket costs for those 54 and below, in year one, who enroll in the Medicare program. Over time, we have an analysis which shows what the true out-of-pocket costs would be for 55-year-olds with a normal American life expectancy. It would raise their out-of-pocket costs—these are additional costs—by $182,000.

So for anybody who is out there today who is in that age group, you'd better start saving up because you're going to need a lot more retirement assets just to keep level with what an American who turns 65 today gets under the Medicare program.

We have heard a lot from just, again, one of the speakers a few minutes before, who was just making comments about Medicare's going broke and that people 65 and up are going to be protected in terms of their Medicare. Wrong. The Ryan Republican plan would immediately cancel new benefits for seniors today, that they have started to enjoy, starting in January: annual checkups, cancer screenings, smoking cessation.

I had a town hall back in Norwich, Connecticut, just a couple of days ago where I had a young primary care doctor who was talking about the fact that the new annual check-up has allowed her that extra time to spend with patients, and she has detected three cancers because of the fact that she now has the tools to do her job smartly and efficiently.

The Ryan Republican plan would cancel that annual check-up coverage, which the Affordable Care Act kicked in in January, along with cancer screenings and along with smoking cessation—all smart, preventative, wellness-oriented care which will save the Medicare program money, again, for people 55 and younger. This chart shows how the out-of-pocket costs grow exponentially.

I see some young folks up in the audience there. If you're 15 years old, your out-of-pocket costs are going to be $711,000 higher than a 65-year-old's today who is entering the Medicare program.

What this Ryan plan really amounts to is just simply a cost shift to patients and families. It does nothing to make a more efficient health care system, and that is not a solution to the problem.

We also heard that Medicare is going broke, that it is going to be bankrupt in 2024. If you read the trustees' report, you will see, in fact, that it is a totally misleading comment. What the trustees reported was that there are sufficient funds in the program to cover 90 percent of the costs of Medicare and, starting in 2024, for at least another decade and a half. Now, that shortfall is a problem. We should not have a 10 percent shortfall starting in 2024, but that is a manageable problem. We can make smart, intelligent changes to the Medicare program just like we have done going back to 1965 when it was first enacted.

Again, we have had, in fact, solvency reports and warnings from the trustees that were much more dire in the '70s, in the '80s, in the '90s than the report that we saw 3 weeks ago. There is no reason to scare people and panic people into butchering the Medicare's guaranteed benefit in the name of fiscal solvency for the Medicare program. We can make smart choices. We can make smart changes, but shifting the costs to people 55 and younger is not a solution to the Medicare program. It ends Medicare.

Now, within families with some who are over 55 and some who are under 55, this will create two-tiered coverage. I can report to you of the Courtney Family. I'm 58 years old, so purportedly, I would get the old-fashioned benefit under the Ryan plan, but my wife, Audrey, who is a nurse practitioner—she is 51—will get the loser benefit. She is going to have to start dishing out close to $200,000 in additional costs for her retirement under this plan.

So you've got two-tiered coverage even within families under the proposal that we have with the Ryan plan. We can do better as a great Nation to guarantee coverage—with a reasonable package that is smart and efficient to solve the Medicare program. We don't need the Ryan plan, which will shift costs to patients and families in an unfair fashion.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members should not refer to occupants of the gallery.

## STOP MILITARY RAPE

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

Ms. SPEIER. Mr. Speaker, I rise today to once again draw our attention to the epidemic of rape and sexual assault in the military.

But, first, I want to mention the disturbing Government Accountability Office report released last week which showed that patients and staff have been raped and sexually assaulted in the VA. There were 284 reports of sexual assault which occurred between January 2007 and July 2010. There were 67 classified as rape, 185 as inappropriate touching, 13 as forced oral sex, eight as forceful medical examinations, and 11 as ''other.''

While this is not as widespread as rape and sexual assault in the military, it is yet another example where government has lacked in protecting the men and women in uniform who serve our Nation. One assault is one too many. VA facilities should be a place for aid and comfort, not for abuse.

The House Veterans Affairs' Committee held a hearing on this issue just Monday. Congress must make it a priority to hold the VA accountable and ensure that this does not happen again. As I said during my last speech on this issue, I have set up an email account so survivors of rape and sexual assault in the military can tell their stories. The address is: stopmilitaryrape@mail.house.gov.

Today, I want to share the story of Private Jessica Kenyon. Mr. Speaker, I must warn my colleagues that some of the language is raw. Private Kenyon served in the Army from August 2005 until August 2006. Her allegation is as follows:

During training at Fort Eustis, Private Kenyon's teaching sergeant began to harass her. He constantly touched her, and made sexual jokes and comments to her. She did not believe it would be effective to report the teaching sergeant, because her unit commander was openly misogynistic. He was known to say, ''This unit never had any problems until females came into it.''

In December 2005, while Private Kenyon was home for the holidays, she was raped by a member of the Army National Guard. At that point, she reported both the sexual harassment by the drill instructor and the rape to an Army sexual assault response coordinator. The Army official advised her to put the rape ''on the back burner'' and focus on the sexual harassment. Private Kenyon then discussed the rape with Command, who advised that it would be used against her in promotional reviews if she chose to pursue prosecution.

After she reported the harassment and rape, she was ostracized and retaliated against by her fellow soldiers. This retaliation followed her to her next assignment at Camp Humphreys in Korea. When she arrived, the sergeant advised that he had received calls warning him about her. He then made a unit-wide announcement, cautioning everyone that they ''should be careful who you talk to because they might report you.'' The sergeant and others engaged in the ongoing sexual harassment of Private Kenyon.

In the spring of 2006, one soldier—a specialist and squad leader—sexually assaulted Private Kenyon. He put his hand under her shirt and on her breasts, and tried to make her touch his penis. She fought him off.

Private Kenyon reported the assault to Command. The assailant denied the

sexual assault, and failed a lie detector test as a result. He then recanted his testimony and admitted to the harassment. He was charged with ''lying on a sworn statement,'' and was given only a nonjudicial punishment. He was demoted two ranks, but remained on active duty. The assailant got to keep his job. Private Kenyon got Post-Traumatic Stress Disorder.

For 16 years, Congress has been talking about this issue, and there have been 18 hearings and reports. Yet the Department of Defense still testifies that there are 19,000 rapes that occur in the military every year, and we have done nothing about it.

I urge survivors to tell their stories by writing to stopmilitaryrape@mail.house.gov.

□ 1120

## WORKING TOGETHER TO GROW OUR ECONOMY AND CREATE JOBS

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

Mr. FITZPATRICK. The recent release of the May unemployment rate at 9.1 percent was a harsh reminder that a jobless recovery is not a recovery at all. I believe that in order for our economy to grow and small businesses to create jobs, the first step must be to restore fiscal order to the Federal Government. This year, our government is borrowing 42 cents of every dollar that it spends. In addition to burdening our children and grandchildren with an enormous debt, such reckless spending crowds out private investment and competes with small business for access to capital. While reducing our deficit spending is an important first step to economic recovery, we can and we must do more.

Since taking office, President Obama has dramatically increased the regulatory burden on small businesses. In 2010 alone, the administration has handed down 43 major new regulations—the highest single-year increase on record. The President has also used the regulatory process to block development of vast domestic energy sources. This has led to costly burdens that prevent small business growth as well as higher prices at the pump.

While regulations can help protect our environment, they should be based on common sense and not stifle growth. Recently, I helped a small manufacturer cut through months of costly Federal red tape that delayed expansion and hiring at his facility in Bucks County, Pennsylvania. We must work to make sure that unnecessary and duplicative regulations do not stand in the way of job creation in our region and across our great Nation.

Finally, we must proactively encourage private sector job creation. I have been working, Mr. Speaker, on two pieces of legislation in this area. The Hire Just One Act would provide a one-time tax credit to small businesses that hire a full-time permanent employee this year. I have also introduced the Fairness to Veterans Act, which would extend Federal contracting preferences to veteran-owned small businesses. This bill is designed to honor the service of our Nation's men and women in uniform as well as address the staggering 21 percent unemployment rate among veterans returning from Iraq and Afghanistan.

I'm committed to working to fix our economy and making sure that the Federal Government is a partner in job creation, not an obstacle to it. Together, we can grow our economy and create private sector jobs and opportunity.

## RECESS

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

Accordingly (at 11 o'clock and 23 minutes a.m.), the House stood in recess until noon.

□ 1200

## AFTER RECESS

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

## PRAYER

Reverend Dr. Phil Hoskins, Higher Ground Baptist Church, Kingsport, Tennessee, offered the following prayer:

Heavenly Father, we thank You for the gifts of life and freedom. Thank You for the blessing of citizenship in the United States of America.

Today, I pray for our President and Members of the House and Senate. Lord, grant wisdom to our governing officials as they lead us during these challenging times throughout the world. Many have forgotten You and many also have forsaken You, but today we turn to You and acknowledge that You and You alone are the source of our strength and security.

Have mercy upon us, I pray. Now I claim the promise in Your word, as written in the second book of Chronicles, chapter 7, verse 14: ''If My people who are called by My name will humble themselves and pray and seek My face and turn from their wicked ways, then I will hear from heaven and will forgive their sin and will heal their land.''

In Jesus' name, amen.

## THE JOURNAL

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

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

## PLEDGE OF ALLEGIANCE

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

Mr. PITTS 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.

## WELCOMING REVEREND DR. PHIL HOSKINS

The SPEAKER. Without objection, the gentleman from Tennessee (Mr. ROE) is recognized for 1 minute.

There was no objection.

Mr. ROE of Tennessee. Mr. Speaker, today our guest chaplain is Dr. Phil Hoskins, a native east Tennesseean.

Dr. Hoskins attended East Tennessee State University, Milligan College, and Andersonville Baptist Seminary, where he earned his Doctor of Theology degree. For 12 years, Dr. Hoskins served as a full-time Southern Baptist evangelist and has conducted over 400 revivals and crusades in 28 States and Canada.

Dr. Hoskins is now the pastor of Higher Ground Baptist Church in Kingsport, Tennessee. Since accepting the pastorate of Higher Ground in 1991, he has helped his congregation grow from under 200 to well over 3,000 members.

Dr. Hoskins is here today with his wife, Brenda, and his two beautiful daughters, McKenzie Paige and Madison Jade.

It is a great honor to introduce Dr. Hoskins, whose dedication and commitment to serving God and his fellow man is unwavering.

I would like to yield to my friend from North Carolina, HEATH SHULER.

Mr. SHULER. I thank the gentleman from Tennessee.

It is, indeed, an honor that you have asked one of my dear friends, Phil Hoskins, to be able to come and preside over the House this morning and lead us in prayer, a gentleman who baptized my wife, who administered the ceremony that married my brother and his wife.

So, Phil has meant absolutely everything to me and my family, and I love him unconditionally. He has been a man of great character, someone I can lean on, and I am jealous that you have him in your district.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BASS of New Hampshire). The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

## IRAQ WAR COSTS—WHO SHOULD PAY?

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

Mr. POE of Texas. Mr. Speaker, while in Iraq last week with Members of Congress, we not only met with our troops, but we met with Prime Minister Maliki. During our conversation, it was suggested to Mr. Maliki that Iraq eventually assume some of the costs for this war of liberation.

The war has cost billions of dollars and thousands of American lives. Since we are rebuilding Iraq and have given them a free democracy, it seems only right that Iraq at least consider paying for part of the cost with future oil revenues. I was surprised that Prime Minister Maliki reacted with an emphatic ''no way'' to sharing the cost. Even Kuwait helped reimburse the coalition nations when Saddam was driven from their lands. But not Iraq. They will not hear of it.

Later this same day, we learned that the Prime Minister had actually ordered the Members of Congress out of Iraq. Looks like our questions to him were a political IED.

But as the date for our military looms ever closer for departure, there are reports the Prime Minister wants our military to stay a little longer and Americans to pay for it. Iraq should help pay for the nation that Americans rebuilt and liberated.

And that's just the way it is.

## PRESIDENTIAL SCHOLARS

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

Mr. CICILLINE. Mr. Speaker, I rise today to recognize and honor Presidential Scholars Dylan Neel of Moses Brown High School and Sol Taubin of the Wheeler School for the academic excellence.

Dylan and Sol have shown themselves to be some of our Nation's most distinguished graduating high school seniors. They are two of only 141 students selected as U.S. Presidential Scholars from more than 3,000 applicants. The U.S. Presidential Scholars program recognizes graduating high school seniors for academic excellence, artistic accomplishments, and civic contributions. These young people represent the great hope of our Nation's youth and the promise of the American education system.

I also want to recognize Jennifer Stewart and Christine Barry, who were selected by Dylan and Sol, respectively, as their most inspiring and challenging teachers. I thank these teachers for their dedication to our young people and our schools.

I am pleased to join the White House Commission on Presidential Scholars and the United States Department of Education in recognizing Dylan Neel and Sol Taubin.

## HAMAS FUNDING

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

Mr. PITTS. Mr. Speaker, a few days ago from this very Chamber, we heard the Israeli Prime Minister make clear that Israel seeks a permanent peace settlement with recognition of a Palestinian state. He reiterated that Israel seeks peace with its neighbors. Unfortunately, some of its neighbors do not feel the same way.

The charter of Hamas clearly states that peaceful solutions are contrary to their beliefs. As a party, they stand for the destruction of Israel, they glorify the murders of women and children, and even mourn the death of Osama bin Laden. Despite these positions, Hamas was recently welcomed back in to the Palestinian Government, and Egypt has opened the border to the Gaza Strip.

By no means should U.S. taxpayer money go to support these murderers. We cannot support a Palestinian Government that has no intention to live peacefully with its free and democratic neighbor. We must stop sending hundreds of millions of dollars in annual aid until all parties in the Palestinian Government recognize that Israel has a right to exist.

## TERROR GAP

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

Mr. QUIGLEY. Mr. Speaker, shockingly, individuals on the Federal terrorist watch list are not excluded from purchasing firearms in the United States. Quite simply, this means you can be on a terrorist watch list and be prohibited from boarding a plane because we think you are a terrorist, but you can buy a semiautomatic weapon.

Last week, American-born al Qaeda spokesman Adam Gadahn urged the terrorist group's followers to exploit this ''terror gap'' in our gun laws. Our enemies, intent on destroying Americans and our way of life, have made a calculated decision that Congress cares more about protecting the gun lobby than it does the safety of its citizens. They are convinced we lack the courage and fortitude to close our gaping loopholes and that their persistent campaign to strike again on our soil has new promise.

I would love to stand here today and say our enemy has grossly underestimated us. I am not certain I can. My colleagues in Congress are now faced with a critical opportunity to do the right thing and pass the most commonsense of commonsense policies by closing the terror gap. Al Qaeda will be watching our response.

□ 1210

## INDIANA AIR NATIONAL GUARD AIRMAN OF THE YEAR: STAFF SERGEANT ANDRE CARBONEAU

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

Mr. STUTZMAN. Mr. Speaker, I'd like to honor a native member of Indiana's Air National Guard today. Staff Sergeant Andre Carboneau was recently awarded Indiana Air National Guard Airman of the Year for 2010. The honorable award is designed to recognize members that are hardworking, are involved in the community, and have continued to advance themselves in education. After members compete on a quarterly basis, they compete at the State level to become the airman of the year.

Carboneau received his award Friday, May 20, at Victory Field in Indianapolis. He is from Warsaw, Indiana, and a phase aircraft mechanic for 122nd Fighter Wing in Fort Wayne, Indiana. He is also a full-time student at Indiana State University, where he is majoring in professional aviation.

I congratulate Staff Sergeant Andre Carboneau for his achievements and am proud of Indiana's 14,700 members of the Indiana Army and Air National Guard.

Our Nation owes endless gratitude to these men and women in uniform who have devoted their lives to our security and the preservation of our liberty.

## MEDICARE VOUCHER PROGRAM

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

Mrs. CAPPS. Mr. Speaker, I rise today in strong opposition to the Republicans' misguided attack on Medicare and Medicaid. No matter what the other side says, their plans for Medicare and Medicaid will end them, leaving them as nothing but a shell.

This is a question of priorities. Which is the best choice? Either closing the doughnut hole so seniors, including 7,000 in my district, don't have to choose between their medications and paying the rent, or giving huge subsidies to oil companies?

Or this choice: telling people, including 100,000 in my congressional district who are in their 40s and 50s, to hurry up and save another $200,000 each before they retire so they can pay for health care since Medicare's guarantee is gone?

Or continuing tax breaks for millionaires and billionaires?

The Republican budget is not a plan for our future. It's a recipe for disaster. It ends Medicare and Medicaid, puts our seniors at risk.

Stand up for our current and future seniors. Say ''no'' to the Republican attack on Medicare and Medicaid.

## MR. PRESIDENT, WHERE ARE THE JOBS?

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

Mr. HENSARLING. Mr. Speaker, we found out last week that new business

creation is at a 17-year low, and Americans are asking, Mr. President, where are the jobs?

Unemployment has now languished at the highest level since the Great Depression, and Americans are asking, Mr. President, where are the jobs?

One in seven families is now on food stamps, and Americans are asking, Mr. President, where are the jobs?

The Bureau of Labor Statistics released that the time it takes to get a new job is at an all-time high, and Americans are asking, Mr. President, where are the jobs?

House Republicans have a plan for America's job creators to put the Nation on a fiscally sustainable path to restore confidence, to make our Tax Code competitive, and to take the burden of regulation off our job creators so that American workers can get the paychecks they need and deserve.

## REPUBLICAN PLAN TO END MEDICARE AND GUT MEDICAID

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

Mr. SIRES. Mr. Speaker, the more we learn about the true impact of the majority's plan to end Medicare and gut the Medicaid program, the more there is to dislike.

For starters, under their plan, seniors will pay $6,000 more in annual out-of-pocket costs for health care services. Current seniors will see higher costs on prescription drugs as a result of reopening the donut hole, as well as a spike in the price of preventative care because free annual wellness visits will be eliminated.

Individuals who are 54 years of age and younger, including 540,000 people in my district, will be denied access to Medicare's guaranteed benefits.

Additionally, the majority's budget slashes Medicaid funding by $800 billion over 10 years and converts the program into block grants. Nearly 60 million Americans that rely on Medicaid for their health coverage will be in jeopardy of losing their health care.

From my district in particular, their plan will impair the health care of 21,000 dual eligible seniors who rely on Medicaid to supplement their Medicare coverage, and 82,000 children who receive coverage under Medicaid.

Mr. Speaker, given the current economic climate, now is not the time to be cutting valuable services to our most vulnerable citizens.

## MEDICARE HOME INFUSION BILL

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

Mr. MURPHY of Pennsylvania. Mr. Speaker, there are massive inefficiencies in Medicare that are causing the program to go bankrupt. One example is infusion therapy, or the intravenous delivery of medication administered to patients suffering from cancer or serious infection for which they cannot just take a pill. But it requires specialized equipment and supervision and often lasts several hours a day over a period of several weeks. It's very expensive for patients to get this care in a hospital.

Although private plans have been covering home infusion therapy for decades, Medicare still forces people to go to a hospital, where they also have increased risk for infection by going there, and it costs thousands of dollars for delivery, as opposed to hundreds of dollars when they get it at home.

That's why today, Representative ELIOT ENGEL and I are reintroducing the Medicare Home Infusion Therapy Coverage Act, so patients can receive the same treatment in the comfort and convenience of their home at a lower cost. Our bill saves taxpayers money, about $6 billion over 10 years.

Mr. Speaker, our proof is that this is one more way we can find significant savings in Medicare, or simply wait for the program to go bankrupt. And I urge all of my colleagues to support our bill to give patients better quality and better care at lower costs.

## MEDICARE AND MEDICAID

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

Mr. BACA. Mr. Speaker, America's seniors have given a lifetime of service to our Nation. It is our responsibility to demonstrate the same commitment to them by providing a safety net like Medicare and Medicaid.

Sadly, the Republican budget will have a devastating impact on our seniors, forcing many of them to sell their homes and rely on their children just to get by because they can't afford health coverage.

In my district alone, the Republican budget plan would throw out 3,200 Medicare beneficiaries into the prescribed donut hole, eliminate preventive care benefits for 56,000 seniors, deny 630,000 individuals aged 54 and younger guaranteed Medicare coverage, jeopardize nursing home care for 1,100 seniors whose expenses are paid by Medicare.

Yes, we must lower the deficit with intelligent spending cuts, but it is wrong to balance the budget by cutting vital service to American seniors.

Let's preserve Medicare and Medicaid. Let's work together, Republicans and Democrats, and find a solution.

## THE IMMINENT MEDICARE CATASTROPHE

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

Mr. FLEMING. Mr. Speaker, we are at a great turning point in history when it comes to the survival of Medicare. The CMS actuary just informed us that Medicare will become insolvent in just 12 years. That means that if you're on Medicare, or expect to be on Medicare in the next 12 years, you need to think about how you will finance your health care after that period.

And what is the President's plan or the Democrat congressional plan? Sorry, there is no plan.

When asked, Mr. President, why no plan when the law requires you to have one? He said, and I paraphrase, that he would rather Republicans take the lead so he can demagogue ours. Never mind that ObamaCare takes one-half trillion dollars from Medicare to subsidize its crazy schemes.

The Ryan budget plan that was passed here in this Chamber has the only credible plan to save Medicare. It ensures traditional Medicare coverage indefinitely if you're over 54 years of age. It provides for a choice among many private plans with premium support based on financial need for those who are under. It is time congressional Democrats and the President step up on this vital issue.

□ 1220

## THE TRUTH ABOUT MEDICARE

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

Ms. SCHAKOWSKY. Mr. Speaker, the more people know about the Republican plan for Medicare, the less they like it. So it's no wonder that the Republicans are trying to prevent House Members from telling our constituents about the plan to end Medicare by actually censoring our mailings to our own districts.

The Democrats aren't alone in saying the Republican plan ends Medicare. Tom Scully, former Bush administration head of Medicare, says the Republican plan ''gets rid of the current Medicare program'' and that it is ''a fundamental structural change in the program.'' It's so fundamental that beginning in 2022 the out-of-pocket costs for enrollees would double, and they would be forced to pick a private insurance plan without guaranteed benefits.

Republicans can call their plan whatever they want—sorta-care, maybe-care, we don't care—but they can't call it Medicare. They can try all they want, but they can't keep seniors from learning the truth.

This program that they introduced ends Medicare.

## MEDICARE IS GOING BROKE, MR. PRESIDENT

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

Mr. BROUN of Georgia. Mr. Speaker, this administration has failed to lead, they have failed to budget, and now they have failed to produce any viable solution for saving Medicare. In fact, their solution is to let it go broke.

In 13 short years, Medicare's Hospital Insurance Trust Fund will run completely out of money. Bankrupting this

program will leave many of our Nation's seniors high and dry and our future generations without a health care program to depend upon.

And guess what? The Obama administration doesn't care. Instead of making Medicare reform a top priority, the administration has passed the task off to a panel of unqualified bureaucrats—like it was busy work that they couldn't be bothered with.

Mr. Speaker, Medicare is going broke. That's a reality this administration has to face. The program is already driving up the larger-than-life debt, and it will only get worse from here. I urge the administration to at least present us with one option for fixing Medicare's present money problem. And if they can't, the House GOP doctors have plenty of suggestions of where to begin.

## REPUBLICANS ARE HIDING THE TRUTH ABOUT MEDICARE FROM THE PUBLIC

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

Mr. YARMUTH. Mr. Speaker, before I came to Congress, I was a newspaper editor in Louisville, Kentucky. And as an editor, my job was to make sure that our stories revealed the truth and made things easier to understand for our readers. Right now, the Republican majority in Congress is editing to obscure the truth and to hide the facts from the American people.

Ever since a Republican candidate in New York lost a special election in a heavily Republican district because she supported the reckless GOP plan to end Medicare, the majority in this body has been petrified about what it might mean for their political careers if the American people actually found out the truth, and they are doing everything they can to hide the truth.

The Republican-controlled Franking Commission—which controls content of mailings from congressional offices—is now dictating that any reference to the end of Medicare be cut out from correspondence. Whenever the word ''end'' is used, they say we have to use the word ''change.'' They won't let the truth be told. But the truth is, if you have eliminated something, you haven't changed it. You can't change something that has been killed. That's what the American people need to know. That's what the Republican majority is trying to hide, but they will not deceive the American people.

## HAPPY 236TH BIRTHDAY TO THE U.S. ARMY

(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. Speaker, yesterday marked the birthday of the United States Army; 236 years ago, the United States Army was established to defend our families. The Army began June 14, 1775 as the Continental Army. The Continental Congress established the Army to coordinate military efforts among the 13 independent colonies.

With victory in the Cold War, more people and more countries today live in democracy, freedom and peace than in the history of the world due to the success of America's military. Promoting the values of loyalty, duty, respect, selfless service, honor, integrity and personal courage, today's soldiers represent the best of our Nation.

As the grateful son of an Army Air Corps Flying Tiger and as a 31-year veteran of the Army Reserves and Army National Guard, I know firsthand the competence and patriotism of servicemembers. Especially my wife, Roxanne, and I are grateful to have three sons currently serving in the Army National Guard. My youngest son, Second Lieutenant Hunter Taylor Wilson, was commissioned last month an engineer through the Clemson University ROTC.

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

## CENSORSHIP BY FRANKING COMMISSION

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

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to object to the majority Franking Commission's exercise in blatant and transparent censorship on a Medicare mailing I and other colleagues of mine wish to send to our constituents.

I'm not allowed to call it the ''Ryan budget'' even though the Republicans called it the Ryan budget, because, of course, it has become unpopular. I'm not allowed to refer to changing Medicare to a voucher system even though Mr. RYAN himself referred to it as a voucher system. I must now call it a ''premium support system.''

These changes, among many others, are censorship at its worst. When we don't like something, when it's not going well for us on the majority side, we suppress it. This censorship would make former Soviet censors blush at the breathtaking nature and sweeping scope of the suppression of free expression, of free ideas here in the Nation's Capitol.

## REPUBLICANS WORKING TO CREATE JOBS

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

Mr. BUCSHON. Mr. Speaker, I rise today to talk about jobs.

Last week, during the district work period, I met with local business leaders, toured businesses throughout my district, and listened to their concerns. It should not come as a surprise to anyone the main topic of conversation was where are the jobs and what is the state of the economy.

Over and over, the small business leaders told me that government regulations and uncertainty are negatively affecting their ability to grow and create jobs. Businesses are afraid to invest in the future due to the uncertainty in our Tax Code, the increased costs and regulations stemming from the Affordable Care Act—which they can't afford—and the increased burdens of an out-of-control regulatory process that has stifled job creation.

Just yesterday, the National Federation of Independent Business released their report showing a decline in optimism for small businesses for a third consecutive month. It has been 28 months since the ill-conceived stimulus passed and a year since June 2010 was declared ''recovery summer'' by the administration; yet 1.9 million fewer Americans have jobs. This is why we need to get our fiscal house in order, cut spending, repeal the Affordable Care Act, and end onerous regulations.

The Republican majority gets the message, and everything we're doing is to create a climate where we can expand and create jobs in America.

□ 1230

## EMPOWERING BUSINESSES TO GET ECONOMY GOING

(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, it is no coincidence that Illinois' corporate tax rate is the fourth-highest in the Nation and yet ranks 48th in economic performance. Businesses, big and small, can no longer afford to keep their doors open and hire more workers when they face a 45 percent tax increase.

If we are serious about creating jobs, then we must stop allowing the government to pick winners and losers in today's economy. In order to create economic certainty, we must have a level playing field and clearly defined rules that don't change halfway through the game. We need to encourage businesses to invest and to expand here at home. One way that we can do that is through corporate tax reform, eliminating tax loopholes that currently exist in the system.

One thing is clear: Increases in taxes without spending reform cannot work. It is time that we start to empower businesses to get our economy moving again. Illinois has lost 750,000 manufacturing jobs over the last decade. Now is the time we have to focus on job creation.

## A REAL, ACTIONABLE JOBS PLAN FOR AMERICA IS NEEDED

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

Mr. QUAYLE. Mr. Speaker, earlier this week, President Obama made a joke about his so-called stimulus package. Remember those shovel-ready projects we heard so much about? They were one of the major selling points for the package. Well, the President now says they ''were not as shovel-ready as we expected.'' I am sure some got a good chuckle out of that line, but there is nothing funny about a $1 trillion failure.

The economic policies this administration has pursued have failed to create jobs, and they have made matters worse for our economy. In many of our home States, the economic situation is bleaker than the national picture. In my hometown of Phoenix, Arizona, our unemployment rate is higher than the national average, and we have lost thousands of manufacturing and retail jobs over the last 2 years. We also have a housing market that has collapsed.

Mr. Speaker, we will never get our economy growing again unless we see drastic improvements in unemployment and our housing sector. Our country is at our best when we unleash the ingenuity of the American people. The Republican Conference has a real and actionable jobs plan that will put America back to work, that will give our entrepreneurs and innovators freedom from the regulatory burdens and high taxes that are holding them back.

We must take action to get this economy going again, and that is what our plan does. President Obama's speeches, policies, and council meetings are not enough.

## REPEAL AND REPLACE THE PRESIDENT'S HEALTH CARE PLAN

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

Mr. HULTGREN. Mr. Speaker, I rise today to recall a promise that we heard many times from this President and his administration: that under his health care law, if you like your insurance, you can keep it. Unfortunately, it seems that that promise was an empty one, and it will affect millions of Americans.

A recent study from McKinsey & Company found that due to the law, at least 30 percent and perhaps as many as half of employers say that they will probably or definitely stop offering health care coverage to their employees after 2014. These are astounding statistics, and they reveal the fallacy we heard so frequently that if you like your plan, you can keep it.

With every passing day we find out more and more what is in the President's health care law, and we find out that it hurts middle class families and small business owners, holding back our economy and killing job creation. This study is just one more reason for the House to redouble its efforts to repeal this law and replace it with legislation that will control the cost of health care while preserving individual freedoms.

## HONORING JIM SACKETT

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

Mr. ROONEY. Mr. Speaker, I rise today to honor Jim Sackett, who this week announced he is retiring after 33 years in remarkable service as the anchor of WPTV News Channel 5 in West Palm Beach.

I have enjoyed Jim's newscasts since my family moved to Palm Beach Gardens in 1984. In high school, I wanted to go into the news business and actually interned under Jim at Channel 5. I learned a lot that semester watching Jim, whose commitment to balanced news reporting set a high standard for other newscasters. His dedication to quality news coverage has earned him both a Telly and an Emmy.

Before he began his career in journalism, Jim served his country honorably for 5 years in the United States Army. He continues to serve our community, where he is active in several organizations, including Big Brothers and Big Sisters. Jim is widely recognized for his ''Thursday's Child'' feature, which for 30 years profiled children to help them find forever adoptive parents.

Jim, thank you for your service and your contributions to our community. You are truly a pillar of the Treasure Coast and Palm Beach County.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 1 p.m. today.

Accordingly (at 12 o'clock and 34 minutes p.m.), the House stood in recess until approximately 1 p.m.

□ 1303

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BROUN of Georgia) at 1 o'clock and 3 minutes p.m.

## AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

The SPEAKER pro tempore. Pursuant to House Resolution 300 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2112.

□ 1304

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2112) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes, with Mr. BASS of New Hampshire (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Tuesday, June 14, 2011, a request for a recorded vote on the amendment offered by the gentlewoman from California (Ms. RICHARDSON) had been postponed and the bill had been read through page 26, line 17.

The Clerk will read.

The Clerk read as follows:

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed $100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, $770,956,000, to remain available until September 30, 2013: *Provided*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed $250,000: *Provided further*, That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a.

WATERSHED REHABILITATION PROGRAM

Under the authorities of Section 14 of the Watershed Protection and Flood Prevention Act, $15,000,000 is provided.

AMENDMENT NO. 10 OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 27, line 23, after the first dollar amount, insert ''(reduced by $15,000,000)''.

Page 80, line 2, after the first dollar amount, insert ''(increased by $15,000,000)''.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. BROUN of Georgia. Mr. Chairman, my amendment would eliminate one of the 20 different conservation programs USDA currently operates, the water rehabilitation program. The chairman of the subcommittee, my good friend from Georgia, has stated during debate on funding for agriculture programs that he hopes to see a reduction in the number of Federal programs included in this bill.

I understand that some of my colleagues have a vested interest in this program, but when we have a program that is funding projects in only a handful of States, we must take a long, hard look at our priorities.

Mr. Chairman, even the President did not request funding for this program. It cannot be understated that we are facing unprecedented fiscal challenges in our Nation. We just simply have to stop spending money that we don't have, and we have to start creating jobs out in the private sector. My amendment, by cutting this program, will help to stop the bleeding economically that we're having. The consequences of failing to reduce spending and the deficit jeopardize the current and future stability of our Nation.

I urge my colleagues to support my amendment.

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

Mr. LUCAS. I move to strike the last word.

The Acting CHAIR. The gentleman from Oklahoma is recognized for 5 minutes.

Mr. LUCAS. Mr. Chairman, I rise today in opposition to this amendment, and I think it might be worthwhile to explain for just a moment what the small watershed program is and what the small watershed rehabilitation program is all about.

These were efforts begun in the 1940s and 1950s by this body in an effort to address flooding conditions. Under this program, 10,000 small earthen dams were built across the country, working in interlocking series to prevent downstream flooding by capturing flood waters at the source.

Now, like anything after 50 years, its life expectancy can be expected to come to a conclusion. In 2000, we created the rehabilitation program to extend the life of these structures by additional time, and it now appears, based on the modern techniques being used, engineering technologies, that these 50-year structures will wind up with a 150-year total life expectancy in many instances.

This is a program where the rehabilitation resources are allocated based on need as scored by USDA. It's not an earmark program. It's not a targeted program. The money is made available, and as the structures need work, they are prioritized. It's a wonderful way to address this issue.

Now, if you look at the amount of property and life and infrastructure that have been protected in the life of these programs, it's almost incalculable. In Oklahoma, in the range of $81 million a year worth of property has been saved.

My colleague alluded to programs that only affect limited numbers of areas. I would note even in the great State of Georgia, there are 357 of these watershed structures. There are 69 that within the next 10 years will need the rehabilitation program. There are benefits in every State.

I would just simply say, if you care and you believe that infrastructure is a part of our responsibility, if you believe that protecting every life below that dam all the way to the ocean is important, and the property, then this is a wise, small use of resources. What my friend attempts to do here is to zero out the whole program. No money for rehab this year. No money for rehab this year.

□ 1310

That would be a travesty. That would be a tragic use of resources in the past. It's important, I think, that we continue this program.

Mr. KINGSTON. Will the gentleman yield?

Mr. LUCAS. I yield to the gentleman from Georgia.

Mr. KINGSTON. As the chairman of Agriculture knows and is fully aware, I wanted to underscore the point that you just made that the ordinary mandatory authorization for this program is $165 million. That has been zeroed out, and the only thing we're doing this year is this $15 million. And so even at the current $15 million level, it's still 150 less than it ordinarily has been.

Mr. LUCAS. I would say, reclaiming my time, that the gentleman is right. This is a dramatic reduction over what had been expected during the farm bill. Yet this $15 million will do tremendous work, and it is allocated on a 65–35 cost basis. Local and State government have to come up with more than a third of the money to be able to implement these rehabilitation programs.

For a few pennies, we do a great deal across the country based on need, not anyone's political priorities but based on need. This is an exceptional program. I would ask my colleagues to turn back this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The amendment was rejected.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

TITLE III

RURAL DEVELOPMENT

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

For necessary expenses of the Office of the Under Secretary for Rural Development, $760,000.

RURAL DEVELOPMENT SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs in the Rural Development mission area, including activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements; $161,011,000: *Provided*, That notwithstanding any other provision of law, funds appropriated under this section may be used for advertising and promotional activities that support the Rural Development mission area: *Provided further*, That not more than $10,000 may be expended to provide modest non-monetary awards to non-USDA employees: *Provided further*, That any balances available from prior years for the Rural Utilities Service, Rural Housing Service, and the Rural Business-Cooperative Service salaries and expenses accounts shall be transferred to and merged with this appropriation.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: $24,845,666,000 for loans to section 502 borrowers, of which $845,666,000 shall be for direct loans, and of which $24,000,000,000 shall be for unsubsidized guaranteed loans; and $58,617,000 for section 515 rental housing loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: $40,000,000 for 502 direct loans; and $20,000,000 for repair, rehabilitation, and new construction of section 515 rental housing: *Provided*, That of the total amount appropriated in this paragraph, the amount equal to the amount of Rural Housing Insurance Fund Program Account funds allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2011, shall be available through June 30, 2012, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

In addition, for the cost of direct loans, grants, and contracts, as authorized by 42 U.S.C. 1484 and 1486, $12,500,000, to remain available until expended, for direct farm labor housing loans and domestic farm labor housing grants and contracts: *Provided*, That any balances available for the Farm Labor Program Account shall be transferred and merged with this account.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $400,000,000 shall be paid to the appropriation for ''Rural Development, Salaries and Expenses''.

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, $890,000,000; and, in addition, such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: *Provided*, That of this amount not less than $1,500,000 is available for newly constructed units financed by section 515 of the Housing Act of 1949, and not less than $2,500,000 is for newly constructed units financed under sections 514 and 516 of the Housing Act of 1949: *Provided further*, That rental assistance agreements entered into or renewed during the current fiscal year shall be funded for a one-year period: *Provided further*, That any unexpended balances remaining at the end of such one-year agreements may be transferred and used for the purposes of any debt reduction; maintenance, repair, or rehabilitation of any existing projects; preservation; and rental assistance activities authorized under title V of the Act: *Provided further*, That rental assistance provided under agreements entered into prior to fiscal year 2012 for a farm labor multi-family housing project financed under section 514 or 516 of the Act may not be recaptured for use in

another project until such assistance has remained unused for a period of 12 consecutive months, if such project has a waiting list of tenants seeking such assistance or the project has rental assistance eligible tenants who are not receiving such assistance: *Provided further*, That such recaptured rental assistance shall, to the extent practicable, be applied to another farm labor multi-family housing project financed under section 514 or 516 of the Act.

MULTI-FAMILY HOUSING REVITALIZATION PROGRAM ACCOUNT

For the rural housing voucher program as authorized under section 542 of the Housing Act of 1949, but notwithstanding subsection (b) of such section, $11,000,000, to remain available until expended, which shall be available for rural housing vouchers to any low-income household (including those not receiving rental assistance) residing in a property financed with a section 515 loan which has been prepaid after September 30, 2005: *Provided*, That the amount of such voucher shall be the difference between comparable market rent for the section 515 unit and the tenant-paid rent for such unit: *Provided further*, That funds made available for such vouchers shall be subject to the availability of annual appropriations: *Provided further*, That the Secretary shall, to the maximum extent practicable, administer such vouchers with current regulations and administrative guidance applicable to section 8 housing vouchers administered by the Secretary of the Department of Housing and Urban Development.

AMENDMENT OFFERED BY MR. GOSAR

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 32, line 5, after the dollar amount, insert ''(increased by $100,000,000)''.

Page 35, line 13, after the dollar amount, insert ''(increased by $100,000,000)''.

Page 49, line 23, after the dollar amount, insert ''(reduced by $200,000,000)''.

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

Mr. GOSAR. Mr. Chair, I am offering an amendment that reduces the funding for the billion dollar Food for Peace program. Regardless of its perceived merits, our country is deep in debt, and we have problems here in America, particularly rural America, that need to be addressed.

The Food for Peace program has been rightly criticized as a waste of money and ineffective in achieving its stated goals. But the reason for my amendments are more direct: the current budget funding for this program is over $1 billion. We stand today with a $14.3 trillion deficit, and at the same time, we have unmet needs in our own backyards.

My first amendment cuts $200 million from this program and my second amendment sets aside $100 million into the spending reduction account. Then, of the $200 million cut in my first amendment, $100 million each is directed into Rural Development, Title III, here in the United States.

The reason for these amendments is straightforward. Parts of rural America rival parts of some Third World countries where we send tens of millions of dollars. We need to focus on our own people and our own communities before we spend taxpayer money in foreign lands.

One example here in the United States is the area known as the former Bennett Freeze area, an area consisting of 1.5 million acres of Navajo Nation reservation land, where the housing units have been described as ''little more than hovels'' and ''80 percent of the homes have no electricity'' and there are few paved road or communication structures. How do we justify spending $1 billion in foreign countries when we have so many unmet needs in the United States?

The Rural Development loan program would receive additional funding under this amendment, a program that gets high marks for its success; so, too, would the Multifamily Housing Revitalization Program. With millions of people losing homes, they are moving into multiunit housing. This program will help Americans.

It is easy to understand the emotional appeal programs like Food for Peace may have, a program that would be reduced by this amendment. But ultimately, we are using taxpayer money for charity. Improving literacy, reducing hunger, and educating girls in foreign countries are issues that are, in fact, charitable and emotionally appealing, but we have our own literacy, hunger, and gender issues in our country. But at a time when we have a $14.3 trillion public debt, massive unemployment, and rural rates of poverty, illiteracy, and school underperformance, we should focus our money here at home. We owe it to our constituents, the taxpayers, to help them. Certainly one can see that this program has laudable aspirations, but laudable aspirations will not help the U.S. economy or the U.S. taxpayer. The problems in rural America are staggering.

On June 9, 2011, President Obama issued an Executive order to create a commission to study problems in rural America. In the Executive order, the President stated:

''Sixteen percent of the American population lives in rural counties. Strong, sustainable rural communities are essential to winning the future and ensuring American competitiveness in the years ahead. These communities supply our food, fiber, and energy, safeguard our natural resources, and are essential in the development of science and innovation. Though rural communities face numerous challenges, they also present enormous economic potential. The Federal Government has an important role to play in order to expand access to capital necessary for economic growth, promote innovation, improve access to health care and education, and expand outdoor recreational activities on public lands.''

I agree. But instead of just forming a committee to study the problems, problems that are well-known and need no further study, my amendment would do something about it and direct money to the Multifamily Housing Revitalization Account Program for a rural housing voucher program and the Rural Business Program Account, which provides loan guarantees and grants for ''rural businesses development programs,'' including business grants to Indian tribes and rural economic partnership zones for farm and rural development.

Again, instead of just studying the problems of high unemployment, lagging schools, lagging infrastructure and opportunities, let's do something about it. The rural American poverty rate has exceeded the national rate since 2001 by 3 percentage points. The child poverty rate in rural America is 5 percentage points higher than urban-metro areas.

Why can't we invest millions in our rural communities instead? Why should we tolerate poverty, unemployment, and a lack of infrastructure in our rural communities while we send millions and billions of dollars to build up other countries?

In good faith, knowing how hard so many people in my district work and knowing how little they have to show for it at the end of the day, I can't agree to send their money overseas to help others while they suffer in our backyards. Knowing that infrastructure is lacking, this amendment helps start the process of directing our money to the unmet needs here in the United States.

I ask my colleagues to closely consider these amendments.

I yield back the balance of my time.

Mr. KINGSTON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. I wanted to make a few notes on it. I appreciate my friend for offering it, and I think he's raised some very serious philosophical questions, particularly about Pub.L. 490, the foreign food program.

I wanted to point out we have reduced that by 31 percent in this account, but we've also reduced the Multifamily Housing Revitalization Account, as he's well aware, but his amendment would actually increase that 10 times. It's at $11 million, and he would bring that up to $111 million. The highest funding level for that was in FY 2010 at $43 million, and so we have been ratcheting it down using a voucher program but feel that it was overfunded.

□ 1320

The Rural Business Program Account right now is about $64 million, so this amendment almost doubles that. It doesn't quite double it. But there again, we have brought that account down from a high of $97 million; and with his amendment, it would go up to $164 million. These two accounts would go to higher levels than they historically had. And in contrast, the PL 480, the foreign food program, is at one of

the lower levels that it has been at. So I have to say to my friend that I'm sorry to reluctantly oppose you, but we are going to oppose the amendment at this point.

I yield back the balance of my time.

Mr. FARR. I rise in opposition to the amendment.

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

Mr. FARR. I think the amendment is well intended. I think the author is well intended. Rural America is hurting. Rural America is really under a depression. We have not done a very good job of having a rural strategy for America.

I applaud Secretary Vilsack for trying to pull together programs to invest in rural America and make sure that the different agencies in the Federal Government are working in collaboration. And I think this amendment addresses some of those issues, not in a collaborative way but just in putting more money into rural America. But unfortunately, that good intent is offset by the evil done in taking it out of the foreign ag account. And I can't support the amendment for that.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GOSAR. Mr. Chairman, I demand a recorded vote.

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

The Clerk will read.

The Clerk read as follows:

MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), $22,000,000, to remain available until expended: *Provided*, That of the total amount appropriated under this heading, the amount equal to the amount of Mutual and Self-Help Housing Grants allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2011, shall be available through June 30, 2012, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

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

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. BLUMENAUER. I rise to engage in a colloquy with my friend from California (Mr. FARR) about cuts in this legislation.

As I have been analyzing the legislation coming before us, Mr. FARR, it appears that the legislation, if approved in the form that is before us, would have a really devastating impact upon American farmers, families, and the environment. The legislation before us, as I understand it, cuts nearly $1 billion from the five main conservation programs, conservation programs that put money directly in the pockets of family farmers.

Over the last 5 years, these programs have been so popular that the list of farmers who want to participate greatly outweighs the availability. Both the Conservation Stewardship Program and the Environmental Quality Incentives Program have twice as many applicants as they can serve. And the Wetlands Reserve Program and the Grasslands Reserve Program combined have over 1 million acres waiting to apply.

These are not programs that are underutilized or ineffective. They appear to be widely popular and provide a direct benefit to America's farmers and ranchers. These would appear to be exactly the type of programs we should be supporting. They provide support for family farms and producers who are doing exactly the right thing, ensuring that we use precious tax dollars not only to support farmers and ranchers but to ensure clean water, clean air, and fertile productive soil.

They are a blueprint for a better path forward, a farm bill that helps farmers add value and truly supports small- and mid-sized operations. I was wondering if you would care to comment on my concerns.

Mr. FARR. I appreciate my good friend from Oregon's (Mr. BLUMENAUER) sentiments. And as ranking member of the House Ag Appropriations Subcommittee, I am a strong supporter of these conservation programs used both in Oregon and in my State of California. And I am distressed by the proposed cuts to these programs.

I would like to point out that the Farm Bureau also opposes large cuts to the important working lands program and the Environment Quality Incentives Program. I find it especially disappointing that these funding levels are low enough that the USDA will have to break current contracts. That is an unfair result for our farmers and ranchers who have counted on the support and technical assistance for the year ahead.

The funding levels for the 2008 farm bill were carefully negotiated, and it is frustrating to me and to many others to see the mandatory funding for conservation programs decrease so drastically because this bill was given such a low allocation.

Mr. BLUMENAUER. I appreciate the sentiments of my good friend from California, as I appreciate his leadership on issues that relate to both agriculture and protecting the environment.

Mr. Chairman, I am hopeful that Members will spend time looking at what this means to farmers and ranchers in their communities and hope that as the legislation works its way through Congress, we will be able to reverse these efforts.

I yield back the balance of my time.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

RURAL HOUSING ASSISTANCE GRANTS

(INCLUDING TRANSFER OF FUNDS)

For grants and contracts for very low-income housing repair made by the Rural Housing Service, as authorized by 42 U.S.C. 1474, $32,000,000, to remain available until expended: *Provided*, That of the total amount appropriated under this heading, the amount equal to the amount of Rural Housing Assistance Grants allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2011, shall be available through June 30, 2012, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

AMENDMENT NO. 11 OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 33, line 12, after the first dollar amount, insert ''(reduced by $20,480,000)''.

Page 80, line 2, after the dollar amount, insert ''(increased by $20,480,000)''.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. BROUN of Georgia. I rise to offer my amendment, which would reduce the budget for the Rural Housing Assistance Grants Program by over $20 million. My amendment would drop the allocation for this program from $32 million to just around $12 million. This is a modest request, particularly considering the President initially asked for a funding level of just $12 million, and we would simply be dropping the levels back down to what the administration, itself, requested.

It is absolutely critical that this Congress cut spending wherever possible; and if the President could do without that extra $20 million, so can we. I urge my colleagues to support this commonsense amendment.

I yield back the balance of my time.

Mr. FARR. I rise in opposition to the amendment.

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

Mr. FARR. It's very interesting that your colleague from Arizona (Mr. GOSAR) just a minute ago was trying to add money to this account because of the catastrophe in rural America. This Rural Housing Assistance Grants Program is primarily to repair very low-income rural housing. This account was increased from the request of the President by the committee. The effect of this amendment would be to knock it back, and the reason the committee increased it was because of the need out there.

We know what kind of a housing crisis we're having in America, particularly when people have no other place to go. This allows the lowest of income people in the poorest areas in the country, in rural America, to have some assistance to upgrade their houses so that the cost of high utility bills can be brought down with weatherization upgrades and things like that. I mean,

this is not a smart cut. This will be hurting the people who can least afford it and at a time when they most need it, and I would oppose this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The amendment was rejected.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans and grants for rural community facilities programs as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, $18,000,000, to remain available until expended: *Provided*, That $3,000,000 of the amount appropriated under this heading shall be available for a Rural Community Development Initiative: *Provided further*, That such funds shall be used solely to develop the capacity and ability of private, non-profit community-based housing and community development organizations, low-income rural communities, and Federally Recognized Native American Tribes to undertake projects to improve housing, community facilities, community and economic development projects in rural areas: *Provided further*, That such funds shall be made available to qualified private, nonprofit and public intermediary organizations proposing to carry out a program of financial and technical assistance: *Provided further*, That such intermediary organizations shall provide matching funds from other sources, including Federal funds for related activities, in an amount not less than funds provided: *Provided further*, That of the amount appropriated under this heading, the amount equal to the amount of Rural Community Facilities Program Account funds allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2011, shall be available through June 30, 2012, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones for the rural community programs described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act: *Provided further*, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading.

RURAL BUSINESS—COOPERATIVE SERVICE

RURAL BUSINESS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of loan guarantees and grants, for the rural business development programs authorized by sections 306 and 310B and described in section 381E(d)(3) of the Consolidated Farm and Rural Development Act, $64,500,000, to remain available until expended: *Provided*, That of the amount appropriated under this heading, not to exceed $500,000 shall be made available for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development: *Provided further*, That $2,250,000 shall be for grants to the Delta Regional Authority (7 U.S.C. 2009aa et seq.) for any Rural Community Advancement Program purpose as described in section 381E(d) of the Consolidated Farm and rural Development Act, of which not more than 5 percent may be used for administrative expenses: *Provided further*, That $3,400,000 of the amount appropriated under this heading shall be for business grants to benefit Federally Recognized Native American Tribes, including $250,000 for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development: *Provided further*, That of the amount appropriated under this heading, the amount equal to the amount of Rural Business Program Account funds allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2011, shall be available through June 30, 2012, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones for the rural business and cooperative development programs described in section 381E(d)(3) of the Consolidated Farm and Rural Development Act: *Provided further*, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to funds made available under this heading: *Provided further*, That any prior balances in the Rural Development, Rural Community Advancement Program account for programs authorized by sections 306 and 310B and described in section 381E(d)(3) of such Act be transferred and merged with this account and any other prior balances from the Rural Development, Rural Community Advancement Program account that the Secretary determines is appropriate to transfer.

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the principal amount of direct loans, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)), $14,758,000.

For the cost of direct loans, $5,000,000, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)), of which $750,000 shall be available through June 30, 2012, for Federally Recognized Native American Tribes; and of which $1,500,000 shall be available through June 30, 2012, for Mississippi Delta Regional counties (as determined in accordance with Public Law 100–460): *Provided*, That such costs, including the cost of modifying such loans, shall be defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That of the total amount appropriated under this heading, the amount equal to the amount of Rural Development Loan Fund Program Account funds allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2011, shall be available through June 30, 2012, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

In addition, for administrative expenses to carry out the direct loan programs, $3,500,000 shall be paid to the appropriation for ''Rural Development, Salaries and Expenses''.

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

(INCLUDING CANCELLATION OF FUNDS)

For the principal amount of direct loans, as authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, $33,077,000.

Of the funds derived from interest on the cushion of credit payments, as authorized by section 313 of the Rural Electrification Act of 1936, $155,000,000 shall not be obligated and $155,000,000 are hereby permanently cancelled.

RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized under section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932), $22,500,000 of which, $2,000,000 shall be for cooperative agreements for the appropriate technology transfer for rural areas program: *Provided*, That, not to exceed $3,000,000 shall be for cooperatives or associations of cooperatives whose primary focus is to provide assistance to small, socially disadvantaged producers and whose governing board and/or membership is comprised of at least 75 percent socially disadvantaged members; and of which $12,500,000, to remain available until expended, shall be for value-added agricultural product market development grants, as authorized by section 231 of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1621 note).

RURAL ENERGY FOR AMERICA PROGRAM

For the cost of a program of loan guarantees and grants, under the same terms and conditions as authorized by section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107), $1,300,000: *Provided*, That the cost of loan guarantees, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

RURAL UTILITIES SERVICE

RURAL WATER AND WASTE DISPOSAL PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans and grants for the rural water, waste water, waste disposal, and solid waste management programs authorized by sections 306, 306A, 306C, 306D, 306E, and 310B and described in sections 306C(a)(2), 306D, 306E, and 381E(d)(2) of the Consolidated Farm and Rural Development Act, $500,000,000, to remain available until expended, of which not to exceed $497,000 shall be available for the rural utilities program described in section 306(a)(2)(B) of such Act, and of which not to exceed $993,000 shall be available for the rural utilities program described in section 306E of such Act: *Provided*, That $65,000,000 of the amount appropriated under this heading shall be for loans and grants including water and waste disposal systems grants authorized by 306C(a)(2)(B) and 306D of the Consolidated Farm and Rural Development Act, Federally-recognized Native American Tribes authorized by 306C(a)(1), and the Department of Hawaiian Home Lands (of the State of Hawaii): *Provided further*, That funding provided for section 306D of the Consolidated Farm and Rural Development Act may be provided to a consortium formed pursuant to section 325 of Public Law 105–83: *Provided further*, That not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by the State of Alaska and/or by a consortium formed pursuant to section 325 of Public Law 105–83 for training and technical assistance programs: *Provided further*, That not to exceed $19,000,000 of the amount appropriated under this heading shall be for technical assistance grants for rural water and waste systems pursuant to section 306(a)(14) of such Act, unless the Secretary makes a determination of extreme need, of which $3,400,000 shall be made available for a grant to a qualified non-profit multi-state regional technical assistance organization, with experience in working with small communities on water and waste water problems, the principal purpose of such grant shall be to assist rural communities with populations of 3,300 or less, in improving the planning, financing, development, operation, and management of water and waste water systems, and of which not less than $800,000 shall be for a qualified national Native American organization to provide technical assistance for rural water systems for tribal communities: *Provided further*, That not to exceed $14,000,000 of the amount appropriated under this heading shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: *Provided further*, That not to exceed $3,400,000 shall be

for solid waste management grants: *Provided further*, That of the amount appropriated under this heading, the amount equal to the amount of Rural Water and Waste Disposal Program Account funds allocated by the Secretary for Rural Economic Area Partnership Zones for the fiscal year 2011, shall be available through June 30, 2012, for communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones for the rural utilities programs described in section 381E(d)(2) of the Consolidated Farm and Rural Development Act: *Provided further*, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading: *Provided further*, That any prior balances in the Rural Development, Rural Community Advancement Program account programs authorized by sections 306, 306A, 306C, 306D, 306E, and 310B and described in sections 306C(a)(2), 306D, 306E, and 381E(d)(2) of such Act be transferred to and merged with this account and any other prior balances from the Rural Development, Rural Community Advancement Program account that the Secretary determines is appropriate to transfer.

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

The principal amount of direct and guaranteed loans as authorized by sections 305 and 306 of the Rural Electrification Act of 1936 (7 U.S.C. 935 and 936) shall be made as follows: 5 percent rural electrification loans, $100,000,000; loans made pursuant to section 306 of that Act, rural electric, $6,500,000,000; 5 percent rural telecommunications loans, $145,000,000; cost of money rural telecommunications loans, $250,000,000; and for loans made pursuant to section 306 of that Act, rural telecommunications loans, $295,000,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $30,000,000, which shall be paid to the appropriation for ''Rural Development, Salaries and Expenses''.

DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAM

(INCLUDING CANCELLATION OF FUNDS)

For grants for telemedicine and distance learning services in rural areas, as authorized by 7 U.S.C. 950aaa et seq., $15,000,000, to remain available until expended.

TITLE IV

DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD, NUTRITION AND CONSUMER SERVICES

For necessary expenses of the Office of the Under Secretary for Food, Nutrition and Consumer Services, $689,000.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; $18,770,571,000, to remain available through September 30, 2013, of which such sums as are made available under section 14222(b)(1) of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246), as amended by this Act, shall be merged with and available for the same time period and purposes as provided herein: *Provided*, That of the total amount available, $16,516,000 shall be available to carry out section 19 of the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.): *Provided further*, That section 14222(b)(1) of the Food, Conservation, and Energy Act of 2008 is amended by adding at the end before the period, ''except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21''.

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $6,048,250,000, to remain available through September 30, 2013: *Provided*, That notwithstanding section 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(h)(10)), of the amounts made available under this heading, not less than $14,000,000 shall be used for infrastructure, not less than $50,000,000 shall be used for management information systems, not less than $75,000,000 shall be used for breastfeeding peer counselors and other related activities, and not less than $7,500,000 shall be used for breastfeeding performance awards: *Provided further*, That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of such Act: *Provided further*, That none of the funds provided shall be available for activities that are not fully reimbursed by other Federal Government departments or agencies unless authorized by section 17 of such Act.

□ 1330

AMENDMENT OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 44, line 19, after the first dollar amount, insert ''(reduced by $604,000,000)''.

Page 80, line 2, after the dollar amount, insert ''(increased by $604,000,000)''.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. BROUN of Georgia. Mr. Chairman, this Nation has almost a $14.5 trillion debt. Forty cents of every dollar the Federal Government spends, we're borrowing. We've just got to stop the outrageous spending that's going on here in Washington. And both parties have been guilty over the years.

This amendment would simply cut 10 percent out of a program—10 percent. Some people say, well, it's just a small amount of money. But as I was doing a town hall meeting back, during last week, in Georgia, in Hoschton, Georgia, one lady got up and said, $1 million makes a lot of difference. It is a lot of money.

This does cut a great deal of money out of this program. But, Mr. Chairman, we just have to stop spending money that we don't have. It's just absolutely critical. The economy depends upon it. Creating jobs in the private sector depends upon it. The future of our Nation depends upon it.

We're in an economic emergency, Mr. Chairman, and if we don't stop spending money that we don't have, we're going to have an economic collapse of this Nation.

I'm a physician. I've worked in emergency rooms. I've seen a doctor open up a man's chest and do open-heart massage in the emergency room trying to keep a patient alive.

It's time for open-heart massage of our economy. We've got to stop spending money that we don't have. We've got to put this country back on the right financial course and start creating jobs out in the private sector. And my amendment will be just one small step towards that.

So, Mr. Chairman, I hope that my colleagues will support this amendment so that we can put this country back on the right course, so that we can create jobs in the private sector and can have a strong economy again.

I yield back the balance of my time.

Mr. FARR. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. FARR. I would be curious if, at your town hall meeting, you got up and asked people would you rather take $604 million out of the program that feeds women, infants, and children or would you like to take $604 million out of the Defense Department for a war that we're putting on a credit card, for an Afghan war that we're putting on a credit card, the Iraq war we're putting on a credit card, or the prescription drug program that wasn't paid for under the Republican program? How about asking the people's choices?

We just authorized a defense bill in committee where we talked about billions and billions of dollars, and those are all borrowed money. So why don't we get our priorities straight?

We spent 3 hours here last night discussing what the implications are of cutting the WIC program. I don't think this is a country that wants to balance its budget on the backs of the poorest people in the United States, on the people most vulnerable, on the people that need just basic services. And that's what this amendment does.

Mr. BROUN, I know you're interested in cutting, squeezing, and trimming, but there are places to do that, and this is not one of them. Certainly, if you were here on the floor listening to the passions of last night, of 3 hours of debate on what the implications were for cutting the WIC program—and it seems that none of that was listened to by you because this is an amendment that goes right back to reducing that account by $604 million.

Take the money out of the people most vulnerable in the United States to write down the deficit and ignore the Defense Department, ignore the spending for weapons programs, ignore the wars in Iraq and Afghanistan, ignore everything that is with DOD, and expose everything that's with people in poverty.

This is a wrong amendment, and I hope it's soundly defeated.

Mr. BROUN of Georgia. Will the gentleman yield?

Mr. FARR. I yield to the gentleman.

Mr. BROUN of Georgia. I thank the gentleman for yielding.

In answer to your question, I want to do both. I think every dollar that the Federal Government spends needs to be looked at, and we're spending money that we don't have, even in DOD. I think we would cut a lot of funding there, particularly with the wasteful spending that the Department of Defense does that we all recognize.

So I want to do it all. The thing is, if we continue down this road that we're on economically, everybody's going to be poor. Nobody's going to have money for any groceries. Nobody's going to be able to get any health care. We're just going to be in a financial quagmire as a nation. And so it's absolutely critical, in my opinion, that we do emergent procedures to try to get this country back on the right course economically.

So, to answer to your question that you asked me very graciously, I answer, yes, we need to do all of the above, and I am eager to do both.

Mr. KINGSTON. Mr. Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. I think Dr. BROUN has raised a lot of good points in terms of our financial future. In America today, for every dollar we spend, 40 cents is borrowed. The national debt right now is 95 percent of the GDP. Clearly, we have to make some very difficult choices ahead. And that's why, in this committee mark, we actually have reduced WIC funding already $686 million.

Now, these numbers aren't random. WIC participation in 2010 was 9.2 million; in 2011, it's 8.9 million. Our committee mark for FY 2012 contemplates a participation level of 8.3 million. However, if the economy does not improve and the number goes back up, with contingency funds, we have enough money to fund a participation level of over 9 million.

But it's very difficult, Mr. Chairman, because, as we said many times during yesterday's debate, the only budget that has actually passed either House is the Ryan budget, and our 302(b) allocation funding level comes from that budget. The President's own budget failed in the Senate 97–0. The Democrat leadership in the Senate is unable to pass a budget. They're not trying to pass a budget.

So using the 302(b) allocation which we have, we have come up with these numbers, not done in random, not done with any recklessness at all. We're trying to be very careful to make sure no one falls through the crack.

But because this is a delicate card house, I rise in opposition to the gentleman's amendment.

I yield back the balance of my time.

□ 1340

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BROUN of Georgia. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 2 OFFERED BY MS. FOXX

Ms. FOXX. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 45, line 1, after the dollar amount, insert ''(reduced by $75,000,000'').

Page 45, line 3, after the dollar amount, insert ''(reduced by $7,500,000'').

Page 80, line 2, after the dollar amount, insert ''(increased by $82,500,000'').

Mr. FARR. Mr. Chairman, I reserve a point of order on this amendment.

The Acting CHAIR. A point of order is reserved.

The gentlewoman from North Carolina is recognized for 5 minutes in support of her amendment.

Ms. FOXX. Mr. Chairman, my amendment today is an effort to save taxpayers' hard-earned money by ending funding for an unnecessary program that spends money coming to the Federal Government from our hardworking taxpayers.

Mr. Chairman, I want to say that I very much believe in breast-feeding. We wouldn't have a human race here today if it weren't for the fact that breast-feeding has been in existence since the beginning of time; however, I am opposed to the Federal Government funding breast-feeding programs.

Under the special supplemental program for women, infants and children, or the WIC program, Congress directed the United States Department of Agriculture to create a national program for the promotion of breast-feeding. In fiscal 2010, the Federal Government spent $85 million to educate women on how to breast-feed.

We are facing a national debt of over $14 trillion. Spending taxpayer money to promote breast-feeding is simply not the proper role of the Federal Government and serves to illustrate just one reason—government mission creep—that we are so deeply in debt.

In the last 10 years, administrative costs for the WIC program have grown by 72 percent while enrollment has increased by only 26 percent. It is difficult to understand how this program's bureaucracy has grown three times as fast as its enrollment. Again, it's an accepted fact that breast-feeding is good for infants and mothers, and I support mothers who choose to breast-feed, but coaching women on breast-feeding is not the role of Washington.

This program came to my attention earlier this year because of the budget crunches that all levels of government are feeling. I was contacted by counties in North Carolina about this program, and it was brought to my attention that most of the money is being used to pay salaries and benefits, some is being used for travel expenses, and some is being used for cell phone use so that the peer counselors are available 24 hours a day to the people that they are counseling.

My colleagues across the aisle will shout about this, and I may even be opposed by my colleagues on this side of the aisle, but last year my colleagues across the aisle cut more than $550 million from the WIC program to fund unrelated activities at the USDA. These were totally unrelated. It was obviously not a high priority then.

If we want to promote the health and well-being of women, infants and children, then let's get serious about it by creating a job-friendly environment that puts people back to work and allows American families to keep more of what they earn. Let's stop spending money on every well-intentioned program and return the Federal Government to its constitutionally mandated purposes.

Mr. Chairman, the American people are tired of Washington taking their hard-earned dollars in taxes and wasting it on a bloated Federal bureaucracy. It's time we stop the culture of spending in Washington. That's why I urge adoption of my amendment, which will save taxpayers $82.5 million in just 1 year. The money will go into the Spending Reduction Account. And I want to say my total concern here is the spending of hard-earned taxpayers' dollars on a program that the Federal Government has no business running.

Mr. Chairman, it has come to my attention that I need to ask unanimous consent to withdraw the amendment and offer an amendment that was not printed in the RECORD.

The Acting CHAIR. Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

AMENDMENT OFFERED BY MS. FOXX

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 44, line 19, after the dollar amount, insert ''(reduced by $82,500,000'').

Page 45, line 1, after the dollar amount, insert ''(reduced by $75,000,000'').

Page 45, line 3, after the dollar amount, insert ''(reduced by $7,500,000'').

Page 80, line 2, after the dollar amount, insert ''(increased by $82,500,000'').

The Acting CHAIR. The gentlewoman from North Carolina is recognized for 5 minutes.

Ms. FOXX. Mr. Chairman, I will not take advantage of this mistake that I made. I appreciate the indulgence of the ranking member and the chair of the committee, and I will just say that I would appreciate very much having the support for my amendment.

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

Mr. FARR. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. FARR. Mr. Chairman, again, how many times do they have to keep attacking the WIC account, women, infant and children?

America has long decided that we ought to be taking care of the most vulnerable people in America. There are women who are pregnant, low-income, and what we've found is if you don't invest in teaching them how to have proper nutrition during their pregnancy, you have a risk of having a low-weight baby. A low-weight baby, as Dr. MCDERMOTT told us yesterday on the floor, can cost up to a quarter of a million dollars in incubation and hospital costs, and this is preventable with good nutrition.

We go on to teach women, once that baby is born, how to breast-feed that child. We know that is good health practices. And then we keep the children with nutrition in the first 5 years. That's why it's called women, infant and children; it's about pregnancy, birth and raising that child. And this amendment wants to take $82 million out of that program which instructs women how to do proper breast-feeding and works with the States to do educational programs.

We spent 3 hours last night debating the consequences of these cuts. And it's one of those penny-wise, super-pound foolish. It's also one of those where you know the cost of everything and the value of nothing. There is a lot of value in keeping women well nourished during pregnancy and certainly keeping that newborn child well fed and nourished.

To strike money from this program is ill founded, and I strongly oppose the amendment.

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

Mr. GRAVES of Georgia. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. GRAVES of Georgia. Mr. Chairman, I would like to yield to the gentlelady from North Carolina (Ms. FOXX), who is an expert on this topic and whom I rely on. And I want to thank the gentlelady for her comments today.

Ms. FOXX. I thank the gentleman from Georgia for yielding to me.

I think it's unfortunate that our colleagues on the other side of the aisle characterize our doing our best to bring fiscal sanity to this country by saying that we do not care for people who are poor or disadvantaged.

□ 1350

Mr. Chairman, I grew up as poor as anybody in this body, and I know what it means to be poor and to be hungry. I have no malice toward any person in this country, none, no malice toward anyone in this body. However, we are on the verge of a fiscal disaster in this country. There are many things that could be done at the local level and the State level, that should be done at the local and State level, but absolutely should not be done at the Federal level.

Again, my colleagues across the aisle come here and say what a shame it is that you are picking on the WIC program. Well, they took over $500 million out of the WIC program last year, put it in a totally unrelated program and said nothing about it. We didn't come to the floor and say, you are mistreating poor and disadvantaged women and children. No comments were made about that.

Again, I think it is very unfortunate that that is how we are characterized. I believe that we have an obligation, an obligation given to us by God, to help our fellow Americans who are less fortunate than we are. But it is not our responsibility as Members of Congress to tax hardworking Americans who are working all the time just to pay their bills and survive and use that money to help other people. That is not our job. Our job is to do everything we can to create a good environment in this country for everyone to succeed, and that is the direction that I want to go. By lowering our dependency on foreign governments, we will make our country a better place to be.

As my colleagues have said over and over and over again in the debate on this bill, we are borrowing 43 cents for every dollar that we spend. We have a $14 trillion debt. There is a huge debate about our raising the debt ceiling that is going to be facing us. Do we really want to ignore the opportunity to save $82.5 million in a program that has no business being run out of the Federal Government and help us deal with the big issue that is facing us? That is what Congress should be dealing with. We should be dealing with the big issues. We should let these other issues be dealt with at the local and State level.

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

Mr. KINGSTON. I move to strike the last word.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. I want to thank my colleague from North Carolina for putting this discussion on the table, because I think that it is important for us to look at the WIC program and make sure we are doing everything as efficiently and effectively as possible and we are putting the money in the right direction.

We had a very thorough, about a 6-hour debate about WIC yesterday. It is a delicate card house that we are trying to balance with our committee mark. But I think the more sunshine we have, not just on WIC, but on other Federal feeding programs, I think the better product we are going to come up with. So she and I have had some discussions on this. We are going to continue to have discussions on it. But I wanted to say I think it is a good debate to be having, although I am not supportive of the amendment.

I yield back the balance of my time.

Mr. BROUN of Georgia. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BROUN of Georgia. Mr. Chairman, I yield to my good friend, the gentlewoman from North Carolina, VIRGINIA FOXX.

Ms. FOXX. I thank my colleague from Georgia for yielding.

I just want to make a point in response to my other colleague from Georgia. I agree with him. We are bringing light to many of these programs, and I think it is very important that we do so.

I want to point out again, the WIC bureaucracy has grown three times as fast as its enrollment in the last 10 years. This is an increase of $800 million in administrative costs. If we are not prepared at least to cut administrative costs and programs that have no business being offered at the Federal level, then we are never going to get control of our debt and our deficit. I want to encourage both my Republican and Democratic colleagues to think about this. We have got to have accountability and we have got to start cutting, especially in the area of administration.

Mr. BROUN of Georgia. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from North Carolina (Ms. FOXX).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. FOXX. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from North Carolina will be postponed.

The Clerk will read.

The Clerk read as follows:

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

For necessary expenses to carry out the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), $71,173,308,000, of which $3,000,000,000, to remain available through September 30, 2013, shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: *Provided*, That funds provided herein shall be expended in accordance with section 16 of the Food and Nutrition Act of 2008: *Provided further*, That this appropriation shall be subject to any work registration or workfare requirements as may be required by law: *Provided further*, That funds made available for Employment and Training under this heading shall remain available until expended, notwithstanding section 16(h)(1) of the Food and Nutrition Act of 2008: *Provided further*, That of the funds made available under this heading, $1,000,000 may be used to provide nutrition education services to state agencies and Federally recognized tribes participating in the Food Distribution Program on Indian Reservations: *Provided further*, That funds made available under this heading may be available to enter into contracts and employ staff to conduct studies, evaluations, or to conduct activities related to program integrity provided that

such activities are authorized by the Food and Nutrition Act of 2008.

COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out disaster assistance and the Commodity Supplemental Food Program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note); the Emergency Food Assistance Act of 1983; special assistance for the nuclear affected islands, as authorized by section 103(f)(2) of the Compact of Free Association Amendments Act of 2003 (Public Law 108–188); and the Farmers' Market Nutrition Program, as authorized by section 17(m) of the Child Nutrition Act of 1966, $192,500,000, to remain available through September 30, 2013: *Provided*, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program: *Provided further*, That notwithstanding any other provision of law, effective with funds made available in fiscal year 2012 to support the Seniors Farmers' Market Nutrition Program, as authorized by section 4402 of the Farm Security and Rural Investment Act of 2002, such funds shall remain available through September 30, 2013: *Provided further*, That of the funds made available under section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)), the Secretary may use up to 10 percent for costs associated with the distribution of commodities.

NUTRITION PROGRAMS ADMINISTRATION

For necessary administrative expenses of the Food and Nutrition Service for carrying out any domestic nutrition assistance program, $125,000,000: *Provided*, That of the funds provided herein, $1,500,000 shall be used for the purposes of section 4404 of Public Law 107–171, as amended by section 4401 of Public Law 110–246.

TITLE V

FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including not to exceed $158,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $175,000,000: *Provided*, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1737) and the foreign assistance programs of the United States Agency for International Development: *Provided further*, That funds made available for middle-income country training programs, funds made available for the Borlaug International Agricultural Science and Technology Fellowship program, and up to $2,000,000 of the Foreign Agricultural Service appropriation solely for the purpose of offsetting fluctuations in international currency exchange rates, subject to documentation by the Foreign Agricultural Service, shall remain available until expended.

AMENDMENT NO. 12 OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 48, line 11, after the first dollar amount, insert ''(reduced by $175,000,000)''.

Page 80, line 2, after the dollar amount, insert ''(increased by $175,000,000)''.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. BROUN of Georgia. Mr. Chairman, I rise to offer my amendment which would cut $175 million in FY 2012 by eliminating the Foreign Agricultural Service. This is a corporate welfare program that essentially gives handouts to private businesses that don't need taxpayer dollars in order to grow their profits. It is essential that we make significant cuts to our budget this year and focus on reducing our deficit and tackle our debt. This is an unnecessary program and a waste of money that we could use to reduce this fiscal burden.

I understand the position that my dear friend from Georgia is in. It is true that the Ryan budget is the only budget to pass either House. I supported the Ryan budget, and I supported the Republican Study Committee budget, which would have reduced even more money from this bill.

Regardless of how one voted on a particular budget, we all have an obligation to move the debate in a direction that calls for more serious spending cuts. It is critical for the economic future of our Nation. It is critical for our children and our grandchildren. It is critical in creating new jobs and having a stronger economy here in America.

So I urge my colleagues to support this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BROUN of Georgia. Mr. Chairman, I demand a recorded vote.

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

The Clerk will read.

The Clerk read as follows:

FOOD FOR PEACE TITLE I DIRECT CREDIT AND FOOD FOR PROGRESS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the credit program of title I, Food for Peace Act (Public Law 83–480) and the Food for Progress Act of 1985, $2,385,000, which shall be paid to the appropriation for ''Farm Service Agency, Salaries and Expenses'': *Provided*, That funds made available for the cost of agreements under title I of the Agricultural Trade Development and Assistance Act of 1954 and for title I ocean freight differential may be used interchangeably between the two accounts with prior notice to the Committees on Appropriations of both Houses of Congress.

FOOD FOR PEACE TITLE II GRANTS

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Food for Peace Act (Public Law 83–480, as amended), for commodities supplied in connection with dispositions abroad under title II of said Act, $1,040,198,000, to remain available until expended.

AMENDMENT OFFERED BY MR. GOSAR

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 49, line 23, after the dollar amount, insert ''(reduced by $100,000,000)''.

Page 80, line 2, after the dollar amount, insert ''(increased by $100,000,000)''.

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

□ 1400

Mr. GOSAR. Mr. Chairman, I rise in support of my amendment that would cut $100 million from the billion-dollar Food for Peace program and redirect it to the rural American communities, specifically to the Rural Business Development Loan Program. This $100 million will provide resources to rural business development loan programs. Small rural businesses and Indian tribes and community organizations can use these loans to jump-start businesses in our devastated rural comments.

I'll give you one example: the Bennett Freeze.

In the 111th Congress, we lifted the ban on this part of the Navajo Nation last year. This ban prohibited any type of improvement to homes, businesses and livelihoods. As a result of the Bennett Freeze, this area is worse than in many Third World nations.

What we are trying to do is address this need, and we are trying to provide some resources to this group of folks. We need to address the high unemployment by empowering our rural communities. Please vote in favor of this amendment.

I yield back the balance of my time.

Mr. FARR. I rise in opposition to the amendment.

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

Mr. FARR. This amendment reduces $100 million for Food for Peace. I don't know if the gentleman from Arizona was here last night, but there was a lot of discussion about the American image abroad. Certainly, at a time when the world economy is hurting, this Food for Peace program is exactly that.

We buy American goodwill. We buy this food from American farmers. They produce it. We buy it. We ship it in American ships, and we distribute it in a food program that buys a lot of goodwill for America at a time when the conflicts of this globe are generated in cultures of poverty, where people don't have access to proper nutrition, diet.

I know from being a Peace Corps volunteer that the first thing people try to do is figure out where they're going to get enough food to eat. You can't go to school with kids because you're

hustling to get firewood or you're hustling to get water or you're hustling to find anything that will produce food for the day. A woman can't do any of the other things, maybe raising livestock, if she is just trying to hustle for food all-day long.

I mean, it just seems to me that the most basic investment in preventing violence and war is the investment in nutrition and in trying to get fed particularly those people in the poorest sectors of the world. We've got Sub-Saharan Africa, and if people don't get fed there, you're going to have migrations of millions and millions of people, and there is going to be no place to put them. Nobody is going to want a big immigration of starving people from other parts of Africa. It's going to have an impact on us. Our intelligence agencies tell us it's a security threat.

An investment in food for people at the basic level is absolutely essential. This is food raised by American farmers, paid for by American dollars and sent where it is most needed in the world. It is a very good program, and it does, indeed, trade food for peace and stability, so I think it would be unwise to cut it by $100 million.

I yield back the balance of my time.

Mr. BROUN of Georgia. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BROUN of Georgia. Mr. Chairman, I had an amendment following this one that would have totally eliminated funding for this program and, thus, would have presented a problem to the House. So I am going to withdraw my amendment since Dr. GOSAR has introduced his.

It is absolutely critical that we stop spending money we simply do not have. Frankly, I don't like transferring money from account to account, because I think the only transfer that we should do is the transfer into the debt reduction program so that we can reduce the Federal debt. It is absolutely critical for the economic future of this Nation.

Since I am going to withdraw my amendment following this, I wanted to get up and speak about this particular amendment and just say that I really appreciate what my good friend from California (Mr. FARR) was saying about poor people. I am a medical doctor, and I deal with problems of nutrition for my patients. I appreciate what Dr. FOXX did with her amendment about eliminating this breastfeeding program.

But you see, we are constrained by the Constitution—or should be—and Congress has gotten way, way away from the original intent of the Constitution. We cannot try to feed everybody in the world. We cannot continue to try to be a nanny state for everybody, even in this country. In the private sector, if we mobilized them, there would be plenty of dollars to take care of the needs of American citizens as well as those of the people around the world by leaving dollars in the hands of the private sector—in people's hands, in churches, in synagogues, in mosques, and in different areas—with the Salvation Army, et cetera.

So I think we need to as a Congress start being fiscally responsible, but we have been fiscally irresponsible for many years during Democrat as well as Republican administrations, as well as under Democrat- and Republican-controlled Congresses. We just have to stop spending money.

Mr. FARR. Will the gentleman yield?

Mr. BROUN of Georgia. I appreciate Mr. FARR, and I yield to the gentleman from California.

Mr. FARR. I thank the gentleman for yielding.

I just want to point out that you used the term ''nanny state.'' Since we're government, I don't think anybody wants to be responsible for everybody, to be responsible to raise the whole society; but I do think that this help that you give people from the Federal Government and from local and State governments is absolutely essential.

When you don't have that infrastructure of social services and needs there, I'll tell you what happens—people still have those problems. Only they don't have a place to go get them. So do you know what they do? They knock on your door. In America, we don't have to open our door day after day, with somebody holding a baby, as I saw in the Peace Corps. There were people all the time with dead babies, infants. There were people who were begging for money to bury them properly or there were people asking you for extra food after you finished your meal. They know what time you eat, and ask, Can you give your leftovers to us?

We don't have that in America because we have an infrastructure that takes care of people. I think, if you totally wipe that out and say, well, leave it to charity, charity is just voluntary. It doesn't always work. When the markets crash, the charity isn't there. Poverty is still there. The need is still there. You saw it as a doctor, and you know you've serviced people who couldn't pay their bills; but you do have Medicare reimbursements and other kinds of Medicare reimbursements so that you can, even if they can't pay their bills, get some form of payment. If it were all left up to voluntary, the doctors would have to serve people who just have no money. I don't think all the poor people in America would be taken care of.

So we do have to concern ourselves with how much care and spending we do, but at the same time, don't wipe out the programs that are essentially the life support systems of a society that is as rich as America. We can afford to take care of the people most vulnerable, whether they are aging or infants, and I think a lot of the discussion here has been about trying to delete the programs that help people at their most vulnerable stages of life.

Mr. BROUN of Georgia. Reclaiming my time, I appreciate your comments.

But, you see, when I was sworn into the Marine Corps and when I was sworn into Congress—now three times—I swore to uphold the Constitution. I believe in this document as our Founding Fathers meant it, which means very limited government. In fact, we are destroying the very thing that has made this country so great, so powerful, so rich as a Nation, which is constitutionally limited government, the free enterprise system, private property rights, personal responsibility, the rule of law, and morality.

It is absolutely critical, if we are going to have a bright, shining star of liberty over the heads of America, that we rebuild those foundational principles. That's what I'm fighting for and will continue to do.

I yield back the balance of my time.

Mr. MCGOVERN. I move to strike the last word.

The Acting CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. MCGOVERN. Mr. Chairman, I want to rise in opposition to a previous amendment, to the Gosar amendment, which would eliminate the Food for Peace program and transfer it to rural development.

I also was going to rise in opposition to the gentleman from Georgia's amendment, which also goes after Food for Peace. I am glad he is withdrawing it, but I find it astonishing that there are so many on the other side who are attacking programs that I think are so vital to our national security.

Mr. GOSAR's amendment would tell farmers that we will take away from them $1 billion in U.S. purchases of their crops so that we can borrow money in the form of loans for other purposes. That's essentially what he is proposing. Does that make sense to anyone?

So we tell U.S. farmers who have been selling wheat, rice, soybeans, vegetable oil, beans, peas, lentils, and other commodities to the U.S. Government that this market is closed to them. So long. Goodbye. Go borrow money. Go into debt. Take out a loan to develop the rural economy.

Now, Mr. Chairman, I support the Rural Development program, and I obviously support the Food for Peace program. Both of them directly benefit American farmers. Mr. GOSAR himself said Food for Peace title II (P.L. 480) merits support.

□ 1410

Well, let's talk about why. It supports U.S. farmers, millers, freight rail, truck, and shipping. Food aid provided by USAID is a lifesaving measure for 11 million to 16 million vulnerable people overseas. Our largest emergency food aid programs include Darfur and southern Sudan, Afghanistan, Pakistan, Haiti, and Ethiopia. U.S. food aid not only helps people survive; it supports

U.S. national security interests. It promotes stability and goodwill, especially in Libya, Afghanistan, and Pakistan. Our emergency and humanitarian food aid sends the clear message to desperate people in need that the American people care. The Gosar amendment sends the opposite message—that the American people don't care at all; go ahead and starve.

We need to support Food for Peace, and we need to oppose that amendment. But we also need to oppose amendments that gut essential food and nutrition programs for poor people not only here in the United States but around the world. This notion that somehow when we support programs like Food for Peace, that it's just helping a bunch of foreigners overseas, is just wrongheaded. It is American farmers that produce much of the food that goes to support the hungry around the world. It is American farmers that are so important in our battle against terrorism because, quite frankly, I think these programs, as Secretary Gates has said, do more to enhance our national security than anything else.

I urge my colleagues who are coming to the floor with amendments to gut these programs, to stop it. Enough. These are essential programs. They help people who are helpless overseas but also help support our economy here in the United States and help our U.S. farmers.

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

Mr. KINGSTON. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. Number one, we have actually reduced this account 31 percent. Again, as I have said many times, passing an appropriation bill that is building a card house, there's a delicate balance. I have got my friend, Mr. MCGOVERN, who believes that we've cut too much. I've got my friend, Dr. BROUN, who believes we haven't cut enough. And so we're trying to move this legislation.

I wanted to talk a little bit about PL–480 and say a couple of things. Number one, there is a national security interest in it. This is not about international charity alone. We do have an interest. America needs to be engaged around the world. When there is a natural disaster or manmade disaster, if we're not there, who will be there? And this is very important. My friend Mr. DICKS is here, former chairman of the HAC-D Committee, and knows that in terms of the national defense, we have soldiers right now as I speak in 60 different countries around the globe. Now, they are engaged for a reason. It's not a job-creation program. They're keeping an eye on national security interests.

If you travel in Africa or travel in South America right now, you'll see a new player that was not there 10 years ago, and that is the country of China. China is not necessarily an immediate threat to us, but it is a concern to us. China is rising as a military force and certainly as an economic source, and they are engaged all over the globe. Often our international programs, including food programs, keep us engaged and gives us an opportunity to have some doors open which we would not ordinarily have.

America provides 57 percent of the food aid in the world, followed by the EU at 27 percent and Japan at 6 percent. Right now, China is not a major player. The oil-rich Middle East countries certainly aren't major players. But it is about engagement. And it's interesting that we have a balance between developmental aid and emergency aid. Because if there is a Haitian disaster, we're the first on the ground trying to get food to the people. But we need to also be there with developmental aid to make sure that these countries are independent and that these countries do know how to grow their own food and have their own resources.

So I just want to emphasize again that this program has been trimmed already 31 percent, and it seems to me the balance that will get this bill over to the Senate so that we can negotiate further on it. We are in many, many different countries around the world.

With that, I yield to the gentleman from Arizona, Dr. GOSAR.

Mr. GOSAR. Thank you, my friend.

I would like to reiterate that there is an issue that we also have to take care of folks at home. For example, I brought up the Navajo Nation in the Bennett Freeze area. This is a treaty responsibility of the United States in which we forbade different groups from even raising to take care of a window pane or create economic certainty. We have to take care of our own, or we'll not be able to help anybody across the world. And that's why I actually rise in support of my amendment.

Mr. KINGSTON. Mr. Chairman, I do want to point out some of the things that this program is doing in Pakistan, Haiti, the Sudan, and Afghanistan. And I will submit that for the RECORD.

P.L. 480 TITLE II

History

For more than 50 years, the United States Government has played a lead role in meeting emergency humanitarian food needs through P.L. 480 Title II (Title II). Some of the first U.S. food assistance resources assisted the war-devastated economies of Europe. As these economies regained their strength they began to pay for American farm commodities. President Eisenhower signed P.L. 480 Title II into law in 1954 and it was later renamed the ''Food for Peace'' Act.

Current Need and Impact of Cuts

Currently, overall U.S. funding to WFP feeds on average 35 million people. A cut of Title II to $1,040,198, as marked-up by the House Agricultural Appropriations sub-committee, would mean that 15 million people—primarily women and children—suffering from hunger as a result of conflict and natural disasters would lose access to life saving food. These cuts would significantly reduce the United States' ability to address instability in volatile countries and decrease its capacity to respond quickly to the needs of hungry people affected by natural disaster or armed conflict.

Title II Assists People Affected by Natural Disasters

PAKISTAN

In July 2010, floods ravaged Pakistan, affecting millions. WFP was able to reach people quickly and began to distribute food just days after the record monsoon rains began. The first food to reach the affected population was funded by U.S. Food for Peace. The first helicopters that lifted food to remote valleys in Swat and the northern regions were also carrying U.S. food. Within the first month, WFP was able to reach approximately 3 million people and then scaled up very quickly to 7 million. Life-saving support was then followed by early recovery activities which included school feeding and nutrition support.

Story from the field: Razia Bibi and her family were badly hit in the floods that devastated Pakistan last summer. Razia lives in a little village called Chandia in central Pakistan. She and her family lived on an embankment for a month last summer as monsoon flooding flattened all the homes in her community. As floodwaters subsided in September, they started to pick up the pieces of their lives. Monthly food rations from WFP have kept them going while they have rebuilt their house and life has slowly returned to normality. Razia and her husband sold their three goats, their last major assets, to rebuild their house using high-quality bricks that would be more resistant in case of another flood. In December 2010, Razia picked up the family's last food ration. Now that her husband is back at work and they have a house, she and her family are able to support themselves. Their six children are back at school and because of food assistance they were able to get back on their feet.

HAITI

In Haiti, in the immediate aftermath of the January 12th earthquake, WFP began providing assistance within 24 hours and swiftly organized general food distributions. Only six weeks after the quake, WFP assistance, through partners such as World Vision, was reaching more than 4 million people, 35 percent of which was from the U.S. government. In the following months, WFP also put in place safety net interventions—including school feeding and nutrition. Following the large general distribution, school feeding was the quickest safety net intervention to scale up, reaching over 500,000 school children. At the request of the Government, WFP then scaled up to assist 1 million children. In October, a take-home ration was also given to family members to get children back in school, especially those who had dropped out after the earthquake. WFP also launched a blanket supplementary feeding program to all children five years of age and under and pregnant/lactating women.

Story from the field: When the earthquake struck Haiti in January of 2010 Cassandre Chery and her family were just leaving their home. A piece of concrete fell and broke her foot but otherwise they were uninjured. Her home, however, was badly damaged. ''It's difficult to find work now,'' said Cassandre who used to be a beautician. Her husband also has trouble finding work. Their two girls, who live with them in a tent in Port-au-Prince, were forced to go hungry some days. But now Cassandre is back to work and she is rebuilding her country with a food for work project with World Vision and WFP. She receives food and cash to work clearing rubble from

roads and drainage channels. ''This works means a lot to me,'' she said. ''It has helped me pay school fees and feed my two daughters.''

Story from the field: At Sister Mary Bernadette's primary school in Port-au-Prince, students began gathering after the earthquake, though classes had not yet resumed. Most had lost their homes, and a family member or friend. They came in search of support and in search of something familiar. As plans came together to begin makeshift lessons, WFP started distributing daily meals to Sister Mary Bernadette's students. ''They'd simply be too weak to study if they weren't able to eat something at school,'' she says. ''It's important for them to have a meal here. Most of them come from very poor families.'' Sister Mary Bernadette says that the food ''helps [them] to study and stay focused in class. When they don't eat, they don't hear, they don't listen, they don't see.'' A year after the earthquake, things in her school are improving. During the summer break, crews tore down the damaged building and workers are now putting the final touches to temporary classrooms. The students seem to be recovering too, said the school principal. ''Some of them are still struggling though. When you lose a member of your family, your mother or your father, you just can't forget. But we do our best to help them.''

Title II Assists Those Affected by Conflict and Helps Restore and Maintain Stability in Volatile Regions

SUDAN

WFP assistance in Sudan, reaching 6.7 million people, has been a critical stabilizing factor since the Comprehensive Peace Agreement (CPA) was signed in 2005. In 2010, nearly half of assistance to WFP in Sudan was generously provided by the U.S. government. This assistance has provided stability throughout the South Sudan referendum process. Readiness, contingency measures and pre-positioning, has allowed WFP to respond quickly to any situation, including the current population displacements in Abyei (an area between south Sudan and Sudan). WFP's strategic engagement for post-referendum South Sudan is vital for ensuring a smooth transition. WFP's engagement will support the restoration of sustainable assets for the communities, infrastructure (feeder roads), safety nets (school feeding, seed protection, nutrition), strategic food reserve, Government capacity in food security analysis, and support to smallholder farmers through purchase-for-progress.

Story from the field: Food assistance has played a critical role in southern Sudan over the last few years and has been key in supporting families returning home. Grace Lado, a 25 year old mother of 2, fled fighting in Juba in southern Sudan when she was only 7 years old. When her family decided to move back a WFP food ration made it possible. In spite of the deteriorating security situation, WFP is currently feeding some 530,000 people across southern Sudan. In addition to food assistance WFP is also helping to repair roads and assist farmers across the region so that those the country can get on a path to sustainable growth. Until then, however, these lifesaving food rations are helping people to build a stable and secure foundation in a country that is hopeful for a brighter future.

AFGHANISTAN

In 2010, the U.S. government supplied 36 percent of the assistance to WFP in Afghanistan, enabling WFP to assist 7 million people (or 25 percent of the population) and, through its strategic engagement, helps deploy an effective system of safety net interventions and build sustainable assets for the communities through food-for-education, food-for-work, and food-for-training.

Story from the field: When Taliban forces arrived in their village Jamila's husband lost both his legs during the fighting. Jamila's family was forced to sell their farmland to pay for his treatment and they suddenly found themselves unable to feed their four children. ''I will never forget the day I realized we had nothing to eat,'' Jamila said. Her husband's family refused to provide assistance and told her to marry off her teenage daughters in order to get dowry money. Jamila's husband, frustrated, depressed and hungry, often took his anger out on her. All of that changed, however, when Jamila began a training program with WFP that provided her with a new set of skills while her family received food rations. Now Jamila is able to support her family by selling children's clothes to a local shop. ''Now that I have a skill and am providing for my family, all the members of my family respect me,'' she says. By providing food aid while Jamila received training she was able to stave off hunger while she built a new life for her family.

Story from the field: For years the people of Dega Payan had to travel five hours on foot or by donkey to the nearest medical clinic. Travel by car was impossible as there were no roads leading to their remote village in one of Afghanistan's poorest provinces (Badakhshan) which has high level of undernutrition and food insecurity. Now, as a result of a WFP program that employed local villagers to build a road while providing their families with much needed food assistance, a road has been completed connecting Dega Payan to the larger town of Ziraki, where there is a clinic. This has made the village accessible by road and allows local farmers to get their crops to markets more easily and allows traders to bring supplies into the village that were not available before.

McGOVERN-DOLE INTERNATIONAL SCHOOL MEALS PROGRAM

BACKGROUND

Approximately 2.7 million children receive McGovern/Dole school meals through WFP, which helps them fight short-term hunger, increase their concentration/performance in school, encourages parents to send them to school, and helps girls to get an education. A better educated girl will make more informed choices and will grow up to raise a more food secure family. Promoting girls education is crucial in countries where there are serious gender disparities. Every $50 cut in the program would deny a child access to food for a whole school year. Without a daily meal, many poor children would not attend class with long-term ramifications for the child, the community and the country.

Story from the field: In Afghanistan WFP hands out take-home rations of vegetable oil to approximately 600,000 girls (in addition to the on-site meals) as an incentive for the parents to send their girls to school. In a school in Laghman Province, one of the teachers told WFP ''There are more girls coming to school now because of the food. Before I had six classes, now I have twelve.'' In the same region, girls' enrolment increased by 40 percent by end of 2008 from the baseline data 2 years earlier, and attendance rate for girls improved by 30 percent from baseline. Families realize that girls are bringing income by going to school. A girl at the same school queuing for her oil ration said ''We are so happy to get this oil. We are poor and our family is happy with us since we can bring something of value to our homes''.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GOSAR. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 49, line 23, after the dollar amount, insert ''(reduced by $940,198,000)''.

Page 80, line 2, after the dollar amount, insert ''(increased by $940,198,000)''.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BROUN of Georgia. Thank you, Mr. Chairman.

Again, as I spoke on the previous amendment, we just don't have the money. It's very altruistic of my friends on both sides to want to feed people all over the world. I very much would like to be able to do so, but we can't feed our people here at home. We've got a high jobless rate. We just have to simply stop spending money that we don't have. And this would just zero out the balance of the funds if my friend from Arizona's amendment is indeed passed into this bill.

Mr. Chairman, as we look at where we're going as a Nation, we've got to be focusing on jobs and the economy. We have to leave dollars in the hands of businesses, particularly small businesses. Leave the dollars in the hands of individuals so that they can take care of their own needs and their own communities instead of building a bigger and bigger Federal program to try to take care of everybody's needs all over the world.

We just simply do not have the money. And it just has to stop. And it's time to stop right now. We're headed toward an economic cliff in this Nation. And it may be very soon where we're going to be off that cliff, where everybody in this country except for the extremely wealthy are going to be forced into just tremendous poverty.

We have a potential of having riots in the streets and bloodletting in this country because of the great debt and spending that's going on. We're destroying jobs. We're destroying our economy. And it just must stop. The sooner, the better. My amendment would simply zero out the rest of the funds in this program. I think it's critical for us just to stop spending money.

| USDA | State Department | | |
|---|---|---|---|
| Programmed food aid, 2010 | Voting practices in the UN, 2010 | | |
| 2010—received food aid | Votes only (%) | Overall (%) | Important (%) |
| Algeria | 30.4 | 81.7 | 16.7 |

| USDA | State Department | | |
|---|---|---|---|
| Programmed food aid, 2010 | Voting practices in the UN, 2010 | | |
| 2010—received food aid | Votes only (%) | Overall (%) | Important (%) |
| Angola | 30.6 | 81.9 | 33.3 |
| Burkina Faso | 32.3 | 82.7 | 25.0 |
| Burundi | 25.0 | 79.3 | 77.8 |
| Cameroon | 44.7 | 88.9 | 60.0 |
| Central African Rep. | 37.7 | 84.1 | 66.7 |
| Chad | 0.0 | 66.7 | 0.0 |
| Congo, Democratic Rep. of | 46.2 | 87.2 | 75.0 |
| Congo, Republic of | 37.9 | 84.3 | 42.9 |
| Djibouti | 33.8 | 82.8 | 40.0 |
| Ethiopia | 32.8 | 83.2 | 44.4 |
| Gambia | 31.3 | 82.0 | 40.0 |
| Guinea-Bissau | 31.3 | 82.2 | 40.0 |
| Kenya | 31.7 | 83.0 | 57.1 |
| Liberia | 35.9 | 83.9 | 54.5 |
| Madagascar | 32.3 | 82.5 | 44.4 |
| Malawi | 35.3 | 83.2 | 50.0 |
| Mali | 30.8 | 82.4 | 30.0 |
| Mauritania | 32.4 | 82.4 | 30.0 |
| Mozambique | 27.9 | 81.1 | 33.3 |
| Niger | 32.8 | 83.1 | 33.3 |
| Rwanda | 50.0 | 86.9 | 57.1 |
| Senegal | 31.8 | 82.7 | 33.3 |
| Sierra Leone | 38.6 | 83.6 | 55.6 |
| Somalia | 28.8 | 80.7 | 27.3 |
| Sudan | 31.4 | 81.8 | 30.8 |
| Tanzania | n/a | n/a | n/a |
| Uganda | 8.6 | 76.3 | 60.0 |
| Zambia | 33.3 | 82.9 | 44.4 |
| Zimbabwe | 30.4 | 81.3 | 30.8 |
| Afghanistan | 34.3 | 82.4 | 46.2 |
| Bangladesh | 32.9 | 82.2 | 77.8 |
| Cambodia | 30.9 | 81.9 | 25.0 |
| India | 25.4 | 82.6 | 14.3 |
| Laos | 27.4 | 81.6 | 22.2 |
| Nepal | 35.8 | 83.5 | 33.3 |
| Pakistan | 21.3 | 81.2 | 22.2 |
| Philippines | 31.3 | 82.7 | 33.3 |
| Sri Lanka | 31.9 | 82.1 | 25.0 |
| Tajikistan | 30.0 | 82.1 | 30.0 |
| Yemen | 33.3 | 82.6 | 40.0 |
| Colombia | 36.1 | 84.7 | 50.0 |
| Dominican Republic | 36.4 | 83.4 | 36.4 |
| Ecuador | 32.4 | 82.4 | 30.0 |
| Guatemala | 37.9 | 84.2 | 62.5 |
| Haiti | 31.8 | 82.6 | 30.0 |
| Honduras | 63.4 | 83.6 | 60.0 |
| Nicaragua | 30.4 | 81.7 | 15.2 |

I yield back the balance of my time.

Mr. FARR. I rise in opposition to the amendment.

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

Mr. FARR. Again, I don't know how many times we have to reiterate that these cuts, squeezes, and trims hurt the most vulnerable people in America and abroad. My good friend talked about a fiscal disaster that we are having in America and then just goes amendment after amendment attacking the people that are most vulnerable. This one just wipes out the entire program.

I wish the Member had been here to watch what happened in the early part of this decade when a partnership with the rich was created in this Congress to help in every tax way possible, in every expenditure way possible, in building up the war machine to respond to Iraq and Afghanistan. The rich got richer. The corporations that built all the equipment for our men and women in uniform got a lot of profits. We did that by putting it all on the credit card of the American taxpayer. We just charged it up. Yes, we ran up an incredible deficit.

□ 1420

The gentleman fails to look at the other side of the coin. He talked about the fact he had been in the Marine Corps. The Marine Corps was also put on that tax credit card. The uniform, the free medical service he got, the food that he ate while he was a Marine, all those things, thank God, we paid for. But then to say, okay, we're going to now reduce this fiscal disaster by just attacking the most vulnerable people in the world and wiping out the Food for Peace program.

Where are we? Where is the image of America? Where is that heart and soul? Where is that feeling of people that love our country because of the handouts we do give at a time of need? We're there to respond to disasters. And we can't just be that responder that says, okay, we're going to respond with our war machine. We've got to respond with our heart and our soul and the character of American human beings, which is very giving and very compassionate. To wipe out the Food for Peace program is not a wise thing to do.

Mr. DICKS. Will the gentleman yield?

Mr. FARR. I yield to the gentleman from Washington.

Mr. DICKS. I would just say to the Chair and to the author of the amendment, who's a doctor, a medical doctor, remember the Hippocratic oath: Do no harm.

This amendment, if it is enacted, will deny millions of people getting food. Millions of children's lives have been saved because of this program and I hope the Broun amendment will be defeated.

Mr. BROUN of Georgia. Will the gentleman yield?

Mr. FARR. How much time do I have left?

The Acting CHAIR (Mr. SCHOCK). The gentleman has 1½ minutes remaining.

Mr. FARR. I yield to the gentleman from Georgia.

Mr. BROUN of Georgia. I appreciate the gentleman yielding.

Mr. DICKS, I resent the fact that you accuse me of wanting to do harm, because I do not——

Mr. DICKS. You don't think your amendment will do harm, sir?

Mr. BROUN of Georgia. No, sir. Actually, it will do good.

The thing is, we come to the crux of the problem here in that some people in this body believe that the Federal Government ought to take care of everybody in the world, and I would love to be able to do that. There's no end of good things that can be done all over this world. But for you to accuse me of wanting to do harm to people, I resent that.

Mr. DICKS. It's your amendment, sir. I didn't get up here and offer an amendment that would cut funding.

Mr. BROUN of Georgia. Sir, I have the time.

I do resent the fact that you accuse me of wanting to do harm. Mr. Chairman, I'm not sure if this comes to a point of order of taking down the gentleman's words, but I bring forth a point of order.

Mr. FARR. Reclaiming my time, Mr. Chairman, in finishing, I would just like to say, there is some inconsistency and insincerity here in stating what you did as a profession and then cutting these programs, because these go to the children that we think the medical profession so much appreciates trying to care for. I mean, if you can't feed children, if you can't feed women, and you can't feed infants, no matter where in the world they are, problems are going to occur. Big, serious problems. That is not fiscal conservative. That is just not very intelligent.

The Acting CHAIR. The time of the gentleman has expired.

Mr. BROUN of Georgia. Mr. Chairman, I would like to bring a point of order about the gentleman's accusations that I want to do harm. I believe this meets the criteria of taking down his words, and I would like a ruling from the Chair regarding that.

The Acting CHAIR. All Members will suspend.

The Clerk will report the words.

Mr. BROUN of Georgia. Mr. Chairman, I withdraw my point of order.

The Acting CHAIR. The demand is withdrawn.

Mr. DICKS. I will revise my words and make sure that it will not be an insult to the gentleman.

I appreciate him withdrawing his point of order.

The Acting CHAIR. Without objection, the gentleman from Washington may revise his remarks.

There was no objection.

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

The Acting CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. MCGOVERN. Mr. Chairman, I rise in very, very, very strong opposition to this amendment gutting the Food for Peace program. Food for peace.

I find it somewhat ironic that we have people who oppose food for peace but support weapons for war without giving it a second thought. The fact of the matter is that this amendment would do great harm to some of the most helpless people in the world. I believe very, very strongly on a bipartisan basis that this amendment should be defeated.

The Food for Peace program has saved the lives of millions and millions of people. It is a good program. It is something we should be proud of in this country, and on a bipartisan basis, I believe, we are proud of the Food for Peace program. I think we need a big bipartisan vote to defeat this amendment.

I appreciated the chairman's remarks earlier, and I thank him for his comments on this issue.

Mr. DICKS. Will the gentleman yield?

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

Mr. DICKS. We've already cut this program by 38 percent below the President's budget request and 31 percent below last year. That is a major cut in this program. To go any further, I think, would be a big mistake.

I thank the gentleman for yielding.

Mr. MCGOVERN. I thank the gentleman. I would just say that, yes, we need to get serious about the deficit and we need to find ways to bring this deficit down. But taking food out of the mouths of children is not the way to do this.

I can go through a litany of things that deserve to be cut, from some of the subsidies that we provide some of the big agricultural businesses to the subsidization of the oil companies to some of the tax breaks for the Donald Trumps of the world. I would rather start there. But to take, to denigrate this program, I think, is wrong. This is something we should be proud of, and, in a bipartisan way, we should be proud of this. Presidents, both Republican and Democratic, have supported this program, and this is vital to the survival of so many people around the world.

Again, I would reiterate what Secretary Gates said. These programs, these developmental programs, are important to our national security. I'm going to tell you, they do more to help improve our image and protect our security around the world than a lot of these other programs that we have that export military hardware all around the world. This is important. This is real. This saves lives.

I would urge my colleagues on a bipartisan basis to soundly reject this amendment and let us support food for peace. Let us support food programs for the poor. That's who we are. That reflects well on this country. I urge my colleagues to defeat this amendment.

I yield back the balance of my time.

Mrs. EMERSON. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Missouri is recognized for 5 minutes.

Mrs. EMERSON. I have been sitting back listening to all of the discussion here on a subject that is near and dear to my heart, and it has been near and dear to our family since the very first time my late husband came back from Ethiopia having sobbed, as he told me, a story about a child from Ethiopia who died in his arms.

□ 1430

Now, I will say that there's been an awful lot of rhetoric on this, and I think that the chairman, in spite of the fact that I don't like the number, I don't like the numbers that we've been given, the chairman, who also has traveled to Africa and has seen up close and personal how these programs really do make a difference for those of us who live here in the United States, how important these programs are for our national security, as Mr. MCGOVERN said and Mr. DICKS, and also how important it is that America, which is still the richest country in the world in spite of our financial difficulties, has respect and wants to help others because we ourselves have been so well blessed.

So I rise in opposition to this amendment, and I want to thank my colleagues from the other side and thank Mr. KINGSTON as well and hope that as we proceed through the process that we might be able to find some common ground, perhaps get a little bit more assistance for these vital programs, but let's try to keep our emotions down a little bit because everybody feels very strongly, but yet our common goal is to lift this country up, and by helping others, we do that.

I yield back the balance of time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BROUN of Georgia. Mr. Chairman, I demand a recorded vote.

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

The Clerk will read.

The Clerk read as follows:

COMMODITY CREDIT CORPORATION EXPORT (LOANS) CREDIT GUARANTEE PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation's export guarantee program, GSM 102 and GSM 103, $6,820,000; to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which $6,465,000 shall be paid to the appropriation for ''Foreign Agricultural Service, Salaries and Expenses'', and of which $355,000 shall be paid to the appropriation for ''Farm Service Agency, Salaries and Expenses''.

MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM GRANTS

For necessary expenses to carry out the provisions of section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o–1), $180,000,000, to remain available until expended: *Provided*, That the Commodity Credit Corporation is authorized to provide the services, facilities, and authorities for the purpose of implementing such section, subject to reimbursement from amounts provided herein.

AMENDMENT NO. 6 OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 50, line 18, after the first dollar amount, insert ''(reduced by $180,000,000)''.

Page 80, line 2, after the dollar amount, insert ''(increased by $180,000,000)''.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. BROUN of Georgia. Mr. Chairman, I rise to offer my amendment which would zero out the McGovern-Dole program and save taxpayers $180 million in the coming fiscal year. We simply cannot continue to dole out money that we simply don't have, particularly when we're experiencing such a huge economic crisis and economic emergency here at home.

It's important to make serious cuts wherever and whenever we can, and this funding is not tied to a specific national security interest. So we can afford to do without it. I think we should do without it, but I'm offering my amendment, and I hope it passes.

I yield back the balance of my time.

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

The Acting CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. MCGOVERN. Mr. Chairman, this is simply a bad amendment. It eliminates funding for one of the U.S. signature programs to reduce child hunger in the world. I helped establish the George McGovern-Robert Dole International Food For Education Program, first as a pilot project in 2000, and then as a permanent program in the 2002 farm bill. It has always had strong bipartisan support, including from my colleague and my friend JO ANN EMERSON and then-Congressmen, now-Senators JOHN THUNE and JERRY MORAN.

McGovern-Dole has one basic goal: provide at least one nutritious meal to some of the world's most vulnerable children in a school setting. It has reduced the incidence of hunger among school-age children. It has increased school enrollment and attendance. It has increased the support of families and communities for education, especially for girls.

McGovern-Dole is a proven success. Instead of cutting its funding, let alone eliminating it, we should be scaling it up. The cuts to McGovern-Dole already in the bill would end school meals for more than 400,000 children. Eliminating the funding would literally take the food out of the mouths of over 5 million of the world's most vulnerable children.

Mr. Chairman, it's bad enough to ignore hungry children. It's even worse to give a hungry child a meal, to give their parents hope for a better future, and then take it away. These are not just numbers in a bill. These are real living, breathing human beings, real children who are in school, many for the very first time because the U.S. is working with local communities to advance education and nutrition.

Now, I've visited some of these programs around the world. I respectfully suggest to those who want to eliminate them to first go and see with their own eyes what they are doing on the ground, look these children, their parents, their teachers, their community leaders in the eye, and make sure you want to tell them you don't care if they go hungry or get a chance to go to school.

In Colombia, I visited a program in Soacha, on the outskirts of Bogota. On barren hillsides, surrounded by shanties housing thousands of internally displaced families, children were receiving a school breakfast and lunch. Mothers and grandmothers were training as cooks, preparing the meals. Clearly visible in the cafeteria were

USAID bags of grains, beans, and lentils.

One mother came up to me and said, Please thank the American people when you go back home. I couldn't feed my children. I couldn't send them to school. I was afraid my son—who was 11 years old—was going to join the paramilitaries or the guerrillas just to get food. Now my son is getting fed, and he's staying in school. Please tell the American people thank you.

In Nairobi, Kenya, in the largest slum in the world, I went to a McGovern-Dole breakfast and lunch program. I was amazed by the students' energy and achievements. The school principal showed me how they store and prepare the U.S. commodities that feed her students and how all the students know that this is a program from the people of the United States of America.

I ate a cereal mush made from yellow peas, grown by American farmers, in a room full of children. The kids dug into this food like it was manna from heaven. One little boy would take a bite and then scoop a small amount out of his bowl and put it into his pockets. He was taking food home to his younger siblings who don't get anything to eat at all.

Outside of Nairobi is Masai country and a school for girls where McGovern-Dole provides a hot lunch. I helped cook and serve the meal of U.S. bulgur wheat and locally grown vegetables. One student told me how grateful she was to go to school and eat every day.

She grew up in a village over a hundred miles away. When she was 12, her father told her that she had to marry a much older man. She refused. Her father ordered her to go to her uncle's house, get his machete, and bring it back to him. She knew that her father was going to kill her. She ran away, walking alone for days, because she had heard of this school. She was then 15, healthy, well-fed, and at the top of her class. I knew I was talking to someone who could be president someday. In the very best way, this young woman will never forget us.

And in the very worst way, when we take food away from children, families, and schools, those communities will never forget us either. They won't forget that we took away their children's future. I wouldn't forget it if it were my child. Would you?

Mr. Chairman, there are many ways to advance U.S. national security and economic interests abroad. Education and child nutrition are very much at the top of that list. It is important that we support the McGovern-Dole program. This has enjoyed incredible bipartisan support, and I'm going to tell you this does more to enhance our national security than sending weapons to countries all over the world.

The people who benefit from this program know it comes from the people of the United States of America. This is a good program. Support the McGovern-Dole program. Reject this amendment.

I yield back the balance of my time.

Mrs. EMERSON. I move to strike the last word, Mr. Chairman.

The Acting CHAIR. The gentlewoman from Missouri is recognized for 5 minutes.

Mrs. EMERSON. I'm not going to take the entire 5 minutes. I do want to say a couple of things.

Number one, I totally associate myself with the remarks of my colleague from Massachusetts, and it is quite true that taking away the program funding would, in fact, literally take food out of the mouths of 5 million hungry, hungry children.

I also want to add, because I know that people probably don't understand this if you haven't been working with this program, is that countries actually graduate from this program. This is not an ongoing effort in every single country, whether Colombia might have graduated, Nicaragua, and other countries.

But, you know, with so many threats against our Nation, I just think it's important to share America's bounty with hungry children in other places and in critical places around the world so that we can help America feed their hungry bodies out of goodness.

□ 1440

And it really is something that the entire Defense Department—you ask any Army officer or any member of the armed services, when they are in areas where these children's lives are being changed by a bowl of mush, as Mr. MCGOVERN said, it makes a huge difference. It makes them able to go to school. It makes little girls have the only opportunity they will ever get for any kind of education, and it is absolutely ridiculous that people don't understand how important this is for the security of our country.

I yield to the gentleman from Massachusetts.

Mr. MCGOVERN. I just want to thank the gentlewoman for her comments and to thank her for her leadership not only on this issue but on some of the other issues to help hungry children around the world.

I just want to also commend her for making the point that in the McGovern-Dole program, there are provisions that require that countries graduate out of the program. So this is not a permanent U.S. handout, if you will. This is some support to help get established school feeding programs that will, one, get more kids in school; and two, give kids a nutritious meal.

Mrs. EMERSON. And if I could reclaim my time, the countries actually take this program over. This is a jump-start and one that, you know, for no other reason, little girls would never go to school. And to me, it's just shocking. We take these things for granted in this country. But it sets a very, very good example and gives these children and their families an opportunity to do more for themselves with just a wee bit of help from us.

Mr. MCGOVERN. Will the gentlewoman yield?

Mrs. EMERSON. I yield to the gentleman from Massachusetts.

Mr. MCGOVERN. I also want to say that this program is named after George McGovern and Robert Dole. So by the very naming of this program, it shows the bipartisanship that has been involved in forming this program from the very beginning. I think we all should be proud of that in this Congress.

Mrs. EMERSON. And we should be. Elizabeth Dole took over for Bob after he left the Senate. And this was a very important issue for her, but it has always been one that is bipartisan and one that helps lift other people up because we really do have so much here.

I yield back the balance of my time.

Mr. FARR. I move to strike the last word.

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

Mr. FARR. I rise in opposition to the amendment.

I just want to make one short comment. What happens in this program is that we contract with countries to create these incentives to get kids to go to school. And you have heard the incredible stories that the gentleman from Massachusetts, Congressman JIM MCGOVERN, just gave us on his experiences in visiting these countries.

It's not only that these contracts are made with countries so they have to put something into it, but they also have a way of working themselves out. So it's not one of those, going back to Congressman BROUN's comment earlier about Nannygate—this is a ''work yourself out of a program.'' You can get off the program by having it work. And then you can move the moneys to another country. So I think it's an outstanding program and worth keeping and certainly this cut would ruin it all.

I yield back the balance of my time.

Ms. DELAURO. I move to strike the last word.

The Acting CHAIR. The gentlewoman from Connecticut is recognized for 5 minutes.

Ms. DELAURO. Mr. Chairman, I rise in opposition to this shortsighted and I believe dangerous amendment that will increase suffering and misery all around the world and put American men and women in danger. And my colleagues have addressed that issue as well.

The appropriations legislation before us is already remarkably stingy with regards to international food aid. It cuts the McGovern-Dole Food for Education Program by 10 percent below the President's request and Food for Peace by an astonishing $650 million. It is a 38 percent reduction. Now Mr. BROUN proposes to zero out McGovern-Dole entirely. This is a program that, as you can tell by its name, has been a hallmark of bipartisan leadership for over a decade now. It is a linchpin in our diplomatic efforts in developing nations.

Make no mistake. Cutting McGovern-Dole endangers our national security.

Zeroing out this program, as this amendment calls for, would needlessly put the safety and the security of American families at risk.

For the first time in history, over 1 billion people—one in six—are undernourished worldwide. Every 6 seconds, a child dies because of hunger and related causes. And this hunger forces people into desperate acts and dangerous pacts. Famine and starvation create the conditions for militant extremism, the very extremism our troops fight in Afghanistan and around the world.

And so McGovern-Dole, and the international food aid it provides, is a crucial front in our efforts to combat global terror. We fight hunger and poverty, and we undercut the recruiting base of those who would threaten us. As former National Security Adviser Sandy Berger wrote in The Los Angeles Times, ''Ensuring that no child goes to school hungry is the single greatest investment we can make in building prosperous, healthy, and stable societies.''

McGovern-Dole is that investment, and it works. Operating in 28 countries around the world, including Afghanistan and Pakistan, McGovern-Dole provides at least one nutritious meal each day to vulnerable children in schools. It has shown demonstrated success in both reducing hunger and increasing school enrollment and attendance, especially, as my colleagues pointed out, for girls. Otherwise, little girls in these countries don't get any education, and they don't get any food.

Last month, the GAO released a report on McGovern-Dole, and it called for strengthening monitoring by the USDA, accelerating the timeframe of reporting. It did not, however, call into question any of the objectives of the program. This program works. Since becoming a permanent program in the 2002 farm bill, it has reduced hunger and violence, increased education and nutrition, and has become a vital element in our international diplomacy. Zeroing out the program, as this amendment demands, would not only destroy all these many benefits for America and the developing world, it would mean 5 million kids will go hungry again, 5 million children. And yet, even as this amendment threatens to force millions into starvation, somehow the majority's budget still finds money for oil company subsidies and tax breaks for millionaires.

Cutting this funding is shortsighted in the extreme. McGovern-Dole works. It works for America. It works for developing nations around the world. It moves children from starvation to education. And it undercuts the recruiting ability of those who would do America harm.

I urge my colleagues, stand with our troops. Stand against hunger worldwide and oppose this disastrous amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BROUN of Georgia. Mr. Chairman, I demand a recorded vote.

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

The Clerk will read.

The Clerk read as follows:

TITLE VI

RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92–313 for programs and activities of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed $25,000; and notwithstanding section 521 of Public Law 107–188; $3,654,148,000: *Provided*, That of the amount provided under this heading, $856,041,000 shall be derived from prescription drug user fees authorized by 21 U.S.C. 379h, and shall be credited to this account and remain available until expended, and shall not include any fees pursuant to 21 U.S.C. 379h(a)(2) and (a)(3) assessed for fiscal year 2013 but collected in fiscal year 2012; $67,118,000 shall be derived from medical device user fees authorized by 21 U.S.C. 379j, and shall be credited to this account and remain available until expended; $21,768,000 shall be derived from animal drug user fees authorized by section 740 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–12), and shall be credited to this account and remain available until expended; $5,706,000 shall be derived from animal generic drug user fees authorized by section 741 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–21), and shall be credited to this account and shall remain available until expended; and $477,000,000 shall be derived from tobacco product user fees authorized by 21 U.S.C. 387s and shall be credited to this account and remain available until expended; $12,364,000 shall be derived from food and feed recall fees authorized by section 743 of the Federal Food, Drug, and Cosmetic Act (Public Law 75–717), as amended by the Food Safety Modernization Act (Public Law 111–353), and shall be credited to this account and remain available until expended; $14,700,000 shall be derived from food reinspection fees authorized by section 743 of the Federal Food, Drug, and Cosmetic Act (Public Law 75–717), as amended by the Food Safety Modernization Act (Public Law 111–353), and shall be credited to this account and remain available until expended; and $36,000,000 shall be derived from voluntary qualified importer program fees authorized by section 743 of the Federal Food, Drug, and Cosmetic Act (Public Law 75–717), as amended by the Food Safety Modernization Act (Public Law 111–353), and shall be credited to this account and remain available until expended: *Provided further*, That fees derived from prescription drug, medical device, animal drug, animal generic drug, and tobacco product assessments for fiscal year 2012 received during fiscal year 2012, including any such fees assessed prior to fiscal year 2012 but credited for fiscal year 2012, shall be subject to the fiscal year 2012 limitations: *Provided further*, That in addition and notwithstanding any other provision under this heading, amounts collected for prescription drug user fees that exceed the fiscal year 2012 limitation are appropriated and shall be credited to this account and remain available until expended: *Provided further*, That of the total amount appropriated: (1) $799,820,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities in the Office of Regulatory Affairs; (2) $1,031,205,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs; (3) $327,651,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) $157,874,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) $321,171,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) $51,461,000 shall be for the National Center for Toxicological Research; (7) $454,751,000 shall be for the Center for Tobacco Products and for related field activities in the Office of Regulatory Affairs; (8) not to exceed $124,273,000 shall be for Rent and Related activities, of which $37,073,000 is for White Oak Consolidation, other than the amounts paid to the General Services Administration for rent; (9) not to exceed $177,130,000 shall be for payments to the General Services Administration for rent; and (10) $208,812,000 shall be for other activities, including the Office of the Commissioner; the Office of Foods; the Office of the Chief Scientist; the Office of Policy, Planning and Budget; the Office of International Programs; the Office of Administration; and central services for these offices: *Provided further*, That not to exceed $25,000 of this amount shall be for official reception and representation expenses, not otherwise provided for, as determined by the Commissioner: *Provided further*, That funds may be transferred from one specified activity to another with the prior approval of the Committees on Appropriations of both Houses of Congress.

In addition, mammography user fees authorized by 42 U.S.C. 263b, export certification user fees authorized by 21 U.S.C. 381, and priority review user fees authorized by 21 U.S.C. 360n may be credited to this account, to remain available until expended.

AMENDMENT OFFERED BY MR. STEARNS

Mr. STEARNS. Mr. Chairman, I offer an amendment.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 51, line 18, insert after the dollar amount the following: ''(reduced by $392,000,000)''.

Page 52, line 11, insert after the dollar amount the following: ''(reduced by $392,000,000)''.

Page 54, line 6, insert after the dollar amount the following: ''(reduced by $392,000,000)''.

Page 80, line 2, insert after the dollar amount the following: ''(increased by $392,000,000)''.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. STEARNS. Mr. Chairman, let me just briefly say, this is a very simple amendment. It takes the Center for Tobacco Products back to the 2009 level. Now all of you should realize, this agency never existed in 2006. There have been prodigious increases in this center. We are taking the funding for this Center for Tobacco Products back to the 2009 level.

Now under the President's plan, the budget for the FDA's Center for Tobacco Products has simply exploded. The administration's budget justification to Congress states, ''FDA is experiencing an unprecedented and dramatic surge in staffing and facility needs that will cause FDA facility requirements to exceed the scope of the 2009 master plan.''

□ 1450

I understand that. The FDA is expanding, does good work. I'm not criticizing it.

But one area of the FDA's budget that is growing way too fast under this administration's budget is the brand-new Center for Tobacco Products. Again, this agency, this center did not exist in 2006.

In the FY 2012 Agriculture appropriations legislation reported by the committee, it continues the trend of major discretionary spending reduction sought by the Republican majority. This same fiscal restraint should be applied to the Center for Tobacco Products. We're talking about appropriation levels going back to 2006, 2009, 2010. So all I'm asking is let's move this back to 2009.

An FY 2012 budget that was requested by the FDA's Tobacco Act was $454 million, an increase of $238 million from fiscal year 2010 enacted levels of $235 million. So think of that: in 1 year it practically doubled, 110 percent increase.

Now, this is when we have a deficit, $1.5 trillion every year, and we have a debt that's approaching $15 trillion.

If we look at FY 2009, an $85 million funding, from the fiscal year 2009 there's been a 500 percent increase in this new Center for Tobacco Products.

Tobacco regulation, obviously, is a new program at the FDA. They have been just champing at the bit over there for the last 25 years to be involved with the regulation of cigarettes and everything like that. They want to regulate tobacco, and I think, frankly, you know, the House voted for it. I accept that.

But we don't need to increase from 2009 up to what we're looking at, these large increases. We've got to return some of these increases to the debt and to the deficit. So a 500 percent increase in a budget is way too large. I suggest that funding should continue at the 2009 levels.

We are rolling back funding for many other programs, and it's proper to ensure that FDA also bears some of the burden during some of these most austere budgetary times.

Now, all of us know that smoking is bad. And the question is, what is the FDA doing through this Center for Tobacco Products? It's not clear to me, but do they have to increase over the years almost 500 percent?

Reducing their funding to fiscal year 2009 levels will be a restraint and will give the authorizing committee a chance to review the FDA regulations and review how the FDA plans to implement the law. I simply want to ensure that the FDA does not overreach with their authority, and ensure that it is using the best approach to ensure that tobacco harm is reduced. We all want to see it reduced.

But the question, we all have to take a sacrifice—doesn't the Center for Tobacco Products also have to contribute? There's no reason for it to have over these years a 500 percent increase.

And so, Mr. Chairman, I think this is a modest attempt to try and save money. It's quite a substantial amount of money for a good cause, which is reducing our deficit, our debt. In the long term, let the FDA and this new Center for Tobacco Products move forward, but not at these chomping, prodigious, gargantuan increases because they felt that it's catch-up time. I mean, every agency down here can come and say it's catch-up time. But obviously, under this economy and under this huge deficit, we cannot continue to look at agencies like this over this period of time getting a 500 percent increase in funding.

So I ask my colleagues to support my amendment.

I yield back the balance of my time.

Mr. FARR. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. FARR. First of all, I hope that we don't have more of these ambush amendments that we haven't had a chance to really look at. And this one really has serious implications. What it seems that this amendment does is, first of all, reduce the tobacco industry's fees that they have to pay the Federal Government. This is a big help to the tobacco industry. It cuts fees that the private sector has to pay the Federal Government. And what do those fees go into? Into campaigns to reduce tobacco consumption and to treat the issues related to tobacco. That's the way the amendment reads to us.

And I'd just like to remind the author that I represent California. California has, time after time, put taxes on the ballot to increase tobacco taxes, and they've passed overwhelmingly. And we use those fees that would come from the industry from the sale of—not even the industry, they come from the user to run very effective anti-tobacco campaigns.

We reduced smoking in California almost to zero. I mean, it's incredible. Most cities in California don't allow any smoking in public places. The communities I represent on the coastline don't allow you to even smoke on the beaches. You certainly can't smoke in public buildings and in any other kind of public space, even in public places that are privately owned.

So to do this, to ambush the anti-tobacco campaign with this amendment is just—it's a giveaway to the tobacco companies and reduces the fees they have to pay and hurts the ability to eliminate the illness caused by tobacco; and anybody who's had cancer in their family, as I've had, is very, very aware of the illnesses caused by tobacco users.

I think this is a very dangerous amendment and, hopefully, the gentleman will withdraw it. If not, we ought to oppose it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida.

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. STEARNS. Mr. Chairman, I demand a recorded vote.

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

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

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

Mr. FARR. Mr. Chairman, I was going to introduce an amendment, but I just want to make a statement and I'll withhold the amendment.

The statement I want to make is about what this underlying bill does to FDA. It cuts FDA, Federal Drug Administration, by 21 percent, about $580 million. On top of that, the FDA has to absorb another $37 million in higher rent costs. So we're really talking about a reduction to FDA of about $600 million. And yet we keep the law in place so they have to continue all the current requirements and activities that are mandated to them.

This kind of cut means that 2,000 fewer domestic and foreign inspections of firms that manufacture food and medical products can be made. This kind of cut means that more than 9,000 fewer FDA import inspections to verify that imported food and medical products meet safety standards. This kind of cut means there will be 4,000 fewer food and medical product samplings to identify safety problems.

The amendment that I was going to introduce would have moved some funds from the Commissioner's Office to the Center for Devices and Radiological Health, or known as CDRH. The Center for Devices and Radiological Health is responsible for bringing new technologies to market, and to make the medical devices that are already on the market safer and more effective.

The FDA has implemented a more streamlined process by which medical

devices can get to market called the Innovation Pathway. But with the cuts to the FDA budget in this bill, the Innovation Pathway will become Innovation Roadblock.

At a hearing at the Energy and Commerce Subcommittee on Health on February 17, 2011, the Director of CDRH, Dr. Jeffery Shuren, testified that these cuts: ''The Innovation Pathway would be a non-option. And for the rest of what we do, this would result in increased delays in decisions. It would deny patients truly safe and effective innovative technologies. And it will result in jobs being lost.''

□ 1500

So moving funds, even nominal funds, to CDRH makes a point that we would have to maintain a commitment to getting critical medical devices to market and to patients.

The other point I wanted to make is the Center for Devices and Radiological Health is also responsible in part for the FDA advances in medical countermeasures. This medical countermeasures program extends across several FDA offices. The program coordinates the appropriate responses to national medical catastrophes. For CDRH, that means putting in place the right medical responses to radiological threats, threats like a dirty bomb, a rogue nuclear device, or even a natural disaster like the one that occurred in Fukushima after the earthquake and tsunami.

This isn't just a health concern. It's a homeland security concern. Unless we are ready to handle these emergencies, many, many people could die or be permanently disabled. We have to prepare. The CDRH can do that for us, but not with a budget cut like the one the FDA is facing. The 21 percent cut in the FDA budget means the public health of Americans is put at risk, is put on hold. Medical safety devices are put on hold. Medical countermeasures are put on hold. Radiological treatment improvements, like new forms of x rays, PET scans and MRIs are put on hold.

I say it again, the 21 percent cut in the FDA budget is not good for America's health. I wish that we didn't have to adopt a budget with that kind of a cut.

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

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, $8,788,000, to remain available until expended.

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION

For necessary expenses to carry out the provisions of the Commodity Exchange Act (7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles, and the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, $171,930,000, to remain available until September 30, 2013, including not to exceed $3,000 for official reception and representation expenses, and not to exceed $25,000 for the expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials.

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $62,000,000 (from assessments collected from farm credit institutions, including the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: *Provided*, That this limitation shall not apply to expenses associated with receiverships.

TITLE VII

GENERAL PROVISIONS

(INCLUDING CANCELLATIONS, RECISSIONS AND TRANSFERS OF FUNDS)

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the current fiscal year under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 461 passenger motor vehicles, of which 456 shall be for replacement only, and for the hire of such vehicles.

AMENDMENT NO. 7 OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 56, line 18, insert ''231'' in place of ''461''.

Page 56, line 19, insert ''231'' in place of ''456''.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BROUN of Georgia. Mr. Chairman, I rise to offer my amendment, which would reduce the fleet of passenger vehicles that the USDA is able to purchase by half. Cutting the size of their fleet from 461 to 231 is a simple way to save our taxpayers some of their hard-earned money.

Mr. Chairman, I know many of my amendments cut programs that are near and dear to my colleagues' and their districts' hearts. We have heard clearly from our friends on both sides regarding that. But together, my amendments cut over $2 billion, and we accrue more than twice that amount of debt every single day.

It's time to make the hard choices for the greater good of our economy. We have to cut wherever we can, and cutting about 230 vehicles out of the USDA's fleet is another way to save taxpayers money.

I encourage people to vote for my amendment.

Mr. FARR. Will the gentleman yield?

Mr. BROUN of Georgia. I yield to the gentleman from California.

Mr. FARR. I'm just curious. I have a point of inquiry for Mr. BROUN.

Mr. BROUN, do you lease a car?

Mr. BROUN of Georgia. No, sir, I do not.

Mr. FARR. You just drive your own private car?

Mr. BROUN of Georgia. I do, indeed.

Mr. FARR. So you want to cut this account that is vehicles for the Department.

Mr. BROUN of Georgia. By 230 vehicles, yes, sir.

Mr. FARR. And how do you expect them to get around?

Mr. BROUN of Georgia. Well, maybe they could ride share. That would be a good way to save taxpayer dollars also.

Mr. FARR. Well, I don't think we can operate government on a maybe, and I oppose this amendment.

Mr. BROUN of Georgia. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The amendment was rejected.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 702. The Secretary of Agriculture may transfer unobligated balances of discretionary funds appropriated by this Act or other available unobligated discretionary balances of the Department of Agriculture to the Working Capital Fund for the acquisition of plant and capital equipment necessary for the delivery of financial, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture: *Provided*, That none of the funds made available by this Act or any other Act shall be transferred to the Working Capital Fund without the prior notification to the agency administrator: *Provided further*, That none of the funds transferred to the Working Capital Fund pursuant to this section shall be available for obligation without the prior notification to the Committees on Appropriations of both Houses of Congress: *Provided further*, That of annual income amounts in the Working Capital Fund of the Department of Agriculture allocated for the National Finance Center, the Secretary may reserve not more than 4 percent for the replacement or acquisition of capital equipment, including equipment for the improvement and implementation of a financial management plan, information technology, and other systems of the National Finance Center or to pay any unforeseen, extraordinary cost of the National Finance Center: *Provided further*, That none of the amounts reserved shall be available for obligation unless the Secretary submits notification of the obligation to the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That the limitation on the obligation of funds pending notification to Congressional Committees shall not apply to any obligation that, as determined by the Secretary, is necessary to respond to a declared state of emergency that significantly impacts the operations of the National Finance Center; or to evacuate employees of the National Finance Center to a safe haven to continue operations of the National Finance Center.

SEC. 703. 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. 704. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two

parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SEC. 705. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year for the following accounts: the Rural Development Loan Fund program account, the Rural Electrification and Telecommunication Loans program account, and the Rural Housing Insurance Fund program account.

SEC. 706. None of the funds appropriated by this Act may be used to carry out section 410 of the Federal Meat Inspection Act (21 U.S.C. 679a) or section 30 of the Poultry Products Inspection Act (21 U.S.C. 471).

SEC. 707. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board: *Provided*, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be transferred to the Office of the Chief Information Officer unless prior notification has been transmitted to the Committees on Appropriations of both Houses of Congress: *Provided further*, That none of the funds available to the Department of Agriculture for information technology shall be obligated for projects over $25,000 prior to receipt of written approval by the Chief Information Officer.

SEC. 708. Funds made available under section 1240I and section 1241(a) of the Food Security Act of 1985 and section 524(b) of the Federal Crop Insurance Act (7 U.S.C. 1524(b)) in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year.

SEC. 709. Notwithstanding any other provision of law, any former RUS borrower that has repaid or prepaid an insured, direct or guaranteed loan under the Rural Electrification Act of 1936, or any not-for-profit utility that is eligible to receive an insured or direct loan under such Act, shall be eligible for assistance under section 313(b)(2)(B) of such Act in the same manner as a borrower under such Act.

SEC. 710. Notwithstanding any other provision of law, for the purposes of a grant under section 412 of the Agricultural Research, Extension, and Education Reform Act of 1998, none of the funds in this or any other Act may be used to prohibit the provision of in-kind support from non-Federal sources under section 412(e)(3) of such Act in the form of unrecovered indirect costs not otherwise charged against the grant, consistent with the indirect rate of cost approved for a recipient.

SEC. 711. Except as otherwise specifically provided by law, unobligated balances remaining available at the end of the fiscal year from appropriations made available for salaries and expenses in this Act for the Farm Service Agency and the Rural Development mission area, shall remain available through September 30, 2013, for information technology expenses.

SEC. 712. The Secretary of Agriculture may authorize a State agency to use funds provided in this Act to exceed the maximum amount of liquid infant formula specified in 7 C.F.R. 246.10 when issuing liquid infant formula to participants.

SEC. 713. None of the funds appropriated or otherwise made available by this Act may be used for first-class travel by the employees of agencies funded by this Act in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

SEC. 714. In the case of each program established or amended by the Food, Conservation, and Energy Act of 2008 (Public Law 110–246), other than by title I or subtitle A of title III of such Act, that is authorized or required to be carried out using funds of the Commodity Credit Corporation—

(1) such funds shall be available for salaries and related administrative expenses, including technical assistance, associated with the implementation of the program, without regard to the limitation on the total amount of allotments and fund transfers contained in section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i); and

(2) the use of such funds for such purpose shall not be considered to be a fund transfer or allotment for purposes of applying the limitation on the total amount of allotments and fund transfers contained in such section.

SEC. 715. In carrying out subsection (h) of section 502 of the Housing Act of 1949, the Secretary may use the authority described in subsections (h) and (j) of section 538 of such Act.

SEC. 716. Clause (ii) of section 524(b)(4)(B) of the Federal Crop Insurance Act (7 U.S.C. 1524(b)(4)(B)) is amended—

(1) in the heading, by striking ''fiscal years 2008 through 2012'' and inserting ''certain fiscal years''; and

(2) in the text, by striking ''2012'' and inserting ''2014''.

SEC. 717. Appropriations to the Department of Agriculture made available in fiscal years 2005, 2006, and 2007 to carry out section 601 of the Rural Electrification Act of 1936 (7 U.S.C. 950bb) for the cost of direct loans shall remain available until expended to disburse valid obligations made in fiscal years 2005, 2006, 2007 and 2008.

SEC. 718. None of the funds appropriated or otherwise made available by this Act or any other Act shall be used to pay the salaries and expenses of personnel to carry out a program under subsection (b)(2)(A)(iv) of section 14222 of Public Law 110–246 in excess of $948,000,000, as follows: Child Nutrition Programs Entitlement Commodities – $465,000,000; State Option Contract – $5,000,000; Removal of Defective Commodities – $2,500,000; Disaster Relief – $5,000,000; Additional Fruits, Vegetables, and Nuts Purchases –$206,000,000; Fresh Fruit and Vegetable Program – $20,000,000; Estimated Future Needs – $196,713,000; and, Administrative Funds – $47,787,000: *Provided*, That none of the funds made available in this Act or any other Act shall be used for salaries and expenses to carry out section 19(i)(1)(E) of the Richard B. Russell National School Lunch Act as amended by section 4304 of Public Law 110–246 in excess of $20,000,000, including the transfer of funds under subsection (c) of section 14222 of Public Law 110–246, until October 1, 2012: *Provided further*, That $133,000,000 made available on October 1, 2012, to carry out section 19(i)(1)(E) of the Richard B. Russell National School Lunch Act as amended by section 4304 of Public Law 110–246 shall be excluded from the limitation described in subsection (b)(2)(A)(v) of section 14222 of Public Law 110–246: *Provided further*, That none of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries or expenses of any employee of the Department of Agriculture or officer of the Commodity Credit Corporation to carry out clause (3) of section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), or for any surplus removal activities or price support activities under section 5 of the Commodity Credit Corporation Charter Act: *Provided further*, That of the available unobligated balances under (b)(2)(A)(iv) of section 14222 of Public Law 110–246, $150,000,000 are hereby rescinded.

SEC. 719. Of the funds made available by this Act, not more than $1,800,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture, except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants.

SEC. 720. None of the funds in this Act shall be available to pay indirect costs charged against any agricultural research, education, or extension grant awards issued by the National Institute of Food and Agriculture that exceed 30 percent of total Federal funds provided under each award: *Provided*, That notwithstanding section 1462 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310), funds provided by this Act for grants awarded competitively by the National Institute of Food and Agriculture shall be available to pay full allowable indirect costs for each grant awarded under section 9 of the Small Business Act (15 U.S.C. 638).

SEC. 721. None of the funds made available by this or any other Act may be used to write, prepare, develop, or publish a final rule or an interim final rule in furtherance of, or otherwise to implement, the proposed rule entitled ''Implementation of Regulations Required Under Title XI of the Food, Conservation, and Energy Act of 2008; Conduct in Violation of the Act'' (75 Fed. Reg. 35338 (June 22, 2010)).

SEC. 722. The unobligated balances available for the Natural Resources Conservation Service, Forestry Incentives Program, as identified by Treasury Appropriation Fund Symbol 12X3336, $5,500,000 are rescinded, and the unobligated balances available for the Natural Resources Conservation Service, Great Plains Conservation Program, as identified by Treasury Appropriation Fund Symbol 12X2268, $500,000 are rescinded.

SEC. 723. Of the unobligated balances provided pursuant to section 16(h)(1)(A) of the Food and Nutrition Act of 2008, $11,000,000 is hereby rescinded.

SEC. 724. Section 1238E(a) of the Food Security Act of 1985 (16 U.S.C. 3838e(a)) is amended by striking ''2012'' and inserting ''2014''.

SEC. 725. (a) Section 1240B(a) of the Food Security Act of 1985 (16 U.S.C. 3839aa–2(a)) is amended by striking ''2012'' and inserting ''2014''.

(b) Section 1241(a)(6)(E) of the Food Security Act of 1985 (16 U.S.C. 3841(a)(6)(E)) is amended by striking ''fiscal year 2012'' and inserting ''each of fiscal years 2012 through 2014''.

SEC. 726. Section 1241(a) of the Food Security Act of 1985 (16 U.S.C. 3841(a)) is amended—

(1) in the matter preceding paragraph (1), by striking ''2012,'' and inserting ''2012 (and fiscal year 2014 in the case of the programs specified in paragraphs (3)(B), (4), (6), and (7)),''; and

(2) in paragraph (4)(E), by striking ''fiscal year 2012'' and inserting ''each of fiscal years 2012 through 2014''.

SEC. 727. Section 1241(a)(7)(D) of the Food Security Act of 1985 (16 U.S.C. 3841(a)(7)(D)) is amended by striking ''2012'' and inserting ''2014''.

SEC. 728. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out the following:

(1) The Conservation Stewardship Program authorized by sections 1238D–1238G of the

Food Security of Act 1985 (16 U.S.C. 3838d–3838g) in excess of $634,000,000.

(2) The Watershed Rehabilitation program authorized by section 14(h) of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012(h)).

(3) The Environmental Quality Incentives Program as authorized by sections 1241–1240H of the Food Security Act of 1985 (16 U.S.C. 3839aa–3839aa-8) in excess of $1,400,000,000.

(4) The Farmland Protection Program as authorized by section 1238I of the Food Security Act of 1985 (16 U.S.C. 3838i) in excess of $150,000,000.

(5) The Grassland Reserve Program as authorized by sections 1238O–1238Q of the Food Security Act of 1985 (16 U.S.C. 3838o–3838q) in excess of 209,000 acres in fiscal year 2012.

(6) The Wetlands Reserve Program authorized by sections 1237–1237F of the Food Security Act of 1985 (16 U.S.C. 3837–3837f) to enroll in excess of 185,800 acres in fiscal year 2012.

(7) The Wildlife Habitat Incentives Act authorized by section 1240N of the Food Security Act of 1985 (16 U.S.C. 3839bb–1)) in excess of $50,000,000.

(8) The Voluntary Public Access and Habitat Incentives Program authorized by section 1240R of the Food Security Act of 1985 (16 U.S.C. 3839bb–5).

(9) The Biomass Crop Assistance Program authorized by section 9011 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8111).

(10) The Bioenergy Program for Advanced Biofuels authorized by section 9005 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8105) in excess of $55,000,000.

(11) The Rural Energy for America Program authorized by section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107).

(12) The Rural Microentrepreneur Assistance Program authorized by section 6022 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 2008s).

(13) Section 508(d)(3) of the Federal Crop Insurance Act (7 U.S.C. 1508(d)(3)) to provide a performance-based premium discount in the crop insurance program.

(14) Agricultural Management Assistance Program as authorized by section 524 of the Federal Crop Insurance Act, as amended (7 U.S.C. 1524) in excess of $2,500,000 for the Natural Resources conservation Service.

SEC. 729. The funds made available in Public Law 111–344 through February 12, 2012 for trade adjustment for farmers are hereby rescinded.

SEC. 730. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel to carry out the emergency food assistance program authorized by section 27(a) of the Food and Nutrition Stamp Act of 2008 (7 U.S.C. 2036(a)) if such program exceeds $200,000,000.

SEC. 731. (a) CLOSURE AND CONVEYANCE OF AGRICULTURAL RESEARCH SERVICE FACILITIES.—The Secretary of Agriculture may close up to 10 facilities of the Agricultural Research Service, as proposed in the budget of the President for fiscal year 2012 submitted to Congress pursuant to section 1105 of title 31, United States Code.

(b) CONVEYANCE AUTHORITY.—With respect to an Agricultural Research Service facility to be closed pursuant to subsection (a), the Secretary of Agriculture may convey, with or without consideration, all right, title, and interest of the United States in and to any real property, including improvements and equipment thereon, of the facility to an eligible entity specified in subsection (c). If the Agricultural Research Service facility consists of more than one parcel of real property, the Secretary may convey each parcel separately and to different eligible entities.

(c) ENTITIES.—The following entities are eligible to receive real property under subsection (b):

(1) Land-grant colleges and universities (as defined in section 1404(13) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103(13)).

(2) 1994 Institutions (as defined in section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103–382)).

(3) Hispanic-serving agricultural colleges and universities (as defined in section 1404(10) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103(10)).

(d) CONDITIONS ON RECEIPT.—As a condition of the conveyance of real property under subsection (b), the recipient of the property must—

(1) be located in the same State or territory of the United States in which the property is located; and

(2) agree to accept and use the property for agricultural and natural resources research for a minimum of 25 years.

SEC. 732. Section 9 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758) is amended by adding at the end the following:

''(l) FOOD DONATION PROGRAM.—

''(1) IN GENERAL.—Each school and local educational agency participating in the school lunch program under this Act may donate any food not consumed under such program to eligible local food banks or charitable organizations.

''(2) GUIDANCE.—

''(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this subsection, the Secretary shall develop and publish guidance to schools and local educational agencies participating in the school lunch program under this Act to assist such schools and local educational agencies in donating food under this subsection.

''(B) UPDATES.—The Secretary shall update such guidance as necessary.

''(3) LIABILITY.—Any school or local educational agency making donations pursuant to this subsection shall be exempt from civil and criminal liability to the extent provided under the Bill Emerson Good Samaritan Food Donation Act (42 U.S.C. 1791).

''(4) DEFINITION.—In this subsection, the term 'eligible local food banks or charitable organizations' means any food bank or charitable organization which is exempt from tax under section 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 501(c)(3)).''.

SEC. 733. Notwithstanding this Act or any other Act, of the unobligated balances available to the Department of Agriculture from prior appropriations, with the exception of Rural Development and Domestic Food Programs, $63,000,000 in appropriated discretionary funds are hereby rescinded: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

SEC. 734. None of the funds appropriated or otherwise made available to the Department of Agriculture or the Food and Drug Administration shall be used to transmit or otherwise make available to any non-Department of Agriculture or non-Department of Health and Human Services employee questions or responses to questions that are a result of information requested for the appropriations hearing process.

SEC. 735. (a) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds, or in the case of the Department of Agriculture, through use of the authority provided by section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) or section 8 of Public Law 89–106 (7 U.S.C. 2263), that—

(1) creates new programs;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;

(4) relocates an office or employees;

(5) reorganizes offices, programs, or activities; or

(6) contracts out or privatizes any functions or activities presently performed by Federal employees;

unless the Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission (as the case may be) notifies, in writing, the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming of such funds or the use of such authority.

(b) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming or use of the authorities referred to in subsection (a) involving funds in excess of $500,000 or 10 percent, whichever is less, that—

(1) augments existing programs, projects, or activities;

(2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or

(3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission (as the case may be) notifies, in writing, the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming of such funds or the use of such authority.

(c) The Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission shall notify the Committees on Appropriations of both Houses of Congress before implementing any program or activity not carried out during the previous fiscal year unless the program or activity is funded by this Act or specifically funded by any other Act.

SEC. 736. None of the funds appropriated by this or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President's Budget submission to the Congress of the United States for programs under the jurisdiction of the Appropriations Subcommittees on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the Budget unless such Budget submission identifies which additional

spending reductions should occur in the event the user fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2013 appropriations Act.

SEC. 737. Unless otherwise authorized by existing law, none of the funds provided in this Act, may be used by an executive branch agency to produce any prepackaged news story intended for broadcast or distribution in the United States unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

SEC. 738. No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this act to any other agency or office of the Department for more than 30 days unless the individual's employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

SEC. 739. None of the funds made available in this Act may be used to pay the salaries or expenses of personnel to—

(1) inspect horses under section 3 of the Federal Meat Inspection Act (21 U.S.C. 603);

(2) inspect horses under section 903 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 1901 note; Public Law 104–127); or

(3) implement or enforce section 352.19 of title 9, Code of Federal Regulations.

□ 1510

AMENDMENT OFFERED BY MRS. LUMMIS

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 77, line 12, strike the semicolon and insert ''; or''.

Page 77, line 15, strike ''; or'' and insert a period.

Page 77, strike lines 16 through 17.

The Acting CHAIR. The gentlewoman from Wyoming is recognized for 5 minutes.

Mrs. LUMMIS. Mr. Chairman, this amendment would remove the restriction only on the fee-for-service horse meat inspection portion. Since fiscal year 2006, Congress has prohibited the use of Federal funds to inspect horses. However, the USDA allowed for a fee-for-service program for mandatory inspection of horses destined for food until 2008, when Congress prohibited the program through an appropriations rider.

Before these bans, horse processing was a $65 million a year industry and owners could receive about $400 to $800 when selling a horse. I am offering this amendment because owners should have the option of selling their horse for processing under their personal property rights. It is not the Federal Government's role to ban this option. The decision to allow for processing should be made by the States.

The Senate Committee on Appropriations has directed GAO to examine the effects of this ban on the welfare of horses and on the agriculture industry. This report was expected by March 1 of 2010. Over a full year later, we still have yet to be delivered a final report from GAO, but expect one within weeks of this debate. It is important that this analysis be considered when determining whether to consider this ban.

In particular, the GAO was asked to examine how many horses are now being shipped to Mexico and Canada for slaughter, which outside analysis has confirmed is increasing. With the increased exporting of animals comes the concern of longer transportation times to slaughter and reduced inspections by USDA of travel conditions. USDA has no authority to ensure humane treatment once horses cross the border to Mexico or Canada, and there is no reason to believe horses are receiving better treatment by continuing this ban.

Additionally, there continue to be reports of increased animal abuse during the reduced options for unwanted horses. I can assure you this is true in my home State of Wyoming. Recently, 100 horses have been seized from a western Wyoming ranch where they were being starved and had to be transported to the eastern side of the State to the State's Cheyenne stockyards. While the state veterinarian is caring for the animals currently, the options for selling these horses are limited.

There is just no place to send unwanted horses, and neglect will continue to rise across the country without a viable alternative. In fact, the Wyoming legislature this year made it a crime to release a horse on to public lands. Now, the reason people do that is because there is no other way to get rid of an unwanted horse. There is no opportunity to sell them into this meat market, so people are turning them loose with the feral horses, the wild horses, further exacerbating the Federal wild horse problem.

Congress needs to examine these concerns, and the GAO report should provide us the information needed to make an educated decision on this matter.

Now, I plan to withdraw my amendment after discussing this issue, but would like to provide my colleagues with the opportunity to present their States' concerns with this ban and to ensure moving forward we examine the GAO report before finalizing any appropriations language for fiscal year 2012.

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

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

The Acting CHAIR. The gentleman from New Mexico is recognized for 5 minutes.

Mr. PEARCE. Mr. Chairman, I appreciate the gentlelady from Wyoming bringing this amendment.

You know, many times people think that horse slaughter is just simply inhumane. Somehow they think that horse starvation is somehow more humane. The truth is that people are going to get rid of their horses in some way, so what they do in New Mexico and in the Western States is they simply take them out and turn them loose.

Right now we are struggling with an economy, an economy that is having difficulties from every area, and too often we say it is just a problem of the economy. We don't break it down to its individual components.

One of the components in New Mexico is that we have completely eliminated sheep from New Mexico. New Mexico used to be a large area of sheep production. That piece of the economy is simply gone because of regulations we in Washington and the States have put into place. New Mexico also used to have a vibrant apple economy. That is now gone because we have given favorable treatment to overseas products.

But then this is another element of the economy that has simply disappeared. New Mexico used to have a vibrant horse trade. Prices were high. Now prices on horses are low because people know they have no option at the end of a horse's life, so it is simply doing away with the horse market.

So we find that we in Congress are causing the economic decay of our entire Nation, and the gentlelady's amendment simply says let's study the facts. Let's understand what is going on that we ourselves are causing. Let's understand the economic duress that Washington and the States are putting on their own economies. It makes ultimate sense, and for us in the West it should be absolutely reinstated. We should reinstate the market there, because horses are being very inhumanely treated in the guise of some more humane treatment. So I thank the lady for her presentation.

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

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

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. I rise in support of the Lummis amendment. I am disappointed that she is planning to withdraw it and that we will not be having a vote on it. We had a vote on it in full committee. It was actually Mr. MORAN's amendment that pulled it out. I did not support the gentleman from Virginia's amendment because I believe there is a lot of emotion that goes on when we are dealing with a horse. It still is a private property issue, a personal property issue, and while I do not own horses, I have family members who own horses. I know that you do have to have someplace to move the horse on to when it ages out on you.

It is very emotional in America. We look down at other nations that eat horses, but I have eaten horse before. In Kazakhstan I ate horse, and it wasn't bad. But we as Americans, we have an obesity problem, so we can pick and choose what we want to eat and what we don't want to eat, and people feel like, well, we are too good to be eating horses. I understand that, but the rest of the world does eat horses and I think, frankly, that is a different discussion, as my friend from Virginia knows. But I wish we were having a vote on it.

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

□ 1520

Mr. MORAN. I move to strike the last word.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. MORAN. I do rise in opposition to this amendment that would allow horse slaughtering to resume in the United States.

The language that the gentlelady's amendment would strike was put into the bill as a bipartisan amendment by two Republicans and a Democrat—Mr. Sweeney, Mr. WHITFIELD and Mr. Spratt. What it did is to restrict funding for Federal activities involved with meat inspection. Thereby, it stopped horse slaughter for the purpose of human consumption in any facility in the United States, and it stopped new facilities from opening. It passed this body by an overwhelming vote: 269–158. Now, every year since, the language has been retained in the Agriculture appropriations bill. There are six very good reasons for doing this.

One, it's money badly spent. Only foreign corporations which deal in horse meat for consumption in foreign markets would benefit from the Federal inspection of U.S. horse slaughter plants. So we are using American taxpayer money to inspect meat so that foreign corporations can send it overseas so that people living in foreign countries can consume it. There is a $37 million cut below last year's levels in the Food Safety and Inspection Service. So here you are cutting $37 million in food safety inspection. Yet you would be adding this additional burden onto the Food Safety and Inspection Service, an additional responsibility to inspect horse meat. Remember, this is meat that will be exclusively consumed in foreign countries. Before the ban, most meat was exported to France, Belgium and Japan. We should be using our resources to focus on meat consumed by our constituents.

Secondly, the American public overwhelmingly does not support the slaughter of horses for human consumption. Three-quarters of our constituents across the country oppose the slaughter of horses for human consumption.

Thirdly, American horse meat invariably contains harmful chemicals because horses are not raised for human consumption. A recent FDA toxicity report found any number of substances that could cause adverse effects in humans. One example is phenylbutazone. It's known as ''bute.'' It is the most common anti-inflammatory given to horses. It is difficult to know every substance given to every horse in the United States. Because they're not intended to be raised as food, they're given different chemicals. The only way to ensure that such harmful substances don't make it into the food supply is to prevent horse meat from entering the market.

Fourth, most horses sent to slaughter are, in fact, healthy. Sometimes it's framed, as my friend from Georgia suggested, as a way to dispose of unwanted horses. The facts don't support this claim. When horse slaughter was allowed in the U.S., 92 percent of horses sent to slaughter were healthy and could have continued to have been used as productive animals. They weren't old and infirm, because sick and old horses aren't used as a food source. People don't want to eat meat from sick, old horses. So we are talking about primarily healthy horses.

Fifth, other, more humane options are available. A licensed veterinarian can humanely euthanize a horse for $225. That is not cost-prohibitive.

I want to underscore, too, that my very good friend was complaining that there was too much emotion in this argument. What's wrong with emotion? I mean, the horses inspire us. That's why most of the statues around the U.S. Capitol are of horses and of heroes riding on horses. Horses were critical to the expansion of the West. They aided in the development of agriculture. They provide entertainment and recreation similar to dogs and cats. They are treasured and loyal companion animals, and we revere them. That's why the American public rejects slaughtering them for human consumption.

So let's just summarize here.

A vote for this amendment is a vote to overturn established policy that was enacted under Republicans and supported by the American people to prevent horse slaughter to resume in this country. It would be diverting inspection funding, which is being cut substantially, to inspect meat that foreign corporations will be able to sell to foreign consumers. That's not something this body should support.

With that, I can argue against every claim that was made, but I don't think I will take up the time to do that.

I yield back the balance of my time.

Mr. SMITH of Nebraska. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Nebraska. Mr. Chairman, I do want to clarify for the record that this amendment is not about tax dollars. This amendment is about adjusting some policy that was put into an appropriations bill some time ago, long before the current makeup of Congress. We are talking about a fee-for-service scenario that would allow the private sector to ensure that there is safe, affordable horse meat to the general public, to a market overseas that is very robust.

Let me also say that a GAO study on the effects of horse slaughter plant closings on the welfare of horses and on the farm economy as a whole was requested by the Senate Ag Appropriations Committee more than a year and a half ago, and is overdue for a report.

The devastated horse industry continues to be attacked by misinformation, and we certainly have a problem here because I would allege that the economics of the ownership of horses are upside down. Unfortunately, Mr. Chairman, the result of this misguided campaign will eventually be a Nation where very few can even afford to own a horse. Without a secondary market, the value of horses at every level has plunged. Fewer horses mean fewer jobs, fewer horse trailers sold, fewer veterinary service dollars spent, fewer saddles sold—and the list continues.

Destroying the U.S. horse industry closed the U.S. to a very robust global market and gave other countries this economic opportunity. With the ability to ethically produce horse meat under regulated, humane conditions in the United States, we would almost immediately create jobs and minimize suffering.

I yield back the balance of my time.

The Acting CHAIR. Does any other Member seek recognition?

Mrs. LUMMIS. Mr. Chairman, the gentleman from Virginia inadvertently misrepresented the terms of this amendment. They only applied to the fee-for-service component.

With that, Mr. Chairman——

Mr. DICKS. A point of order.

I think the gentlelady has already spoken on her amendment.

Mrs. LUMMIS. I am asking for unanimous consent to withdraw my amendment.

Mr. DICKS. We never heard that. I object. If you withdraw the amendment, I won't object.

Mrs. LUMMIS. Now I am not going to withdraw the amendment. I will ask for a vote.

Mr. BURTON of Indiana. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BURTON of Indiana. Let me just say to the gentlelady that this is an emotional issue, and those of us who do not agree with you feel strongly about it.

Now, I believe, if you put that amendment in, it could very well jeopardize the ag bill. I don't think you want to do that, so I hope you will reconsider withdrawing this amendment. In committee, your amendment was defeated. There are a lot of people in this country who feel very strongly on both sides of this issue, but the American public, whether or not you agree with them, feels very strongly, as Mr. MORAN said, so I hope you will change your mind.

Regarding some of the things I've heard about these horses starving to death on the plains and everything—and I was not going to speak on this—there are a number of people in this country who are willing to put up millions and millions of dollars. In fact, I know some of them. They have bought ranches and want to take these wild horses and put them into an area where they will be safe, where they will be

protected, where they will be cared for. We are talking about, in addition to the ranches, maybe another 600,000 or 700,000 acres that would be used for these horses and for them to be able to survive.

□ 1530

If you have ever looked at the way they transport these horses to slaughter, they cram 20 horses into a truck that's built for 10. They don't feed them. They don't water them properly. And those horses are so mistreated, it's unbelievable, when they go to slaughter. And that's why they close these slaughterhouses. In addition, you ought to see what they do in these slaughterhouses for these horses. They hang them up by a hook while they're still alive and they're squealing, and they kill them in a very inhumane way.

I am not for changing our agricultural attitudes in this country. We have to have the slaughter of pigs and cows and chickens and that sort of thing. So a lot of times people say if we're against horse slaughter, we want to do something to hurt the agriculture community. That couldn't be further from the truth. We just want to make sure that these animals are treated in a humane way, number one, and, number two, that the American taxpayer is not paying for the French to get horse meat.

So let me just say to the lady one more time, I sincerely hope that she will reconsider. We have a disagreement. I hope you will reconsider and withdraw this amendment because I don't think something of this emotional status should impede or impair something as important as the ag bill.

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

Mr. KINGSTON of Georgia. I move to strike the last word.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON of Georgia. I rise in strong support of the amendment and believe that while it may be an emotional issue—and as my friend from Virginia said and my friend from Indiana said, emotion is good. I think that there can be emotion on both sides. But there's also a lot of logic in the gentlewoman's position, and that's why I'm a strong supporter of it.

I yield to the gentlewoman from Wyoming.

Mrs. LUMMIS. Before I withdraw the amendment, I wish to correct that this amendment has never been considered in committee or on the floor. This amendment only applies to the two lines in this horse inspection issue which deal with an individual's right to pay their own money to have a horse inspected. There are no taxpayer dollars involved in this amendment. I'm only striking the two lines that now you're even not allowing people to pay their own money to have a horse inspected.

With that opportunity to correct the record, Mr. Chairman, I withdraw my amendment.

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

Mr. BOSWELL. Mr. Chair, I rise in support of the amendment offered by Congresswoman LUMMIS.

As a farmer and senior member of the authorizing committee, I appreciate the opportunity to discuss this issue and speak in opposition to the language in section 737 of the agriculture appropriations bill for FY 2012 and its attempt to limit state rights and commerce with respect to horse meat, and the safe and healthy inspection of those deceased animals.

The amendment before us would simply allow horse slaughter facilities to use their own money for inspections.

While no one likes the idea of slaughtering horses we must deal with the problem of abandoned and neglected horses in the United States.

We hear frequently on this topic the issue of humane treatment. However, on average, adoption facilities used as a "last resource" can only house approximately 30 horses.

Often times these adoption facilities are so over-crowded that older horses end up starving to death because the real last resort is abandoning these horses, which happens all too frequently.

Each year there are almost 100,000 abandoned and neglected horses in the United States. Opponent of horse slaughter often claim that unwanted horses can be moved to adoption facilities.

I believe that current limits on horse slaughter set poor precedent for legitimate livestock slaughter for reasons other than for food safety or public health.

As a long time horse owner, I understand the emotional attachment one can feel for an animal, however, currently with the over capacity of animal adoption facilities I have concerns on what would happen to abandoned and neglected horses each year.

RESTORE THE HORSEMEAT INDUSTRY AND CREATE JOBS

Two weeks ago, the House Appropriations committee voted to reinsert language into the Agriculture Appropriations bill to prevent funds for inspections—inspections that are required by law—of horsemeat, continuing a logic-defying policy that harms the welfare of horses, infringes on the rights of horse owners, and cripples the horse industry. Most of all, it prevents the immediate creation of hundreds of good, American jobs. The unemployment rate just hit 9.1 percent and both parties are blaming the other for it. In this instance both are to blame for killing the highly regulated horsemeat industry.

Before 2005, the horsemeat industry was a $65 million a year business. In 2003, the two Texas plants employed a total of 130 people to process 40,000 horses per year. One small business that shipped the meat noted in a 2002 letter that it employed twenty-one people, all of whom were heads of households. Their annual horsemeat airfreight exports generated $4 million for the airlines they used. These jobs are all gone.

Instead, they are in Mexico and Canada. Now horses are shipped much greater distances and at higher costs to slaughter, and are slaughtered without USDA regulation. Last year, over 150,000 horses were sent across the boarders to be processed. Horse processing serves to set a floor price for horses. The higher cost of shipping them to Canada and Mexico has lowered the price owners receive for any horse, and the effects ripple through the entire horse industry. Many U.S. zoos use horsemeat to feed their animals because it's high in protein and low in fat. Ironically, those zoos now have to buy horsemeat—derived from American horses—from Mexico or Canada.

Advocates in favor of this irresponsible policy, like my former colleague, Rep. Jim Moran (D–VA), say that horse processing is "not humane." He's wrong, and the American Veterinary Medical Association (AVMA) and the American Association of Equine Practitioners (AAEP) say he's wrong. The U.S. plants used "penetrating captive bolt" to euthanize horses before they closed, a technique common to the beef industry and considered humane for horses by AVMA and AAEP. As with processing plants for all animals, there are laws on the books for humane slaughter methods for horses, and FSIS inspectors present to ensure those laws are followed.

Concerns about the safeness of horsemeat are misplaced. Both USDA and the European Union regulate horsemeat stringently, and the U.S. processing plants kept horses for withdrawal periods depending on the drugs (if any) that had been administered to them. The plants also performed constant residue testing in their holding pens, and if a harmful substance was detected the entire lot would be condemned. To my knowledge, the EU has never had any issues with "contaminated" horsemeat imported from the U.S.

I believe the shuttering of the processing plants, combined with the recession has led to an increase in abandoned and neglected horses. Others disagree. GAO is planning to release a report on the impact of the closing of the processing plants on horses hopefully by the end of the month, yet the House is scheduled to vote on Tuesday to continue this policy without having the benefit of this report's conclusions, whatever they may be. I think that is bad governing.

Let's be clear: horses are livestock under the law—not companion animals such as dogs as Rep. Moran has said—and are allowed to be deducted as diminishing assets and their expenses written off accordingly. Horses are expensive to maintain, and can cost $500 to $2,000 to euthanize by lethal injection and bury—assuming you can find a place that is willing to dispose of a 1,500 pound animal filled with drugs. Horse owners deserve a humane end of life option for their horses that has monetary value. Right now, Republicans and Democrats are using emotional arguments to an ill-informed public to deny horse owners their rights. In the process, they are preventing the creation of American jobs and causing more inhumane treatment of horses.

Charles W. Stenholm served the 17th U.S. House District of Texas as a Democrat, 1979–2005. He is now a Senior Policy Advisor with Olsson Frank Weeda Terman Bode Matz PC.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

ANNOUNCEMENT BY THE ACTING CHAIR

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

The amendment offered by Ms. DELAURO of Connecticut.

The amendment offered by Mr. SESSIONS of Texas.

The amendment offered by Mr. FARR of California.

Amendment No. 8 by Mr. BROUN of Georgia.

The amendment offered by Mr. CHAFFETZ of Utah.

Amendment No. 4 by Mr. BROUN of Georgia.

The amendment offered by Mr. CLARKE of Michigan.

Amendment No. 9 by Mr. BROUN of Georgia.

The amendment offered by Ms. RICHARDSON of California.

Amendment A by Mr. GOSAR of Arizona.

Amendment A by Mr. BROUN of Georgia.

The amendment offered by Ms. FOXX of North Carolina.

Amendment No. 12 by Mr. BROUN of Georgia.

Amendment B by Mr. GOSAR of Arizona.

Amendment B by Mr. BROUN of Georgia.

Amendment No. 6 by Mr. BROUN of Georgia.

The amendment offered by Mr. STEARNS of Florida.

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

AMENDMENT OFFERED BY MS. DELAURO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Connecticut (Ms. DELAURO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 193, noes 226, not voting 13, as follows:

[Roll No. 420]

AYES—193

Ackerman
Altmire
Baca
Baldwin
Barrow
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
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
Dent
Deutch
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Farr
Fattah
Filner
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hanna
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
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
LoBiondo
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)
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Polis
Price (NC)
Quigley
Rahall
Reichert
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
Smith (NJ)
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Wolf
Woolsey
Wu
Yarmuth

NOES—226

Adams
Aderholt
Akin
Alexander
Amash
Austria
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
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
DesJarlais
Diaz-Balart
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
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
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
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)
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
Pearce
Pence
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
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 (TX)
Southerland
Stearns
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Walberg
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—13

Andrews
Bachmann
Bass (CA)
Chu
Eshoo
Frank (MA)
Giffords
Honda
Rangel
Rokita
Slaughter
Stivers
Weiner

□ 1602

Messrs. STUTZMAN, AUSTRIA, JOHNSON of Ohio and HALL changed their vote from ''aye'' to ''no.''

Mr. WALDEN changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. CHU. Mr. Chair, on rollcall No. 420, the DeLauro amendment to increase funding for the Center for Food Safety and Applied Nutrition by $1 million, had I been present I would have voted "aye." This amendment would have improved food safety and protect the American people from E. coli bacterial outbreaks.

(By unanimous consent, Mr. LONG was allowed to speak out of order.)

HONORING MISSOURI TORNADO VICTIMS

Mr. LONG. Mr. Chairman, I ask that the House observe a moment of silence in honor of the victims of the tornado which hit Joplin, Missouri, on May 22. As the Congressman representing Missouri's Seventh District, which includes Joplin, I ask that we observe a moment of silence for those effected by the EF–5 tornado that struck this town of 50,000 people on the 22nd of May. This horrific event led to a loss of life of 153 individuals, from babies to folks in their nineties. Also, they lost 54 percent of their school capacity, 8,000 homes, and 500 businesses.

The Acting CHAIR. Will the Members please rise and observe a moment of silence.

AMENDMENT OFFERED BY MR. SESSIONS

The Acting CHAIR. Without objection, 2-minute voting will continue.

There was no objection.

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. SESSIONS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 226, noes 199, not voting 7, as follows:

[Roll No. 421]

AYES—226

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
Connolly (VA)
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
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
Latta
Lewis (CA)
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
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 (TX)
Southerland
Stearns
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NOES—199

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
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
Emerson
Engel
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gerlach
Gingrey (GA)
Gonzalez
Green, Al
Green, Gene
Grijalva
Grimm
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
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)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Polis
Price (NC)
Quigley
Rahall
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
Smith (NJ)
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)

NOT VOTING—7

Eshoo
Giffords
Rangel
Rokita
Slaughter
Stivers
Weiner

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is less than 1 minute remaining on this vote.

□ 1609

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FARR

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. FARR) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 352, noes 70, not voting 10, as follows:

[Roll No. 422]

AYES—352

Ackerman
Akin
Alexander
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Braley (IA)
Brooks
Brown (FL)
Buchanan
Bucshon
Burton (IN)
Butterfield
Calvert
Camp
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Cassidy
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (TN)
Edwards
Ellison
Ellmers
Engel
Farr
Fattah
Filner
Fitzpatrick
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hall
Hanabusa
Hanna
Harper
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huizenga (MI)
Hultgren
Hunter
Hurt
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marino
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)
Nadler
Napolitano
Neal
Noem
Nugent
Nunnelee
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Pence
Perlmutter
Peterson
Petri
Pingree (ME)
Pitts
Platts
Polis
Posey
Price (NC)
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roe (TN)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Runyan
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes

Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Stearns
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woolsey
Wu
Yarmuth
Yoder
Young (FL)
Young (IN)

NOES—70

Adams
Aderholt
Altmire
Amash
Black
Blackburn
Bonner
Brady (TX)
Broun (GA)
Buerkle
Burgess
Campbell
Canseco
Cantor
Carter
Chabot
Chaffetz
Conaway
Cuellar
Culberson
Duncan (SC)
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Foxx
Franks (AZ)
Garrett
Gowdy
Granger
Graves (GA)
Graves (MO)
Harris
Heck
Hensarling
Huelskamp
King (IA)
Labrador
Long
Lucas
Matheson
McClintock
Miller (FL)
Miller, Gary
Mulvaney
Myrick
Neugebauer
Nunes
Olson
Paul
Peters
Poe (TX)
Pompeo
Price (GA)
Quayle
Roby
Rogers (AL)
Rooney
Royce
Scott (SC)
Thornberry
Tipton
Walberg
Walsh (IL)
Westmoreland
Woodall
Young (AK)

NOT VOTING—10

Eshoo
Giffords
Herger
Markey
Rangel
Rokita
Ruppersberger
Slaughter
Stivers
Weiner

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1613

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 8 OFFERED BY MR. BROUN OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. BROUN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 120, noes 304, not voting 8, as follows:

[Roll No. 423]

AYES—120

Adams
Altmire
Amash
Bachmann
Bachus
Bartlett
Barton (TX)
Benishek
Bishop (UT)
Black
Blackburn
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Burgess
Burton (IN)
Campbell
Cantor
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cooper
Cravaack
Davis (KY)
Dent
Doggett
Duncan (SC)
Duncan (TN)
Flake
Fleischmann
Fleming
Foxx
Franks (AZ)
Gallegly
Garrett
Gibson
Gingrey (GA)
Goodlatte
Gosar
Gowdy
Graves (GA)
Green, Gene
Griffith (VA)
Grimm
Harris
Heinrich
Hensarling
Herrera Beutler
Himes
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Inslee
Issa
Johnson (OH)
Johnson, Sam
Jones
Jordan
King (NY)
Kline
Labrador
Lamborn
Larsen (WA)
Long
Lummis
Mack
Maloney
Manzullo
Marchant
Matheson
McCarthy (CA)
McClintock
McCotter
McHenry
McKeon
Mica
Miller (FL)
Miller, Gary
Mulvaney
Murphy (PA)
Nugent
Nunes
Paul
Paulsen
Pence
Peters
Petri
Pitts
Pompeo
Price (GA)
Quayle
Rigell
Rohrabacher
Royce
Ryan (WI)
Scalise
Schilling
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Stearns
Stutzman
Terry
Upton
Walberg
Walsh (IL)
West
Westmoreland
Wilson (SC)
Woodall
Yoder
Young (IN)

NOES—304

Ackerman
Aderholt
Akin
Alexander
Andrews
Austria
Baca
Baldwin
Barletta
Barrow
Bass (CA)
Bass (NH)
Becerra
Berg
Berkley
Berman
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bonner
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Butterfield
Calvert
Camp
Canseco
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Costa
Costello
Courtney
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Denham
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Edwards
Ellison
Ellmers
Emerson
Engel
Farenthold
Farr
Fattah
Filner
Fincher
Fitzpatrick
Flores
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Garamendi
Gardner
Gerlach
Gibbs
Gohmert
Gonzalez
Granger
Graves (MO)
Green, Al
Griffin (AR)
Grijalva
Guinta
Guthrie
Gutierrez
Hall
Hanabusa
Hanna
Harper
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Herger
Higgins
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
Kingston
Kinzinger (IL)
Kissell
Kucinich
Lance
Landry
Langevin
Lankford
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Marino
Markey
Matsui
McCarthy (NY)
McCaul
McCollum
McDermott
McGovern
McIntyre
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Payne
Pearce
Pelosi
Perlmutter
Peterson
Pingree (ME)
Platts
Poe (TX)
Polis
Posey
Price (NC)
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Sullivan
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner
Van Hollen
Velázquez
Visclosky
Walden
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
Whitfield
Wilson (FL)
Wittman
Wolf
Womack
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—8

Bilbray
Eshoo
Giffords
Rangel
Rokita
Slaughter
Stivers
Weiner

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1618

Mr. TURNER changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. CHAFFETZ

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Utah (Mr. CHAFFETZ) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 83, noes 338, not voting 11, as follows:

[Roll No. 424]

AYES—83

Adams
Amash
Bachmann
Barton (TX)
Benishek
Bilbray
Bishop (UT)
Black
Blackburn
Bono Mack
Brady (TX)
Brooks
Broun (GA)
Buerkle
Burgess
Burton (IN)
Campbell
Cantor
Chabot
Chaffetz
Coble
Coffman (CO)
Duncan (SC)
Flake
Fleischmann
Fleming
Foxx
Franks (AZ)
Garrett
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Graves (GA)
Griffith (VA)
Hensarling
Herger
Huizenga (MI)
Hultgren
Hurt
Issa
Johnson (OH)
Johnson, Sam
Jordan
Labrador
Lamborn
Landry
Latta
Long
Lummis
Mack
Manzullo
McClintock
Mica
Miller (FL)
Miller, Gary
Mulvaney
Murphy (PA)
Nunes
Paul
Pence
Petri
Pitts
Pompeo
Price (GA)
Rohrabacher
Roskam
Royce
Ryan (WI)
Scalise
Schweikert
Scott (SC)
Sensenbrenner
Sessions
Stearns
Stutzman
Walberg
Walsh (IL)
West
Westmoreland
Wilson (SC)
Woodall
Young (AK)

NOES—338

Ackerman
Aderholt
Akin
Alexander
Altmire
Andrews
Austria
Baca
Bachus
Baldwin
Barletta
Barrow
Bartlett
Bass (CA)
Bass (NH)
Becerra
Berg
Berkley
Berman
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bonner
Boren
Boswell
Boustany
Brady (PA)
Braley (IA)
Brown (FL)
Buchanan
Bucshon
Butterfield
Calvert
Camp
Canseco
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (TN)
Edwards
Ellmers
Emerson
Engel
Farenthold
Farr
Fattah
Filner
Fincher
Fitzpatrick
Flores
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gerlach
Gibbs
Gibson
Gonzalez
Gosar
Granger
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Hunter
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Maloney
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Poe (TX)
Polis
Posey
Price (NC)
Quayle
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
Whitfield
Wilson (FL)
Wittman
Wolf
Womack
Woolsey
Wu
Yarmuth
Yoder
Young (FL)
Young (IN)

NOT VOTING—11

Ellison
Eshoo
Gardner
Giffords
McHenry
Rangel
Rokita
Slaughter
Stivers
Sullivan
Weiner

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining on this vote.

□ 1621

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MR. BROUN OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. BROUN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 125, noes 298, not voting 9, as follows:

[Roll No. 425]

AYES—125

Adams
Amash
Bachmann
Bartlett
Barton (TX)
Benishek
Bilirakis
Bishop (UT)
Black
Blackburn
Bono Mack
Brady (TX)
Broun (GA)
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Campbell
Cantor
Chabot
Chaffetz
Coble
Coffman (CO)
Cooper
Dent
Doggett
Duncan (SC)
Duncan (TN)
Fitzpatrick
Flake
Fleischmann
Fleming
Foxx
Franks (AZ)
Gallegly
Garrett
Gibson
Gingrey (GA)
Goodlatte
Gosar
Gowdy
Graves (GA)
Green, Gene
Griffith (VA)
Grimm
Harris
Heinrich
Hensarling
Herger
Herrera Beutler
Hochul
Huizenga (MI)
Hultgren
Hunter
Hurt
Inslee
Issa
Johnson (OH)
Johnson, Sam
Jordan
King (NY)
Kline
Labrador
Lamborn
Landry
Larsen (WA)
Lewis (CA)
Long
Lummis
Lungren, Daniel E.
Mack
Manzullo
Matheson
McCarthy (CA)
McClintock
McCotter
McHenry
McKeon
Mica
Miller (FL)
Miller, Gary
Mulvaney
Murphy (PA)
Nugent
Nunes
Paul
Paulsen
Pence
Peters
Petri
Pitts
Polis
Pompeo
Price (GA)
Quayle
Ribble
Rigell
Roe (TN)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Ross (FL)
Royce
Ryan (WI)
Scalise
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Smith (WA)
Stearns
Stutzman
Terry
Walberg
Walsh (IL)
Westmoreland
Wilson (SC)
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—298

Ackerman
Aderholt
Akin
Alexander
Altmire
Andrews
Austria
Baca
Bachus
Baldwin
Barletta
Barrow
Bass (CA)
Bass (NH)
Becerra
Berg
Berkley
Berman
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bonner
Boren
Boswell
Boustany
Brady (PA)
Braley (IA)
Brooks
Brown (FL)
Buchanan
Butterfield
Camp
Canseco
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Edwards
Ellison
Ellmers
Emerson
Engel
Farenthold
Farr
Fattah
Filner
Fincher
Flores
Forbes
Fortenberry
Frelinghuysen
Fudge
Garamendi
Gardner
Gerlach
Gibbs
Gohmert
Gonzalez
Granger
Graves (MO)
Green, Al
Griffin (AR)
Grijalva
Guinta
Guthrie
Gutierrez
Hall
Hanabusa
Hanna
Harper
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Huelskamp
Israel
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
Kingston
Kinzinger (IL)
Kissell
Kucinich
Lance
Langevin
Lankford

Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lynch
Maloney
Marchant
Marino
Markey
Matsui
McCarthy (NY)
McCaul
McCollum
McDermott
McGovern
McIntyre
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Payne
Pearce
Pelosi
Perlmutter
Peterson
Pingree (ME)
Platts
Poe (TX)
Posey
Price (NC)
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Richardson
Richmond
Rivera
Roby
Rogers (AL)
Ros-Lehtinen
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Speier
Stark
Sullivan
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Whitfield
Wilson (FL)
Wittman
Wolf
Womack
Woolsey
Wu
Yarmuth

NOT VOTING—9

Eshoo
Frank (MA)
Giffords
Rangel
Rogers (KY)
Rokita
Slaughter
Stivers
Weiner

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining on this vote.

□ 1624

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. CLARKE OF MICHIGAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. CLARKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 142, noes 282, not voting 8, as follows:

[Roll No. 426]

AYES—142

Ackerman
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Benishek
Berkley
Berman
Bono Mack
Braley (IA)
Brown (FL)
Burton (IN)
Butterfield
Capito
Capps
Carnahan
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cohen
Connolly (VA)
Conyers
Cooper
Critz
Crowley
Cummings
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Ellison
Engel
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gibson
Gingrey (GA)
Gohmert
Green, Al
Grijalva
Gutierrez
Hanabusa
Hanna
Harris
Heinrich
Higgins
Himes
Hinchey
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Inslee
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kinzinger (IL)
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Mack
Markey
Matsui
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (MI)
Moore
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Payne
Pelosi
Pitts
Posey
Quigley
Renacci
Reyes
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schiff
Schmidt
Schock
Schwartz
Scott, David
Serrano
Sewell
Sherman
Sires
Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Walz (MN)
Wasserman Schultz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOES—282

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonner
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Calvert
Camp
Campbell
Canseco
Cantor
Capuano
Cardoza
Carney
Carson (IN)
Carter
Cassidy
Chabot
Chaffetz
Cleaver
Clyburn
Coble
Coffman (CO)
Conaway
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (CA)
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellmers
Emerson
Farenthold
Farr
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Harper
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hinojosa
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson (IL)
Jenkins
Johnson, Sam
Jordan
Kelly
Kind
King (IA)
King (NY)
Kingston
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Levin
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Lynch
Maloney
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (NC)
Miller, Gary
Miller, George
Moran
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pastor (AZ)
Paul
Paulsen
Pearce
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Platts
Poe (TX)
Polis
Pompeo
Price (GA)
Price (NC)
Quayle
Rahall
Reed
Rehberg
Reichert
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Royce
Runyan
Ruppersberger
Ryan (WI)
Sanchez, Loretta
Scalise
Schakowsky
Schilling
Schrader
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Speier
Stearns
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Turner
Upton
Visclosky
Walberg
Walden
Walsh (IL)
Watt
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Wu
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—8

Cole
Eshoo
Giffords
Rangel
Rokita
Slaughter
Stivers
Weiner

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining on this vote.

□ 1628

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 9 OFFERED BY MR. BROUN OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. BROUN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 107, noes 318, not voting 7, as follows:

[Roll No. 427]

AYES—107

Adams
Amash
Bachmann
Bachus
Bartlett
Barton (TX)
Benishek
Bishop (UT)
Black
Blackburn
Bono Mack
Brady (TX)
Brooks
Broun (GA)
Buerkle
Burgess
Burton (IN)
Campbell
Cantor
Chabot
Chaffetz
Coffman (CO)
Cooper
Cummings
Doggett
Duncan (SC)
Duncan (TN)
Farenthold
Flake
Fleischmann
Fleming
Foxx
Franks (AZ)
Garrett
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffith (VA)
Hensarling
Himes
Huizenga (MI)
Hultgren
Hunter
Hurt
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kline
Labrador
Lamborn
Landry
Long
Lummis
Mack
Manzullo
Marchant
Matheson
McCarthy (CA)
McClintock
McHenry
McKeon
Mica
Miller (FL)
Miller, Gary
Mulvaney
Murphy (PA)
Nugent
Nunes
Paul
Paulsen
Pence
Perlmutter
Peters
Petri
Polis
Price (GA)
Quayle
Rigell
Roe (TN)
Rohrabacher
Roskam
Ross (FL)
Royce
Ryan (WI)
Scalise
Schweikert
Scott (SC)
Sensenbrenner
Sessions
Smith (WA)
Stearns
Stutzman
Tiberi
Walberg
Walsh (IL)
West
Wilson (SC)
Woodall
Yoder
Young (AK)
Young (IN)

NOES—318

Ackerman
Aderholt
Akin
Alexander
Altmire
Andrews
Austria
Baca
Baldwin
Barletta
Barrow
Bass (CA)
Bass (NH)
Becerra
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bonner
Boren
Boswell
Boustany
Brady (PA)
Braley (IA)
Brown (FL)
Buchanan
Bucshon
Butterfield
Calvert
Camp
Canseco
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Edwards
Ellison
Ellmers
Emerson
Engel
Farr
Fattah
Filner
Fincher
Fitzpatrick
Flores
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Gibbs
Gibson
Gonzalez
Granger
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Herger
Herrera Beutler
Higgins
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kucinich
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Maloney
Marino
Markey
Matsui
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McIntyre
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Payne
Pearce
Pelosi
Peterson
Pingree (ME)
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (NC)
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rivera
Roby
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Speier
Stark
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tierney
Tipton
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
Westmoreland
Whitfield
Wilson (FL)
Wittman
Wolf
Womack
Woolsey
Wu
Yarmuth
Young (FL)

NOT VOTING—7

Eshoo
Giffords
Rangel
Rokita
Slaughter
Stivers
Weiner

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting Chair (during the vote). One minute remains in this vote.

□ 1631

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. RICHARDSON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. RICHARDSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 200, noes 224, not voting 8, as follows:

[Roll No. 428]

AYES—200

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Bass (NH)
Becerra
Benishek
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Coffman (CO)
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dent
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Ellison
Emerson
Engel
Farr
Fattah
Filner
Fitzpatrick
Fortenberry
Frank (MA)
Fudge
Garamendi
Gerlach
Gingrey (GA)
Gonzalez
Green, Al
Green, Gene
Grijalva
Grimm
Gutierrez
Hanabusa
Hanna
Hastings (FL)
Hayworth
Heck
Heinrich
Herger
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Inslee
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meehan
Miller (NC)
Moore
Moran
Murphy (CT)
Murphy (PA)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Platts
Polis
Price (NC)
Quigley
Rahall
Reyes
Richardson
Richmond
Rivera
Rohrabacher
Ros-Lehtinen
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
Shuster
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watt
Waxman
Welch
West
Wilson (FL)
Wu
Yarmuth
Young (AK)

NOES—224

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boswell
Boustany
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Clyburn
Coble
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
Denham
DesJarlais
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellmers
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Hensarling
Herrera Beutler
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter

Hurt
Israel
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Loebsack
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Mulvaney
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pingree (ME)
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Walz (MN)
Webster
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yoder
Young (FL)
Young (IN)

NOT VOTING—8

Brady (TX)
Eshoo
Giffords
Rangel
Rokita
Slaughter
Stivers
Weiner

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). One minute remains in this vote.

□ 1634

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. GOSAR

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendment A offered by the gentleman from Arizona (Mr. GOSAR) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 139, noes 285, not voting 8, as follows:

[Roll No. 429]

AYES—139

Adams
Akin
Amash
Bachmann
Barletta
Bartlett
Barton (TX)
Benishek
Bishop (UT)
Black
Blackburn
Boren
Boswell
Brady (TX)
Brooks
Broun (GA)
Buchanan
Buerkle
Burgess
Burton (IN)
Calvert
Campbell
Canseco
Chabot
Chaffetz
Coble
Coffman (CO)
Conaway
Cooper
Cravaack
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Flake
Fleischmann
Fleming
Flores
Foxx
Franks (AZ)
Gardner
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Graves (GA)
Griffith (VA)
Guinta
Harper
Harris
Hartzler
Heinrich
Hensarling
Hinchey
Hinojosa
Hochul
Huizenga (MI)
Hultgren
Hunter
Hurt
Johnson (OH)
Johnson, Sam
Jones
Jordan
King (IA)
Kline
Lamborn
Landry
Lankford
Latta
Luetkemeyer
Luján
Lummis
Mack
Manzullo
Marchant
Marino
McClintock
McHenry
McIntyre
McKinley
Mica
Miller (FL)
Miller, Gary
Mulvaney
Murphy (PA)
Neugebauer
Nugent
Nunes
Olson
Owens
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Pompeo
Posey
Quayle
Reed
Renacci
Richardson
Rogers (MI)
Rooney
Roskam
Ross (FL)
Royce
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Southerland
Stearns
Stutzman
Sullivan
Terry
Tipton
Walberg
Walsh (IL)
Webster
Westmoreland
Woodall
Yoder

NOES—285

Ackerman
Aderholt
Alexander
Altmire
Andrews
Austria
Baca
Bachus
Baldwin
Barrow
Bass (CA)
Bass (NH)
Becerra
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bonner
Bono Mack
Boustany
Brady (PA)
Braley (IA)
Brown (FL)
Bucshon
Butterfield
Camp
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Costa
Costello
Courtney
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Edwards
Ellison
Emerson
Engel
Farr
Fattah
Filner
Fincher
Fitzpatrick
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett
Gerlach
Granger
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Grimm
Guthrie
Gutierrez
Hall
Hanabusa
Hanna
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Herrera Beutler
Higgins
Himes
Hirono
Holden
Holt
Honda
Hoyer
Huelskamp
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kelly
Kildee
Kind
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kucinich
Labrador
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Lungren, Daniel E.
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McKeon
McMorris Rodgers
McNerney
Meehan
Meeks
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Myrick
Nadler
Napolitano
Neal
Noem
Nunnelee
Olver
Palazzo
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Poe (TX)
Polis
Price (GA)
Price (NC)
Quigley
Rahall
Rehberg
Reichert
Reyes
Ribble
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
West
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—8

Eshoo
Giffords
Herger
Rangel
Rokita
Slaughter
Stivers
Weiner

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). One minute remains in this vote.

□ 1637

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. BROUN OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendment A offered by the gentleman from Georgia (Mr. BROUN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 64, noes 360, not voting 8, as follows:

[Roll No. 430]

AYES—64

Amash
Bachmann
Bartlett
Black
Blackburn
Brady (TX)
Brooks
Broun (GA)
Burton (IN)
Campbell
Cantor
Chabot
Chaffetz
Duncan (SC)
Duncan (TN)
Flake
Fleming
Foxx
Franks (AZ)
Garrett
Goodlatte
Gowdy
Graves (GA)
Griffith (VA)
Hensarling
Herger
Huelskamp
Hunter
Hurt
Johnson, Sam
Jordan
King (IA)
Lamborn
Long
Mack
Manzullo
Marchant
McClintock
McHenry

Miller (FL)
Miller, Gary
Mulvaney
Paul
Pence
Petri
Poe (TX)
Pompeo
Price (GA)
Rohrabacher
Ross (FL)
Royce
Ryan (WI)
Scalise
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Southerland
Stearns
Stutzman
Walsh (IL)
Wilson (SC)
Woodall

NOES—360

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Andrews
Austria
Baca
Bachus
Baldwin
Barletta
Barrow
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Braley (IA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Butterfield
Calvert
Camp
Canseco
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Edwards
Ellison
Ellmers
Emerson
Engel
Farenthold
Farr
Fattah
Filner
Fincher
Fitzpatrick
Fleischmann
Flores
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Gosar
Granger
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huizenga (MI)
Hultgren
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly
Kildee
Kind
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Maloney
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McGovern
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Pitts
Platts
Polis
Posey
Price (NC)
Quayle
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stark
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wittman
Wolf
Womack
Woolsey
Wu
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—8

Eshoo
Giffords
McDermott
Rangel
Rokita
Slaughter
Stivers
Weiner

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1641

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. FOXX

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from North Carolina (Ms. FOXX) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 119, noes 306, not voting 7, as follows:

[Roll No. 431]

AYES—119

Adams
Amash
Bachmann
Bartlett
Barton (TX)
Benishek
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Brooks
Broun (GA)
Buerkle
Burgess
Burton (IN)
Campbell
Canseco
Cantor
Carter
Chabot
Chaffetz
Coble
Cole
Conaway
Culberson
Duncan (SC)
Duncan (TN)
Ellmers
Fincher
Flake
Fleischmann
Fleming
Flores
Foxx
Franks (AZ)
Garrett
Gibbs
Gingrey (GA)
Goodlatte
Gowdy
Graves (GA)
Graves (MO)
Griffith (VA)
Hall
Harris
Hartzler
Hensarling
Herger
Huelskamp
Huizenga (MI)
Hunter
Hurt
Issa
Jenkins
Johnson, Sam
Jordan
King (IA)
Kline
Labrador
Lamborn
Landry
Lankford
Latta
Long
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McClintock
McHenry
Mica
Miller (FL)
Miller, Gary
Mulvaney
Myrick
Neugebauer
Paul
Pearce
Pence
Petri
Pitts
Poe (TX)
Pompeo
Price (GA)
Quayle
Renacci
Ribble
Rohrabacher
Rooney
Roskam
Ross (FL)
Royce
Ryan (WI)
Scalise
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Smith (NE)
Southerland
Stearns
Stutzman
Sullivan
Terry
Thornberry
Walberg
Walsh (IL)
Webster
Westmoreland
Wilson (SC)
Woodall
Yoder
Young (AK)
Young (IN)

NOES—306

Ackerman
Aderholt
Akin
Alexander
Altmire
Andrews
Austria
Baca
Bachus
Baldwin
Barletta
Barrow
Bass (CA)
Bass (NH)
Becerra
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bonner
Bono Mack
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Buchanan
Bucshon
Butterfield
Calvert
Camp
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Cassidy
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman (CO)
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Edwards
Ellison
Emerson
Engel
Farenthold
Farr
Fattah
Filner
Fitzpatrick
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Gerlach
Gibson
Gohmert
Gonzalez
Gosar
Granger
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hanabusa
Hanna
Harper
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Hultgren
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly
Kildee
Kind
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lynch
Maloney
Marino
Markey
Matheson
Matsui
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)
Nadler
Napolitano
Neal
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Polis
Posey

Price (NC)
Quigley
Rahall
Reed
Rehberg
Reichert
Reyes
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Shuster
Simpson
Sires
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
West
Whitfield
Wilson (FL)
Wittman
Wolf
Womack
Woolsey
Wu
Yarmuth
Young (FL)

NOT VOTING—7

Eshoo
Giffords
Rangel
Rokita
Slaughter
Stivers
Weiner

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1644

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 12 OFFERED BY MR. BROUN OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. BROUN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 99, noes 324, not voting 9, as follows:

[Roll No. 432]

AYES—99

Amash
Bachmann
Bartlett
Barton (TX)
Benishek
Bilbray
Bishop (UT)
Black
Blackburn
Brady (TX)
Brooks
Broun (GA)
Buchanan
Buerkle
Burgess
Burton (IN)
Campbell
Cantor
Chabot
Chaffetz
Coffman (CO)
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Foxx
Franks (AZ)
Garrett
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Green, Gene
Griffith (VA)
Hall
Harris
Hensarling
Hultgren
Hurt
Johnson (OH)
Johnson, Sam
Jordan
Lamborn
Landry
Latta
Long
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McClintock
McHenry
Miller (FL)
Miller, Gary
Mulvaney
Murphy (PA)
Pastor (AZ)
Paul
Pearce
Pence
Petri
Price (GA)
Quayle
Ribble
Rigell
Roe (TN)
Rohrabacher
Rooney
Roskam
Ross (FL)
Royce
Ryan (WI)
Scalise
Schilling
Schweikert
Scott (SC)
Sensenbrenner
Sessions
Stearns
Stutzman
Terry
Visclosky
Walberg
Walsh (IL)
Webster
Woodall
Young (AK)
Young (FL)
Young (IN)

NOES—324

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Andrews
Austria
Baca
Bachus
Baldwin
Barletta
Barrow
Bass (CA)
Bass (NH)
Becerra
Berg
Berkley
Berman
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Braley (IA)
Brown (FL)
Bucshon
Butterfield
Calvert
Camp
Canseco
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Edwards
Ellison
Emerson
Engel
Farr
Fattah
Filner
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Gerlach
Gibbs
Gibson
Gonzalez
Granger
Graves (MO)
Green, Al
Griffin (AR)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hanabusa
Hanna
Harper
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hunter
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lynch
Maloney
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (NC)
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Richardson
Richmond
Rivera
Roby
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Sullivan
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Walden
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woolsey
Wu
Yarmuth
Yoder

NOT VOTING—9

Eshoo
Giffords
Herger
LaTourette
Rangel
Rokita
Slaughter
Stivers
Weiner

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1647

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. HERGER. Mr. Chair, on rollcall No. 432, I was unavoidably detained. Had I been present, I would have voted "aye."

AMENDMENT OFFERED BY MR. GOSAR

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendment B offered by the gentleman from Arizona (Mr. GOSAR) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 124, noes 300, not voting 8, as follows:

[Roll No. 433]

AYES—124

Adams
Amash
Bachmann
Bartlett
Barton (TX)
Benishek
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Brady (TX)
Brooks
Broun (GA)
Buchanan
Buerkle
Burgess
Burton (IN)
Campbell
Canseco
Chabot
Chaffetz
Coffman (CO)
Conaway
Cravaack
Culberson
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Foxx
Franks (AZ)
Garrett
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Griffin (AR)
Griffith (VA)
Guinta
Harper
Harris
Hartzler
Hastings (WA)
Hensarling
Herger
Huelskamp
Huizenga (MI)
Hultgren
Hurt
Issa
Johnson (OH)
Johnson, Sam
Jordan
King (IA)
Kline
Labrador
Lamborn
Landry
Lankford

Latta
Long
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McClintock
McHenry
Mica
Miller (FL)
Miller, Gary
Mulvaney
Murphy (PA)
Neugebauer
Paulsen
Pearce
Pence
Petri
Pitts
Pompeo
Posey
Price (GA)
Quayle
Reed
Renacci
Rogers (MI)
Rooney
Roskam
Ross (FL)
Royce
Ryan (WI)
Scalise
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Southerland
Stearns
Stutzman
Sullivan
Terry
Tipton
Upton
Walberg
Walden
Walsh (IL)
Webster
Westmoreland
Woodall
Yoder

NOES—300

Ackerman
Aderholt
Akin
Alexander
Altmire
Andrews
Austria
Baca
Bachus
Baldwin
Barletta
Barrow
Bass (CA)
Bass (NH)
Becerra
Berg
Berkley
Berman
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Braley (IA)
Brown (FL)
Bucshon
Butterfield
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crawford
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Edwards
Ellison
Emerson
Engel
Farr
Fattah
Filner
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Gerlach
Gibbs
Gonzalez
Granger
Graves (MO)
Green, Al
Green, Gene
Grijalva
Grimm
Guthrie
Gutierrez
Hall
Hanabusa
Hanna
Hastings (FL)
Hayworth
Heck
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Hunter
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly
Kildee
Kind
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luján
Lynch
Maloney
Marino
Markey
Matheson
Matsui
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Myrick
Nadler
Napolitano
Neal
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Poe (TX)
Polis
Price (NC)
Quigley
Rahall
Rehberg
Reichert
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tonko
Towns
Tsongas
Turner
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
West
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—8

Eshoo
Giffords
Paul
Rangel
Rokita
Slaughter
Stivers
Weiner

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1651

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. BROUN OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendment B offered by the gentleman from Georgia (Mr. BROUN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 108, noes 316, not voting 8, as follows:

[Roll No. 434]

AYES—108

Amash
Bachmann
Bartlett
Barton (TX)
Benishek
Bilbray
Bishop (UT)
Black
Blackburn
Bono Mack
Brady (TX)
Brooks
Broun (GA)
Buerkle
Burgess
Burton (IN)
Campbell
Canseco
Cantor
Chabot
Chaffetz
Coffman (CO)
Conaway
Cravaack
Culberson
Duncan (SC)
Farenthold
Flake
Fleischmann
Fleming
Flores
Foxx
Franks (AZ)
Garrett
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Griffin (AR)
Griffith (VA)
Guinta
Hall
Harris
Hensarling
Herger
Huizenga (MI)
Hultgren
Hurt
Issa
Johnson (OH)
Johnson, Sam
Jordan
Kline
Labrador
Lamborn
Landry
Lankford
Latta
Long
Mack
Manzullo
Marchant
McCarthy (CA)
McClintock
McHenry
Mica
Miller (FL)
Miller, Gary
Mulvaney
Murphy (PA)
Neugebauer
Nugent
Nunes
Pearce
Pence
Petri
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rohrabacher
Rooney
Roskam
Ross (FL)
Royce
Ryan (WI)
Scalise
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Southerland
Stearns
Stutzman
Sullivan
Walberg
Walsh (IL)
Webster
Westmoreland
Wilson (SC)
Woodall
Yoder
Young (IN)

NOES—316

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Andrews
Austria
Baca
Bachus
Baldwin
Barletta
Barrow
Bass (CA)
Bass (NH)
Becerra
Berg
Berkley
Berman
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bonner
Boren
Boswell
Boustany
Brady (PA)
Braley (IA)
Brown (FL)
Buchanan
Bucshon
Butterfield
Calvert
Camp
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crawford
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Farr
Fattah
Filner
Fincher
Fitzpatrick
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Gerlach
Gibbs
Gibson
Gonzalez
Granger
Graves (MO)
Green, Al
Green, Gene
Grijalva
Grimm
Guthrie
Gutierrez
Hanabusa
Hanna
Harper
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Hunter
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Maloney
Marino
Markey
Matheson
Matsui
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Myrick
Nadler
Napolitano
Neal
Noem
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Pitts
Platts
Polis
Price (NC)
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.

Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stark
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
West
Whitfield
Wilson (FL)
Wittman
Wolf
Womack
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—8

Eshoo
Giffords
Paul
Rangel
Rokita
Slaughter
Stivers
Weiner

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is less than 1 minute remaining in this vote.

□ 1655

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MR. BROUN OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. BROUN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 120, noes 303, not voting 9, as follows:

[Roll No. 435]

AYES—120

Adams
Amash
Bachmann
Bartlett
Barton (TX)
Benishek
Bilbray
Bishop (UT)
Black
Blackburn
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buerkle
Burton (IN)
Campbell
Canseco
Cantor
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Conaway
Cravaack
Culberson
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Flake
Fleischmann
Fleming
Flores
Foxx
Franks (AZ)
Garrett
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffith (VA)
Guinta
Hall
Harper
Harris
Hastings (WA)
Hensarling
Herger
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Johnson (OH)
Johnson, Sam
Jordan
Kline
Labrador
Lamborn
Landry
Latta
Long
Lummis
Mack
Manzullo
Marchant
McCarthy (CA)
McClintock
McHenry
Mica
Miller (FL)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Nugent
Nunes
Pence
Petri
Pitts
Poe (TX)
Pompeo
Price (GA)
Quayle
Ribble
Rigell
Rohrabacher
Rooney
Roskam
Ross (FL)
Royce
Ryan (WI)
Scalise
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Southerland
Stearns
Stutzman
Terry
Walberg
Walden
Walsh (IL)
Webster
Westmoreland
Wilson (SC)
Woodall
Young (FL)
Young (IN)

NOES—303

Ackerman
Aderholt
Akin
Alexander
Altmire
Andrews
Austria
Baca
Bachus
Baldwin
Barletta
Barrow
Bass (CA)
Bass (NH)
Becerra
Berg
Berkley
Berman
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bonner
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Buchanan
Bucshon
Burgess
Butterfield
Calvert
Camp
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crawford
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Edwards
Emerson
Engel
Farr
Fattah
Filner
Fincher
Fitzpatrick
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Gerlach
Gibbs
Gibson
Gonzalez
Granger
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Grimm
Guthrie
Gutierrez
Hanabusa
Hanna
Hartzler
Hastings (FL)
Hayworth
Heck
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kucinich
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Maloney
Marino
Markey
Matheson
Matsui
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Noem
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Polis
Posey
Price (NC)
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Richardson
Richmond
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stark
Sullivan
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
West
Whitfield
Wilson (FL)
Wittman
Wolf
Womack
Woolsey
Wu
Yarmuth
Yoder
Young (AK)

NOT VOTING—9

Ellison
Eshoo
Giffords
Paul
Rangel
Rokita
Slaughter
Stivers
Weiner

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1659

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. STEARNS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. STEARNS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 164, noes 257, not voting 11, as follows:

[Roll No. 436]

AYES—164

Adams
Aderholt
Amash
Austria
Bachmann
Barletta
Bartlett
Barton (TX)
Benishek
Black
Blackburn
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Calvert
Camp
Campbell
Canseco
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Flake
Fleischmann
Flores
Forbes
Foxx
Gallegly
Gardner
Garrett
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Harris
Hartzler
Hensarling
Herger
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
Kinzinger (IL)
Kline
Labrador
Lamborn
Landry
Latta
Lewis (CA)
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
McCarthy (CA)
McClintock
McHenry
McKinley
Mica

Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Neugebauer
Nugent
Nunnelee
Olson
Palazzo
Pastor (AZ)
Pearce
Pence
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Renacci
Ribble
Rigell
Roe (TN)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Ross (FL)
Royce
Ryan (WI)
Scalise
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Smith (NE)
Smith (TX)
Southerland
Stearns
Stutzman
Sullivan
Thornberry
Tipton
Upton
Walberg
Walsh (IL)
Webster
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Young (AK)

NOES—257

Ackerman
Akin
Alexander
Altmire
Andrews
Baca
Bachus
Baldwin
Barrow
Bass (CA)
Bass (NH)
Becerra
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Bonner
Bono Mack
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Cantor
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
Cravaack
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dent
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Edwards
Ellison
Emerson
Engel
Farr
Fattah
Filner
Fitzpatrick
Fleming
Fortenberry
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Garamendi
Gerlach
Gibson
Gonzalez
Green, Al
Grijalva
Gutierrez
Hanabusa
Hanna
Harper
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Kildee
Kind
King (NY)
Kingston
Kissell
Kucinich
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McMorris Rodgers
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Myrick
Nadler
Napolitano
Neal
Noem
Nunes
Olver
Owens
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Polis
Price (NC)
Quigley
Reed
Rehberg
Reichert
Reyes
Richardson
Richmond
Rivera
Roby
Rogers (AL)
Ros-Lehtinen
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NJ)
Smith (WA)
Speier
Stark
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tonko
Towns
Tsongas
Turner
Van Hollen
Velázquez
Visclosky
Walden
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
West
Wilson (FL)
Wolf
Woolsey
Wu
Yarmuth
Young (FL)

NOT VOTING—11

Burton (IN)
Eshoo
Giffords
Keating
Paul
Rangel
Rokita
Slaughter
Stivers
Weiner
Young (IN)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1702

Mr. JONES changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. Chair, I was unavoidably detained and missed rollcall vote Nos. 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, and 436. Had I been present, I would have voted "aye" on rollcall vote Nos. 420, 422, 426, and 428. I would have voted "no" on rollcall vote Nos. 421, 423, 424, 425, 427, 429, 430, 431, 432, 433, 434, 435, and 436. Mr. Speaker, I ask unanimous consent that my statement appear in the permanent RECORD immediately following this vote.

Mr. LANCE. Madam Chairman, I move to strike the last word.

The Acting CHAIR (Mrs. MYRICK). The gentleman from New Jersey is recognized for 5 minutes.

Mr. LANCE. The language of section 740 is within the jurisdiction of the Energy and Commerce Committee, on which I serve, and our committee is the appropriate forum for considering such language. Having said that, the House should know—and the Food and Drug Administration should know—that we agree with the spirit of the language and the goal of the members of the Appropriations Committee, who supported its inclusion in the bill.

After speaking with the sponsors of the language, we know that together we share a concern about what is happening at the FDA. We believe that policy decisions at the FDA should be based on science and not on any irrelevant consideration.

As much as officials at the FDA claim that their decisions are based on sound science, their recent actions give us pause. For example, 2 months ago, Chairman UPTON, along with Chairman LUCAS and Chairman GRAVES, sent a letter to the FDA regarding the potential ban of antimicrobial animal drugs and the lack of scientific support for that action. This potential ban has caused significant worry among our Nation's producers, veterinarians, and consumers. The chairmen finally received a response from the FDA last Friday, and the FDA refused to answer the questions about the scientific basis of their action, claiming that the matter is still, quote, under consideration. This response is unacceptable and makes us wonder why the FDA refuses to discuss the scientific basis for its conclusions.

We pledge that the Energy and Commerce Committee will explore whether there are steps that Congress should take to prevent the FDA from pursuing regulatory actions that are not based on sound scientific analysis and fact. Those at the FDA should know that many in Congress are watching and carefully studying whether the FDA's actions are justified.

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

Mr. REHBERG. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Montana is recognized for 5 minutes.

Mr. REHBERG. I rise to speak briefly about the language that is about to be stricken from this bill, which has come to be called the ''hard science amendment.'' I offered this language in committee on behalf of ranchers in Montana. They sat across the table from me and shared the significant concerns they have over the lack of a scientific basis being used by the FDA in developing rules and regulations affecting their ranches and the livestock industry. For me, this isn't faceless regulation. The consequences of these regulations have faces. They wear cowboy boots.

Agriculture is the number one industry in Montana. The State raises 2.6 million cows and calves annually, 180,000 hogs and pigs, 230,000 sheep, and I know of at least 600 goats. The cattle industry alone is responsible for $1.4 billion in sales every year.

Ranchers in Montana and across the United States have a strong incentive to preserve a healthy food supply for the American public, and that means making sure their animals are healthy. The use of antibiotics in livestock significantly improves the health of animals, which in turn lowers the risk of food borne illnesses which may show up later in the process.

FDA has refused to release risk assessments on the impacts antibiotics may have on humans who consume these meats. And while they have not released any credible evidence to support their efforts, FDA bureaucrats are still pushing ranchers to remove these valuable antibiotics from livestock production. This is of grave concern to Montana ranchers, and I will keep fighting alongside Montana producers to get this problem addressed. In fact, I would like to submit letters from those organizations into the RECORD.

I hope to work with my colleagues on the Appropriations Committee as well as the Energy and Commerce Committee to work with FDA in order to ensure that they examine the facts before moving forward with regulations that will significantly impact Montana's number one industry.

NATIONAL CATTLEMEN'S BEEF ASSOCIATION,
*Washington, DC, June 14, 2011.*

Hon. DENNY REHBERG,
*House of Representatives, Rayburn House Office Building, Washington, DC.*

DEAR REPRESENTATIVE REHBERG: On behalf of the membership of the National Cattlemen's Beef Association (NCBA), I want to thank you for your amendment during the House Appropriations Committee markup of the Fiscal Year 2012 Agriculture Appropriations Bill which would require the Food and Drug Administration (FDA) to use hard science in its regulatory actions. For years now, the beef industry has seen many rules, regulations, and guidances that have been based on personal agendas and political science rather than hard facts and data. As such, NCBA supports your amendment and will work to keep it in the underlying bill.

The FDA has a huge impact on America's cattle producers. From drug approvals and regulation, to feed and some foods safety activities, our industry finds itself dealing more and more with FDA. We believe that FDA has a role to help our industry and to help keep our consumers safe, but we have seen repeated attempts to strip cattle producers of the use of fully tested and approved drugs and technologies. The attack on ranchers' use of antibiotics to prevent and treat disease in cattle is one of many instances.

It is time that Congress exercised its right to perform regulatory oversight of Federal agencies, and your amendment will go far in calling attention to the concerns we have with FDA. It is our hope that FDA will heed this message and return to using risk assessments, facts, and widely accepted peer reviewed data in its regulatory decisions, rather than allowing activist groups and some administration officials to drive their personal and skewed views of science, food production, and regulation.

Thank you for your efforts and we look forward to helping you work to maintain this language in the bill.

Sincerely,

BILL DONALD,
*President.*

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MONTANA PORK, PRODUCERS COUNCIL,
*Jordan, MT, June 14, 2011.*

Hon. DENNY REHBERG,
*House of Representatives, Rayburn House Office Building, Washington, DC.*

DEAR REPRESENTATIVE REHBERG: Montana's pork industry, including over 48 Hutterite colonies engaged in a wide range of agricultural operations, strongly support of your amendment to the FY12 Appropriations Bill for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, which urges the Commissioner of the Food and Drug Administration (FDA) to give the greatest weight to readily available hard science data in making critical policy decisions. The Montana Pork Producers Council needs to science to come first in a wide range of jurisdiction involving food supply, especially when such determinations have the potential to affect Montana's agricultural communities.

Montana's growing isowean market is testament to the care provided to pigs here, in this case from birth to weaning, and their disease-free status. We currently have 3 large barns supplying pigs throughout the Midwest. The state's isolation plays a distinct role in this, but so does a responsible health program. Each year our producers have met with your staff to discuss issues affecting the care and well-being of their pigs, their communities and their consumers. We strongly feel your commitment to these concerns is expressed in your amendment to the FY12 Appropriations Bill.

Antibiotics have been used to treat, control, and prevent disease or promote growth in animals for more than 50 years. Existing FDA regulations ensure adequate safeguards against antibiotic resistance, and all of the animal drugs the pork industry can utilize today have undergone rigorous FDA review to ensure their safety for livestock, humans, and the environment. Any regulatory decisions or legislative action on antibiotic use in animals must be transparent and made based on sound science and scientific risk analysis. Recently, some in Congress and the FDA have attempted to dismantle long-standing and effective industry practices with regard to antibiotic use without a scientific and risk based approach, putting animal health and well-being and pork producers' livelihoods at risk without any proven benefit to human health.

As our Representative, we ask that you continue to fight for our industry and voice our concerns to FDA. We work daily to produce safe and wholesome pork products for the American consumer, and we do so using scientifically proven techniques and innovative technologies. Overly expansive regulation of antibiotics based on an unproven scientific theory promoted by certain advocacy groups not only will undo long-standing, effective production practices but will jeopardize the collaborative relationship the pork industry has with FDA.

MPPC appreciates your support of the U.S. pork industry and we thank you for championing this cause in the FY12 Appropriations Bill for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies. Please let us know if there is anything we can do to move this issue forward.

Sincerely,

ANNE L. MILLER,
*Executive Director.*

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NATIONAL PORK PRODUCERS COUNCIL,
*Washington, DC, June 2, 2011.*

Hon. DENNY REHBERG,
*House of Representatives, Rayburn House Office Building, Washington, DC. 20515*

DEAR REPRESENTATIVE REHBERG: On behalf of America's 67,000 pork producers, I write in support of your amendment to the FY12 Appropriations Bill for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, which urges the Commissioner of the Food and Drug Administration (FDA) to give the greatest weight to readily available hard science data in making critical policy decisions. The National Pork Producers Council (NPPC) thanks you for your focus on the need to allow science to dictate this nation's policy decisions on antibiotic use in pork production.

As you know, America's pork producers are strongly committed to providing for the well-being of their animals and to raising them in a humane and compassionate manner. We depend on safe and effective animal health products to maintain animal health, prevent animal suffering, and ensure that consumers have access to safe and wholesome pork products.

Antibiotics have been used to treat, control, and prevent disease or promote growth in animals for more than 50 years. Existing FDA regulations ensure adequate safeguards against antibiotic resistance, and all of the animal drugs the pork industry can utilize today have undergone rigorous FDA review to ensure their safety for livestock, humans, and the environment. Any regulatory decisions or legislative action on antibiotic use in animals must be transparent and made based on sound science and scientific risk analysis. Recently, some in Congress and the FDA have attempted to dismantle long-standing and effective industry practices with regard to antibiotic use without a scientific and risk based approach, putting animal health and well-being and pork producers' livelihoods at risk without any proven benefit to human health.

We urge you to take up this issue and communicate our concerns to FDA. Our industry works daily to produce safe and wholesome pork products for the American consumer, and we do so using scientifically proven techniques and innovative technologies. Overly expansive regulation of antibiotics based on an unproven scientific theory promoted by certain advocacy groups not only will undo long-standing, effective production practices but will jeopardize the collaborative relationship the pork industry has with FDA.

NPPC appreciates your support of the U.S. pork industry and we thank you for championing this cause in the FY12 Appropriations Bill for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, and we look forward to working with you on this important issue.

Sincerely,

DOUG WOLF,
*President.*

I yield back the balance of my time.

Mr. BISHOP of Georgia. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Georgia. Madam Chair, I would like to express my thanks to the chairman of the Energy and Commerce Committee and to the gentleman from New Jersey for his comments in behalf of the committee of their willingness to help find a solution to the issue that serves as the basis for this point of order, these regulations.

We have cotton, peanuts and pecans in my district, and we also have poultry. We have pork, and we have cattle operations. The decisions of the FDA have an enormous impact on the farmers in my district at many levels. Many of the producers in my district are worried about some of the conclusions that FDA seems to have reached regarding antibiotics. They're worried about what will come next. They conduct themselves every day with the best interests of their animals in mind. A healthy animal means healthy food for consumers.

If there is scientific evidence that shows that current practices are not in the interest of public health, my farmers, of course, will change their practices, but there should and there must be clear evidence. Not unnecessary regulation. Certainly with the job situation today and the state of our economy, the FDA must be very careful, very precise, and very certain that any regulatory action they take is supported by scientific evidence. I very much welcome the involvement of the authorizing committee to help find a solution to this issue.

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

□ 1710

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 740. None of the funds made available by this Act may be used by the Food and Drug Administration to write, prepare, develop or publish a proposed, interim, or final rule, regulation, or guidance that is intended to restrict the use of a substance or a compound unless the Secretary bases such rule, regulation or guidance on hard science (and not on such factors as cost and consumer behavior), and determines that the weight of toxicological evidence, epidemiological evidence, and risk assessments clearly justifies such action, including a demonstration that a product containing such substance or compound is more harmful to users than a product that does not contain such substance or compound, or in the case of pharmaceuticals, has been demonstrated by scientific study to have none of the purported benefits.

POINT OF ORDER

Mr. LANCE. Madam Chair, I raise a point of order. Section 740 constitutes legislating on an appropriations bill because it requires a new determination and, therefore, violates clause 2 of rule XXI of the rules of the House and should be struck from the bill.

The Acting CHAIR. Does any Member wish to be heard on the point of order?

If not, the Chair will rule.

The Chair finds that this section includes language requiring a new determination. The section, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the section is stricken from the bill.

Mr. FINCHER. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Tennessee is recognized for 5 minutes.

Mr. FINCHER. Madam Chairman, the American taxpayers are crying out for commonsense spending of Federal tax dollars and urging Congress to review those rules and regulations which may stifle innovation and job creation.

I introduced House Resolution 98, along with my colleagues from North Carolina and Tennessee, to send a bipartisan, commonsense message to the Food and Drug Administration to rely on scientific facts in its development of rules and regulations.

We are supporting this resolution now because we understand that the FDA may be contemplating some regulations in the future that may ignore hard science when creating rules regulating food, drugs, medical devices, and cosmetics, among other products. These regulations may harm industry and hinder job creation in the future.

The FDA was set up to be a science-based agency; but American farmers, people I represent in Tennessee's Eighth Congressional District, are crying out for commonsense regulations and urging Congress to review those rules and regulations which may hamper innovation and American business.

I know that the FDA is well-intentioned in their efforts. However, today's FDA is not putting science first. Instead, they are picking and choosing which scientific studies they want to use to support their original theory.

The FDA has been slowly expanding their efforts to regulate, regardless if the science is there to back up their efforts. Therefore, I also would hope that this body would be willing to investigate all efforts, guidelines, and rules by the FDA, and review whether they followed the science to get to their decisions.

The FDA is a needed agency, but Congress also needs to do its proper due diligence of oversight to ensure American industries prosper and the American population is safe.

I yield back the balance of my time.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 741. The Secretary of Agriculture shall reduce the payment rate for upland cotton under section 1103(b) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8713(b)) as necessary so that reductions in the amount of direct payments made to producers for upland cotton completely offset the costs incurred by the Commodity Credit Corporation to provide payments to the Brazil Cotton Institute.

POINT OF ORDER

Mr. LUCAS. Madam Chairman, I make a point of order against section 741 which begins on page 78, line 8, and ends on page 78, line 15, in that it violates House rule XXI, clause 2, by changing existing law and inserting legislative language in an appropriation bill.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any Member wish to be heard on the point of order?

If not, the Chair will rule.

The Chair finds that this section includes language imparting direction. The section, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the section is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

SEC. 742. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted (or had an officer or agent of such corporation acting on behalf of the corporation convicted) of a felony criminal violation under any Federal or State law within the preceding 24 months.

Ms. DELAURO. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Connecticut is recognized for 5 minutes.

Ms. DELAURO. I rise in opposition to this bill because it puts the interests of Brazilian farmers above the very real needs of American women and children. It leaves the very next section of this bill, section 743, subject to a point of order.

As everyone knows, the Women, Infants, and Children program provides nutrition assistance grants to States for low-income, pregnant, breast-feeding, and postpartum women, infants, and children up to the age of five. It serves 9 million mothers and young children nationwide, including 58,000 in my State of Connecticut.

Nearly half of the babies born in the United States every year participate in this program. It is a short-term intervention, but it can help to provide a lifetime of good nutrition and health behaviors.

While in our subcommittee, this appropriations bill slashed WIC funding by $650 million. That means that as many as 300,000 women and children will be turned away and forced to go hungry; and, in fact, Secretary of Agriculture Vilsack has warned our subcommittee that this number could be as high as 750,000.

To alleviate this glaring shortfall, my amendment to restore $147 million to the WIC program, paid for with $147 million currently provided to the Brazilian Cotton Institute, passed with a bipartisan vote during full committee consideration. But the rule for this bill arbitrarily took away the pay-for and, instead, requires that $147 million be cut out from WIC or other programs in this bill already woefully underfunded.

What are we doing here? We are giving the money back to Brazilian farmers. The majority has decided that is more important. Where is our sense of justice to women and children in the United States?

To be sure, there are many egregious cuts in this appropriations bill and not just to WIC. Other vital nutrition programs like the Commodities Supplemental Food Program and the Emergency Food Assistance Program, school lunches, food safety, the CFTC, international food aid—all of these basic, commonsense priorities of the American people take a huge hit in this legislation, mainly so the majority can preserve oil company subsidies and tax breaks for the rich.

To their credit, even the Republicans on our committee saw this $147 million handout to Brazilian farmers as a bridge too far. So they and Democrats alike overwhelmingly approved the transfer of these funds to WIC—until the Republican leadership stepped in and negated our vote.

We cannot be taking food out of hungry people's mouths here at home in order to subsidize overseas cotton production. It makes no sense. As my colleague Mr. FLAKE noted at the committee markup, it is quite ironic that we would subsidize Brazilian agriculture so that we can continue to excessively subsidize agriculture here.

I urge my colleagues on both sides of the aisle to abide by the overwhelming vote of our subcommittee, to stand up for American women and children, and to reject this bill. This is not what we voted for and not what the American people want.

I yield back the balance of my time.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 743. None of the funds made available by this Act or any other Act may be used to provide payments (or to pay the salaries and expenses of personnel to provide payments) to the Brazil Cotton Institute.

POINT OF ORDER

Mr. LUCAS. Madam Chair, I make a point of order against section 743 which begins on page 78, line 24, and ends on page 79, line 2, in that it violates House rule XXI, clause 2, by changing existing law and inserting legislative language in an appropriation bill.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any Member wish to be heard on the point of order?

Mr. MCGOVERN. Madam Chair, I wish to be heard.

The Acting CHAIR. The gentleman from Massachusetts is recognized.

Mr. MCGOVERN. Thank you, Madam Chair. Let me clarify what insisting on this point of order means.

It means that the amendment that Ms. DELAURO offered in committee, which was approved in the Appropriations Committee, is nullified, which means that Brazilian cotton farmers get subsidies and poor pregnant women and children do not get the money for WIC.

□ 1720

I have nothing against Brazilian cotton farmers, but Brazil's economy is doing pretty good right now.

The Rules Committee could have protected the money for WIC. The Rules Committee waived points of order against a whole bunch of stuff in this bill except for three provisions. So it wouldn't have been unusual or extraordinary for the Rules Committee to protect this provision. Many of us pleaded with the committee to do just that, to respect the work of the Appropriations Committee when it came to protecting WIC, when it came to protecting poor pregnant women and children.

Madam Chair, my friends on the other side of the aisle say all the time that they're with us in trying to cut excessive subsidies and putting the focus back on the people here in the United States who need help. This would have been an opportunity. If not now, when are we going to do this?

So, Madam Chair, I would hope that my colleagues on the other side of the aisle would reconsider and not insist on their point of order. I think poor pregnant women and children in this country who benefit from WIC are more important right now than subsidizing Brazilian cotton farmers.

Mr. KINGSTON. Madam Chair, I would like to speak to the point of order.

The Acting CHAIR. The gentleman from Georgia is recognized.

Mr. KINGSTON. The gentleman says, If not now, when? It is our intention to restore this at the proper place in the bill, the DeLauro amendment. I wanted to clarify that because we've discussed that, and we intend to follow through with that.

The Acting CHAIR. The Chair is prepared to rule.

The Chair finds that this section addresses funds in other acts. The section, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the section is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

SEC. 744. None of the funds appropriated or otherwise made available by this Act or any other Act may be used to pay the salaries and expenses of personnel of the Department of Agriculture to provide any benefit described in section 1001D(b)(1)(C) of the Food Security Act of 1985 (7 U.S.C. 1308–3a(b)(1)(C)) to a person or legal entity if the average adjusted gross income of the person or legal entity exceeds $250,000.

POINT OF ORDER

Mr. LUCAS. Madam Chairman, I make a point of order against section 744 which begins on page 79, line 3, and ends on page 79, line 10, in that it violates House rule XXI, clause 2, by changing existing law and inserting legislative language in an appropriation bill.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any Member wish to be heard on the point of order? If not, the Chair will rule.

The Chair finds that this section addresses funds in other acts. The section, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the section is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

SEC. 745. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability.

SPENDING REDUCTION ACCOUNT

SEC. 746. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is $0.

Mr. KINGSTON. Madam Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CONAWAY) having assumed the chair, Mrs. MYRICK, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2112) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes, had come to no resolution thereon.

## RESIGNATION AS MEMBER OF COMMITTEE ON SMALL BUSINESS

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Small Business:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, DC, June 15, 2011.*

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

DEAR MR. SPEAKER: Due to my appointment to the House Committee on Transportation and Infrastructure, I hereby resign my position with the House Committee on Small Business.

It has been an honor to serve as a Member of the Committee on Small Business, and I have been proud to work hard with my colleagues to find solutions to the problems that small businesses face in America. I look forward to representing the people of the 3rd Congressional District of Tennessee as a Member of the House Committee on Transportation and Infrastructure.

I appreciate the opportunity to have served on the House Committee on Small Business, and I look forward to working with you in the future.

Sincerely,

CHUCK FLEISCHMANN,
*Member of Congress.*

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 8 p.m. today.

Accordingly (at 5 o'clock and 25 minutes p.m.), the House stood in recess until approximately 8 p.m.

□ 2005

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. KINGSTON) at 8 o'clock and 5 minutes p.m.

## AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

The SPEAKER pro tempore. Pursuant to House Resolution 300 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2112.

□ 2006

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2112) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and related agencies programs for the fiscal year ending September 30, 2012, and for other purposes, with Mr. REED (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, the bill had been read through page 80, line 2.

AMENDMENT OFFERED BY MR. KINGSTON

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. Each amount made available by titles I through VI (other than an amount required to be made available by a provision of law) is hereby reduced by 0.78 percent.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. Mr. Chairman, this amendment reduces certain accounts in the bill specified in the amendment by 0.78 percent, and it fulfills a commitment which the minority and the majority had discussed earlier regarding WIC funding.

I yield back the balance of my time.

Mr. FARR. We accept the amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. KINGSTON).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. YOUNG OF ALASKA

Mr. YOUNG of Alaska. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act to the Food and Drug Administration may be used to approve any application submitted under section 512 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b) for approval of genetically engineered salmon.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Alaska. Mr. Chairman, my interest in here is because I am from Alaska, and we have the finest wild salmon in the world. And we have people that are trying to—and especially under NOAA and FDA—trying to approve the fact that they have genetically engineered a salmon. That's not natural.

□ 2010

And our goal is, we have a supply of natural wild salmon for the State of Alaska and for this Nation, because I think that's crucially important, especially in this day when we have all those that accuse us of having artificial things, you know, pesticides, et cetera.

This is a good amendment. It's an amendment supported by both sides of the aisle. It's not just Alaska. This is also for California, Oregon, and the rest of it. But mostly, I am the Congressman from Alaska. I think it's crucially important we understand that this should not be allowed, for the FDA to say, okay, a genetically raised salmon—I call it a Frankenstein fish—should never be allowed in our markets.

I have a group of individual Alaskans who not only make their living, but they are proud of their product. To have this occur and be promoted by the Federal Government is wrong.

So I'm trying to save money. But I'm also saying genetically we should never allow it to happen in the fishing industry.

I yield to the gentleman from California (Mr. FARR).

Mr. FARR. It's my pleasure to join you in this amendment. I actually have the best salmon caught in the lower 48 in Monterey Bay. A history of fishing in Monterey, used to be the sardine capital of the world. We're very sensitive to the fact that people are trying to mess around with the natural process and the Food and Drug Administration is set to approve genetically engineered salmon through a process the FDA uses to approve new drugs for animals. There's something wrong with the fact that in the approval process our food is now treated the same as animal drugs.

If approved, genetically engineered salmon would be the first genetically modified animal allowed onto the American dinner plate. Approval of genetically engineered salmon poses serious threats to human health, our fishing communities, and our wildlife stock fish.

They have no long-term studies on the safety of genetically engineered fish. There could be grave, unintended consequences on human health. Preliminary studies show that the compounds in genetically engineered salmon may be linked to cancer and severe drug allergies.

We've seen that the dominant method of raising salmon in other parts of the world is an open net, these pens in the ocean, and farmed fish escape these facilities every year. The impact of genetically engineered salmon escaping could be detrimental to wild stocks. The list goes on and on and on.

Our fishing communities are already facing challenges, and genetically engineered salmon would have an additional effect of lowering wild salmon prices, as already seen with normal farmed salmon. Lower prices, combined with declines in wild salmon stocks, would be economically detrimental to our fishermen, our fishing culture, and our coastal communities. It is unnecessary to genetically engineer salmon.

For these reasons, I support Mr. YOUNG's amendment that prohibits funds to the FDA to approve genetically engineered salmon.

Mr. YOUNG of Alaska. I yield back the balance of my time.

Mr. KINGSTON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. I do not have the expertise that my friend from Alaska has on it, but I wanted to say this. Earlier, or actually during the markup, Mr. REHBERG offered an amendment about the FDA using sound science. And I do believe, in this case, the FDA is using sound science in a process that was approved in January 2009, and they are going through a process right now to make sure that this product does not have a problem as respects human consumption. I think that, of course, should be the number one issue.

There are also some other considerations in terms of food supply, feeding more people, which is something that we all have debated on this bill. And also there is an issue with me about some jobs. So I'm concerned on this because it does seem like a pretty major change in my philosophy of sound science.

I yield to my friend from Alaska, who I think is out of time.

Mr. YOUNG of Alaska. I thank the chairman.

I believe whoever has given him that information is wrong. We have a product made in the United States naturally. Why would we want someone to create a Frankenstein fish to compete against a naturally created God-given gift, and have it promoted by supposedly science?

There's no science in this. In fact, they were trying to do and say we have to feed the world with artificial means. And I'm saying, okay. Do it someplace. But don't you do it with my and our salmon.

Mr. FARR, listen to me very carefully. This is a very, very important thing because this is the greatest thing we have going, Alaskan natural wild salmon being sold in the market and the benefit, what they can do to have it replaced by a genetic Frankenstein fish. I'm saying this is wrong. All due respect to the chairman.

What science are they talking about? They have a bunch of people created by the government that's going to take and put in, I call it traps or nets, and create a fish that's fed quickly. They say it can grow quicker, we're home.

Well, what people are you talking about? Mr. DICKS, you better be listening because you catch most of my salmon. Don't you forget it. You had better stand on the floor and defend this because you're in deep trouble if you don't. I'll tell you that right now.

The Acting CHAIR. The gentleman will please direct his comments to the Chair.

Mr. KINGSTON. Reclaiming my time, I don't know all the ins and outs of this, but I do know that we're constantly getting on the FDA to use more sound science, less politics, and to have more transparency, and it appears that that's what they're doing here. And they may come out against genetically modified salmon, but they are just looking at it right now to determine.

And with respect to the food supply, if you could safely produce genetically modified fish, you could feed a great portion of the world with it. So I have some concerns on it, but I did want to oppose the amendment.

Ms. WOOLSEY. Mr. Chair, I rise in strong support of my colleague from Alaska, Mr. YOUNG's amendment to prohibit funding for the

Food and Drug Administration to approve genetically engineered salmon.

The FDA is considering an application to sell patented genetically engineered salmon for human consumption. This fish would be given a gene from an eel-like Pout fish and a growth hormone from the Pacific Chinook salmon, which would allow it to grow twice as fast as traditional Atlantic salmon.

If the FDA approves the request, it would be the first genetically engineered animal approved for human consumption, and it would open the door for many more.

Unfortunately, the FDA evaluation process has lacked transparency, failing to provide the public adequate information or sufficient time to provide comment or express concern. And a recent poll found that 91 percent of Americans oppose FDA approval of genetically engineered animals for human consumption.

Mr. Chair, I'm also concerned about the potential commercial impact of G.E. salmon. Salmon fishermen in my district and many others along the Pacific coast have been devastated in recent years by fishery closures. Last year's salmon season was limited to just 8 days because of the continued steep decline in the salmon population.

Because G.E. salmon are more sexually aggressive and resistant to environmental toxins, their escape would pose a catastrophic threat to wild salmon populations.

If just 60 of these G.E. fish find their way into a population of sixty thousand wild salmon, the wild species would fade into extinction in a matter of decades.

While its producer claims that genetically engineered salmon would be sterile, FDA's own documents show that five percent of this G.E. salmon would, in fact, be able to reproduce.

Each year, millions of farmed salmon escape from open-water nets, threatening wild fish populations. Even if a small number of fertile G.E. salmon spilled into nature, our wild salmon and fisherman would be suffering the consequences for years to come—possibly for evermore.

I want to thank my good friend DON YOUNG for his hard work on this important issue and his leadership as co-chair of the Congressional Caucus on Wild Salmon . . . even though he considers my salmon "bait" for his fishers.

I look forward to continuing to work with him and other concerned colleagues to protect our natural fisheries and stop this "frankenfish."

I urge my colleagues to support this amendment. For consumer safety, for the purity of our waters, and for the continued viability of our fishing industry . . . we must block funding for the FDA to approve genetically engineered salmon.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alaska (Mr. YOUNG).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. PINGREE OF MAINE

Ms. PINGREE of Maine. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following new section:

SEC. ____. None of the funds made available by this Act may be used (1) to provide electronic notifications to the Committee on Agriculture of the House of Representatives on travel relating to any "know your farmer, know your food" initiatives or (2) in contravention of the Agriculture and Food Research Initiative priority research area specified in subsection (b)(2)(F) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i).

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. PINGREE of Maine. Mr. Chair, this amendment would combat the misguided report language written to attack local and regional food systems. By passing this amendment, we will send an important message to farmers, consumers, and community leaders around the country: Local and regional food systems are critically important. They provide economic opportunities for rural communities and healthy food for consumers.

Local food systems are the backbone of economies across the country. In order to ensure local food systems work to their maximum potential, Congress must support research, thriving programs, and devote more, not less, funding to enhance this work.

You know, no matter what group I'm talking to, whether it's members of the credit unions or realtors or teachers, when I start talking about improving the quality of food we serve our kids, improving local food systems, and knowing where your food comes from, I look around the room and everybody is nodding. Across the board, these issues are important to people, and this is where there is real energy for growth in the economy.

The language included in the report was designed to criticize and hamstring efforts that are underway at the USDA to create jobs, to increase farm income, and to bolster the economy through the development of local and regional food systems. The language targets local and regional food system development in two ways:

First, it demands overly burdensome reporting requirements of the USDA's Know Your Farmer, Know Your Food initiative. USDA developed this initiative to streamline the implementation of existing programs authorized by Congress in the last farm bill.

□ 2020

"Know Your Farmer—Know Your Food" is not a standalone program and does not have its own budget. Creating additional burdensome reporting requirements would delay program implementation and distract the USDA from addressing the economic challenges of rural communities.

Second, the report language expresses concern with USDA research, education, and extension activities associated with local and regional food systems through the Agriculture and Food Research Initiative, AFRI.

While Congress sets broad research policies for USDA, Congress does not usually dictate what research USDA cannot do; nor does Congress usually substitute its opinion of what's good science for the professional judgments of competitive grant peer review panels. By singling out a small piece of the agricultural research agenda and by substituting the committee's judgment for that of researchers and educators, the Agriculture appropriations bill report sets up a roadblock to innovation and diversity in American agriculture and growth in the rural economy.

In response to this misguided report language, this amendment will prohibit the USDA from using funds to fulfill the additional and burdensome reporting requirements proposed for Know Your Farmer—Know Your Food. The amendment would also prohibit USDA from using funds to carry out activities contrary to the current research priorities that Congress established in the last farm bill.

I know my colleagues on the other side of the aisle are going to say it's time to cut budgets and reduce deficits. I also believe in fiscal responsibility. This is not about fiscal discipline; this is about priorities.

Last year, we spent a staggering $548 billion to fund the Department of Defense and an equally unbelievable $158 billion on continued operations in Iraq and Afghanistan. By comparison, the entire Agriculture Department is funded with 20 percent of what we spend on defense, and the research priorities we are talking about in this amendment are funded with one-half of 1 percent of the total agriculture budget.

I urge my colleagues to join me in supporting farmers, in supporting local food production, and consumers who want to know where their food comes from. It's good for our local communities, our local economies, and it's good for our country.

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

Mr. KINGSTON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. Mr. Chairman, I oppose this amendment, and I don't quite understand what the problem is with the bill language at all.

Here's what it does: the report language, which this amendment tries to strike, it simply tells the Secretary of USDA to notify the committee of any trips related to the Know Your Farmer initiative and include the agenda and the cost to the American taxpayers. It doesn't prevent them from doing this. It simply says let us know. It also says put this information on the Web page. So if Know Your Farmer is that important, why would USDA have any opposition to this at all? In fact, I don't know that USDA does.

I also want to say that, as somebody who represents rural southeast Georgia, there is this nostalgic idea that somehow the further food travels the more evil it becomes. But if you look at a plate of fresh vegetables that you

may have eaten sometime today, that food traveled a long way. In fact, asparagus travels a long way. Lettuce—my friend, Mr. FARR, gave me an article earlier today. I think 59 percent of the lettuce in America comes from his one district.

Now, if we start confining that to Monterey County, it might be great for the folks in Monterey County, but I don't mind eating California lettuce because if the California farmers can do it for less money and I can get lettuce year round for less money, that's not a bad thing. So I think some of the assumption that food traveling is a bad idea, I think it's flawed in itself.

But I want to get back to this bill report language. It simply says to the USDA, let us know how much you're going to spend. And why is that so important? I want my friend from California to know that if you look through the USDA budget request for FY12, there's not one mention of Know Your Farmer—Know Your Food. It's an initiative. There has not been a budget request for it. If there was a budget request for it for $3 million or $30 million, then we could have something we could be debating about.

But what it is, is an initiative; and all we're asking is, if you go forward with this—and we don't stop them from going forward with it—we're just saying we want to know how much it's going to cost. So I do not believe that it's bad report language at all, and I strongly oppose the amendment.

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

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

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

Mr. FARR. I strongly support this amendment because the language in the bill—I'm going to read it to you. It's one paragraph, but it's the most draconian language because we've never done this before ever in an ag bill. It says: ''The committee directs the Department to provide an electronic notification to the committee at least 72 hours prior to any travel in support of the Know Your Farmer—Know Your Food initiative, and such notification shall include the agenda of the entire trip along with the cost to U.S. taxpayers. Additionally, the committee directs the Department to post media advisories for all such trips on its Web site, and that such advisories include the same information.''

My God, we don't do this to know your soldier, to know your veteran, to know your school teacher, to know anybody else that's in the public service, to know your law enforcement officer; and yet they're doing this for Know Your Farmer?

This program, as Mr. KINGSTON pointed out, we just had the ag report come out and I'm very proud that one county in my district does $4 billion worth of agriculture, as pointed out in that report, that grows 59 percent of all the lettuce consumed in the United States in one county in California that I represent. Part of that is this program now that they're doing, which is Know Your Farmer—Know Your Food.

Consumers can go with their cell phones into a grocery store; and because of the barcode there, they can ZIP it and it immediately comes up the farmer who grew that food saying this is who I am and this is where I grew it and this is how many days it takes to get to you, and all the things you might want to—if we're going to educate people about nutrition, I can't think of a more exciting way to do it.

And to require that the Department has to essentially do this gestapo, looking at every time you move you have to report to a higher authority on your initiative and on your entire trip and the agenda and cost, we don't do that for anybody else in the Federal Government, and I don't think we should do it for our farmers or for our members of the U.S. Department of Agriculture who are supporting our farmers.

So I support this amendment very strongly.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Maine (Ms. PINGREE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. PINGREE of Maine. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 1 OFFERED BY MS. FOXX

Ms. FOXX. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to support any Know Your Farmer, Know Your Food initiative of the Department of Agriculture.

The Acting CHAIR. The gentlewoman from North Carolina is recognized for 5 minutes.

Ms. FOXX. Mr. Chairman, it's very interesting that I came into the Chamber at this time because my amendment also has to do with Know Your Farmer—Know Your Food.

I am very concerned about this program because it is not an authorized program by the Congress. I am very concerned that we have our executive branch off doing all kinds of things that it has no business doing, from fighting wars to running programs that they weren't authorized to run.

This program, in my opinion, conducts duplicative marketing methods by taking funds from programs that already exist within USDA through grants and program management activities.

□ 2030

All of these entities within the USDA already have marketing tools to reach out to applicants in the local community and work with them. Programs that issue grants from USDA would not be affected or lose a single cent of funding from my amendment. Let me repeat: Grants and program management activities from USDA do not lose a cent of funding under my amendment. Rather, it would strike the redundant Know Your Farmer—Know Your Food effort by the USDA to advertise their programs and ensure that the money in the grants and in the program management activities would be spent on the activities that are authorized. My staff has been told by people at the USDA that grant issuing and farmer and consumer programs will continue to operate as normal without this duplicative effort.

Mr. Chairman, there has been a lot of erroneous information put out there in relation to my amendment, and I would like to take some time to clear it up.

It doesn't affect any USDA grant or program management funds already existing because Know Your Farmer—Know Your Food does not issue grants. Nor does it manage any programs. But it is a circumvention of the authority and defeats the intent of Congress when we are the ones who should be authorizing programs and budgets. So I think that this is a program that we do not need, and I believe that it should be abolished, because when the USDA wants a program, it should be coming to the Congress to get authorization for that program.

There is a specific violation against establishing a program in the authorization that would have set up slush funds in the Secretary's office, and I think this is similar to that. It allows the department to take money from existing programs, put it into this program, and spend them the way that they wish to, and I don't think that is an appropriate expenditure of funding that we have authorized.

Therefore, I urge passage of my amendment.

I yield back the balance of my time.

Mr. FARR. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. FARR. Mr. Chairman, I rise in opposition because I cannot, for the life of me, understand why you are so afraid of Know Your Farmer—Know Your Food. They say, well, we need to have this program authorized. My god, we went to war without authorizing it. We spent all that money, and half the people don't even question it. And you want to question Know Your Farmer—Know Your Food?

I think this is a direct attack on the White House initiative, which is about

nutrition, which is about trying to get people—I mean, we talked about this yesterday, about how you have places in this country that are food deserts. You have places where there are no grocery stores. There are 7–Elevens. They don't have fresh fruits and vegetables. People can't go down to a local store and find fresh fruits and vegetables.

So what do we do? This committee puts money into the USDA to help farmers markets get established in these tough areas, to encourage farmers to come in, and at the same time teach people who have never shopped for fresh fruits and vegetables, never been to a farmers market.

We have actually tied in, in my district, the issuing of food stamps and WIC vouchers so that they will spend them right there, and 65 percent of the income that comes to the farmers at the farmers markets comes from them.

So this is all part of the initiatives to get people to know about agriculture. Milk doesn't come from a carton. Food doesn't come from a grocery store. It gets grown somewhere by a farmer, he and his wife. And we are trying to get kids to know something about agriculture. We are putting in school gardens. All of this is part of Know Your Farmer—Know Your Food, and you want to strike it.

What is this? Is this some kind of conspiracy that you are afraid of? People might learn a little bit about where food comes from in America, and there is organic food and that you have choices and you just don't have to eat everything that is packaged and processed and full of salts and sugars and additives and preservatives?

What are we afraid of? What are we afraid of? My God, to strike it, or tell the department that they can't do this, I think it is not in our best intentions, and it is not smart nutrition.

We are trying to get people, I know, because I am trying to lose weight and it is a very hard thing to change your character, to change your eating habits. Unless we do that, we are going to grow a lot of Americans who aren't going to be very healthy because they don't know their farmer and they don't know their food. And if you strike this ability for the department to go out and do that kind of outreach, we are going to have a less healthy America.

I yield back the balance of my time.

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

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. FARENTHOLD. You know, we in this Congress or Congresses of the past have ceded a lot of our authority to executive agencies. We have given them lots of power to regulate. They are taking over and doing an awful lot. Know Your Farmer—Know Your Food is another example of an agency going beyond what needs to be done and is something I feel they should come back to Congress for.

With that, I would like to yield to the gentlewoman from North Carolina (Ms. FOXX).

Ms. FOXX. I want to thank my colleague from Texas for yielding to me, and I want to respond to our colleague from California.

I am not afraid of a program. I am afraid, as my colleague from Texas has indicated, of the executive branch continuing to overstep its bounds and develop programs that have no authorization and do the things that it has no business doing without authorization from Congress.

I find it interesting that my colleague would bring up the fact that we went to war without authorization. I believe that was his President who did that, and I voted resoundingly not to do that.

I also want to sympathize with my colleague from California. I am certainly doing my best to lose weight, too. I think it is a struggle that most of us, particularly in this body, have. But I can tell you that I am not looking to the Department of Agriculture to give me my nutrition information. I know how to find that nutrition information, and I think most Americans know how to do that, and we don't need a special program in the Department of Agriculture to do that.

We have got to commit to bringing government spending under control, and we are going to do everything that we can. While no money will be cut from the appropriations by this amendment, it removes a program that is not authorized that gives part of the Department of Agriculture an argument for why they need money.

I think that in many cases what happens in these executive branch departments is that when their own entity begins to lose its need for being, they begin to look out there for, What is the latest trend? What can we do in this Department to justify our existence? I think that that is what happens in many, many cases, and you get the continuation. As Ronald Reagan said, the nearest thing to immortality is a Federal Government program, and I think that is what happens in many departments, not just the Department of Agriculture.

I have great respect for much of what the Department of Agriculture does, and I think it is providing vital services in many areas. But, again, this is not an area that we need the Federal Government to be involved in. We don't need this program.

Frankly, my colleague asked me what I am afraid of the program for. What I don't understand is why our colleague from Maine doesn't want reporting from this program. He didn't ask her that question. Why is she concerned that we ask for reporting mechanisms? Because we have asked the Department, How much money are you spending on this program? They cannot answer. What effect are you having? They cannot answer. There are no results. There is no cost-benefit analysis.

It is time that any program that says, We can't tell you how much we are spending; we can't tell you what we are doing; we can't tell you if we are having any effect, to be done away with. And any program that answers a Member of Congress that way should be immediately eliminated.

Mr. FARENTHOLD. Reclaiming my time for just a second, I too am trying to lose weight and would much prefer to work with my doctor and trainer than the USDA.

I yield back the balance of my time.

Ms. PINGREE of Maine. Mr. Chair, I move to strike the last word.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. PINGREE of Maine. Mr. Chairman, I just wanted to engage a little bit more in this conversation that we had, both about the previous amendment and about my good friend from North Carolina's concern about this particular program called Know Your Farmer—Know Your Food.

□ 2040

I have the great privilege of serving on the Agriculture Committee. I've heard the Secretary speak to us about his interest in increasing the number of farms in our country, in getting to know our farmers better, and in making sure people have more knowledge about where their food comes from.

I have to just stand back and say for a minute that it's after 8:30 on a busy night. We're still in the middle of debating this bill at a time when our economy is in peril, when we have huge challenges before us, when we are at war in two countries. I just personally have to say I am baffled about why we are even having this debate. I was baffled about why this report language would be there that slows down research on local farming, that tries to stop a program that's not even funded, and that coordinates a lot of good efforts going on in the Department of Agriculture.

I will say, I kind of think back to the way I look at our country. We were based on agriculture and farming. I had the good fortune to be born in Minnesota even though I represent Maine. Both sets of my grandparents were Scandinavian immigrants. They came because there was rich farmland, beautiful opportunities. My grandfather was a dairy farmer. My uncle was a dairy farmer. My cousin still runs a farm and works with livestock. I went to college to study agriculture, and I own my own farm today.

So I think about, isn't this what America is all about—knowing your farmer? knowing where your food came from? understanding what the basic principles are of growing and of using our land? What in the world are we talking about? It's as if black is white and white is black and as if everything is turned upside down.

I grew up in Minnesota and Maine. Both States have a rich farming heritage. We couldn't be more proud of the families and of the people who work hard on the land. We couldn't be more proud of having vigorous farmers' markets, of having people who are able to

go to a farm stand and say to the farmer, ''How did you grow this? What's behind this? Tell me about what's growing in your field.'' I mean, this is America. This is how our country was built.

If there is one tragedy that's going on today, it's the reduction in the number of farms and in the families who can no longer hold onto their farms, whose mortgages are being foreclosed on, who don't have enough markets. If there is anything the Secretary is telling us it is that we want more people to know about their farms, that we want to have local access to farming, that we want to have people come to farmers' markets.

I spend a lot of time visiting school cafeterias, and many of the schools in my district are very engaged with buying food locally. They realize that, if they're going to deal with childhood obesity, one of the things they have to do is get kids to eat more vegetables. One thing that really works is to have those young people know the farmers, and many schools have little gardens out back.

I visited Longfellow Elementary School in Portland, Maine, just recently. Those kids have a little plot of carrots. It's not that every lunch has one of those carrots on the menu, but it's for those kids to say, ''I grew a carrot, and now I want to eat more of them.'' I was at the Bonny Eagle Middle School. They have a little greenhouse. I sat down to eat with those kids, and they were eating kale, kale and garlic; and they were proudly showing it off to me about how they grow kale, about how they know where it comes from. Many of them have visited with farmers. They've seen the farmers come down the road.

I can't possibly imagine why anyone would want to put language in that says you have to strike a program like this that's not even funded, that's just a way of the Secretary saying this is a good American tradition. It's a tradition in North Carolina, I am sure, where people are proud of their farmers and, in Maine, where we are exceptionally proud of the fact that the average age of our farmer is going down. We have more young people who want to go into farming. We have more and more acreage going into farming, which is a reversal of the trend that has been going on in our country for a long time. This is good for our health, and it's good for our environment. Fundamentally, this is a jobs bill, and that's what we're supposed to be here talking about. Every young person who has an opportunity to go into farming today and every family that gets to hang onto a family farm increases the number of jobs that are going on in our country.

What do we want this to turn into, big corporate agriculture where everything has to be trucked around the world?—where our carrots come from Brazil and our strawberries come from somewhere else in South America and where we buy our food from China? I mean this is America. This is a tradition of our country. How could we possibly think that anything is wrong with promoting or researching local foods and having a program that just coordinates it all?

Ms. FOXX. Will the gentlewoman yield?

Ms. PINGREE of Maine. Absolutely not. As much as I appreciate my colleague from North Carolina, I'm not giving up one second to talk about the fact that in my State, we are proud of our farmers. We are proud of our big farms that grow potatoes and blueberries and that grow apples. We are proud of our fishermen, and we are proud of the fact that more young people want to get into farming.

There are more markets for farming than there ever were before today. Part of it is because people like to buy their food locally because they are so excited about the opportunity of going to a farm stand where you actually see the farmer, where you see how it's grown, where you feel comfortable about what goes into your food, where you know how it was slaughtered, where you know so much more about it, where we're raising our kids to say, ''You know what? Vegetables are good for you,'' and here they are right in front of you.

I can't possibly imagine why this report language was there in the first place, why my colleague would want to strike everything about Know Your Farmer—Know Your Food.

I yield back the balance of my time.

Mr. KINGSTON. I move to strike the last word.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. Mr. Chairman, I want to make sure I answer this question, because I'm hearing from our colleague that she can't possibly imagine why we are against the program. We are against it because it's not authorized.

The President of the United States is now bombing in Libya. By the way, I voted with the Kucinich amendment because I feel very uncomfortable with an unauthorized bombing as the use of force in Libya. The Federal Government frequently obligates the taxpayers to new programs. Yet the United States Congress hasn't had an opportunity to vet these programs or to vote on them, so I, myself, don't understand why that is a problem that we can have this transparency.

Now, as I've listened to this, I've kind of felt, well, Know Your Farmer—Know Your Food is one of these harmless little Washington sort of ''feel good about things'' initiatives, but I'm beginning to think it's just one big databank. I don't know why the USDA needs to know all of this information about the farmers. I'm wondering about that. If we want to help farmers—and I've had the opportunity of representing lots of farmers for a long time—I'm going to give you seven things that I thought about in just sitting here during the course of the last speech.

Number one: This administration has declared war on the community banks, which are the fiber and the heart of small communities. That's where farmers get their loans. Farmers need credit. We need stability and banking laws to help farmers.

Number two: We need consistent regulations and regulations that don't send the EPA out on the farm to play ''I gotcha.'' You may know right now, Mr. Chairman, that for organic chickens—and I know my friend from California probably knows this—you have the FDA requiring that they be raised on a slab of concrete and the USDA saying, no, they can't be. So we have two Federal agencies with two different regulations for one product. Farmers need regulatory consistency.

Number three: We need an H–2A program. Absolutely, we've got to get labor out there and a good guest worker program that works.

Number four: We need free trade agreements. We have had sitting on the desk of the White House free trade agreements with South Korea, Colombia and Panama, and this administration won't move them. That will create lots of markets for farmers.

Number five: We need estate tax relief. If you want to keep the family farm in the family, then get rid of the death tax so that it can be passed on to the next generation.

Number six: You need to have a good crop insurance program. More than any other farm program, farmers want a good crop insurance program.

Number seven: We need to cut the red tape out so that you can get to your local market. If you're a local farmer, it is impossible to sell right now to your local high school because of many Federal regulations. The small farmers can't compete with the big folks on this.

I want to say this about apples because the gentlewoman had mentioned apples. The average apples travel right now 2,500 miles to get to the consumer. Now, I don't find that horrible. We are a country of origin labeling laws, which our committee has debated for over a decade, and I don't know that it has made the world a better place. I think that consumers are actually driven by food safety, food taste and food price, and whether it comes from New York or whether it comes from the farmer down the street, those still are going to be the driving factors in making the decision. Carrots come 2,000 miles.

I would challenge my friends to look at Google food mileage and look at how much common, everyday food travels to get to your plate. What has it done? It has made America healthier. It has given us an abundant food supply, and it has given us a less expensive food supply.

But if we are serious about growing mom and pop farms—and I want to say

this to my friend from Maine—I am very interested in working with her on that. The seven things that I have listed, I can promise you, in any poll, farmers will choose before they choose to say what we really need to get farmers going in America is this program that is not authorized by the Congress, called Know Your Farmer.

I yield back the balance of my time.

Mr. FARR. I move to strike the last word.

I just want to point out that this amendment doesn't save one penny.

□ 2050

The Acting CHAIR. Does the gentleman ask unanimous consent to strike the last word?

Mr. KINGSTON. Reserving my right to object, I just want to remind my friend about taking two bites of the 2,500-mile apple. I certainly do not object but——

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. DICKS. I yield to the ranking member, the gentleman from California.

Mr. FARR. This amendment doesn't save one penny. Ironically, we just returned from the White House summer congressional picnic, and people ate food there. At every table, it listed where the food came from. Indeed, I remember because I went to the ice cream place and there was a stack of honey that came from the White House, that has a White House label on it, and it's a gift that the First Lady gives to visiting dignitaries from around the world as a sample of American honey grown at the White House. We just experienced Know Your Farmer—Know Your Food not more than an hour ago.

This amendment does nothing but be mean.

Mr. DICKS. Reclaiming my time, I just want to point out, also at the White House picnic, if you walked far enough down, you could see the garden with fresh vegetables and everything that was being grown. It had a label about what was what.

Again, I just don't see what the harm is here if they're taking it out of existing funds. I always thought that the farmers of America were supported on a bipartisan basis in this Congress and that we like to know who our farmers are. So I agree with the gentleman, and I hope we can defeat this ill-considered amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from North Carolina (Ms. FOXX).

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

Mr. DICKS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from North Carolina will be postponed.

AMENDMENT NO. 20 OFFERED BY MS. WOOLSEY

Ms. WOOLSEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following new section:

SEC. ____. None of the funds made available by this Act may be used to carry out the directive in the committee report instructing the Food and Nutrition Service to issue a new proposed rule on implementing new national nutrition standards for the school breakfast and school lunch programs in the report of the Committee on Appropriations of the House of Representatives to accompany H.R. 2112 of the 112th Congress (House Report 112–101).

Mr. KINGSTON. Mr. Chairman, I reserve a point of order on the gentlewoman's amendment.

The Acting CHAIR. A point of order is reserved.

The gentlewoman from California is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Chairman, for some families—too many, as a matter of fact—the meals served at school may be the only decent meal that their children get that day. Especially during this current economic downturn, with many Americans barely getting by, more people are relying on school meals to keep their children fed and ready to learn.

Why, then, is the Republican majority trying to turn back the clock on school nutrition? Why are they trying to undermine the quality of school meals by gumming up a regulatory process that is designed to ensure that our kids are eating healthy?

Mr. Chairman, I'm offering this amendment because it will stop the majority's attempt to block the implementation of scientific standards for school meals.

Here's the backstory. Since the Truman administration, Congress and the United States Department of Agriculture have set standards for school lunches and breakfasts. But for most of that history, those standards have not reflected the expertise of nutritionists and other health professionals.

Then, last year, Congress passed and the President signed a bill directing the USDA to make school meal requirements, for the first time, consistent with sound science and dietary guidelines issued by the Institute of Medicine. The bottom line: That would mean healthier food for our kids. It would mean the cafeteria line would have more fruits and vegetables, more whole grains and low-fat milk, and less sodium and saturated fat. As instructed by the law that we passed, USDA wrote a regulation and received over 130,000 comments.

Now, just when the process is wrapping up, my colleagues on the other side of the aisle want to use report language in this appropriations bill to scrap the rule and compel USDA to write a completely new one. This is a stall tactic, plain and simple. Better school meals must not, can't be, from this act, a priority for the other side of the aisle. They apparently don't believe we need to do anything about the epidemic of childhood obesity that is rapidly becoming a major public health crisis, so they're looking for any way to put on the breaks.

The process has worked. We've had congressional direction and we've had mandates. We've had open comment period and rulemaking based on sound science. But the end result is not to the majority's liking, so they want a do-over. This is not only unnecessary, Mr. Chairman, but expensive, as there would be costs associated with starting the rulemaking over—going back to square one. In one fell swoop, the Republicans are showing themselves to be anti-science, anti-child, anti-public health, and anti-fiscal responsibility.

My amendment would stop their shortsighted and irresponsible scheme. It would prevent funds made available by this appropriations act from being used to require USDA to reissue a new rule.

Important advocates agree with me. My amendment has been endorsed by the National Education Association, the American Dietetic Association, Bread for the World, the Center for Science in the Public Interest, and many other groups, which I will include in the RECORD.

Mr. Chairman, our children need balanced, healthy, nutritious meals, not costly bureaucratic delays. They need this to help them succeed in school and in life.

H.R. 2112, AMENDMENT NO. 20, LIST OF SUPPORTERS

The American Academy of Pediatrics, American Dietetic Association, American Public Health Association, Association of State & Territorial Public Health Nutrition Directors, Bread for the World, California Association of Nutrition & Activity Programs, California Food Policy Advocates, Campaign to End Obesity Action Fund, Center for Science in the Public Interest, Community Food Security Coalition, Food Research & Action Center (FRAC), Jewish Council for Public Affairs, National Education Association, National Farm to School Network, The National WIC Association, Public Health Institute, Trust for America's Health, The United Fresh Produce Association.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentlewoman from California?

There was no objection.

AMENDMENT NO. 24 OFFERED BY MR. ROYCE

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. 7XX. None of the funds made available by this Act may be used to provide assistance under title II of the Food for Peace Act

(7 U.S.C. 1721 et seq.) to the Democratic People's Republic of Korea (North Korea).

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

Mr. ROYCE. Thank you, Mr. Chairman, very much.

A couple of quick points here. One, the administration is actively considering resuming food aid to North Korea. And I understand the humanitarian impulse here, but the unusual circumstances of North Korea make this a mistake—and make it a very bad mistake, frankly—which this amendment would correct.

I remember the words of one North Korean defector, Kim Duk-hong. I had a chance to talk with him. He said actually in testimony here before the committee, we must not give food aid to North Korea because it is, in his words, the same as providing funding for North Korea's nuclear program. Why is that so? Because what invariably happens is they redirect these resources into support for the regime.

This week we had reports that North Korea is making miniaturized versions of its nuclear weapons—ones that could fit atop ICBMs. That makes his statement all that more dire about the redirection of these resources into the regime's hands.

The situation in North Korea is heartbreaking. I've been up there. I've seen the depravation. But this is a disaster made by the dictatorship itself. And let me say unequivocally, the food we send does not reach the hungry.

So, who benefits from our good will? Well, the inner circle does and their military industrial complex does. We've had hearings in which the French NGO Doctors Without Borders—we're all aware of their good work around the world. They testified before the International Relations Committee that the vast majority of refugees they interview say they had never received any food aid. None of the children they had ever met had ever seen food aid during the years they worked up on the border.

And this testimony is backed up by a survey of 500 North Korean defectors in which 78.2 percent of them never saw foreign food aid. And the reason for this is because it goes, again, into the black market. It is sold for the hard currency that the regime needs for its nuclear program and other programs.

□ 2100

Some could argue that what we need is more oversight and maybe better monitoring on this food.

Let me tell you about the testimony we've heard on that, because the North Koreans, I don't think they've got a word for ''transparency.'' No matter how airtight any monitoring protocol may be, they cheat. We had a Tom Lantos Human Rights Commission hearing where a North Korean dissident told us how the regime would mark all the houses that had received bags of food and would return to collect them after the monitors had left. So North Korea is always going to cheat.

Some assert that the North is holding food, holding food for the future, hoarding a million tons of rice. That's the charge we hear from South Korea, from members of their Parliament. But the fact is that it's an asset that is converted by the North.

So I urge my colleagues to support my amendment for the sake of the North Korean people. Providing this aid not only allows Kim Jong-Il's oppressive regime to divert scarce resources towards its military program, one that has grown increasingly threatening, but it also delays the day when real structural reform will come to North Korea.

There is a Korean saying that ''pouring water into a cracked pot is worthless.'' Sending resources to Kim Jong-Il is even worse. It's enabling a regime with one of the world's worst human rights records but also with an atomic bomb.

North Korea has played us like a fiddle for years. Conditions for North Koreans have only worsened. It's time for a new North Korea policy. Let's start now.

I ask my colleagues to support the amendment.

I yield back the balance of my time.

Mr. KINGSTON. Mr. Chairman, I rise in support of the amendment.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. We have had a very difficult time with the Food for Peace program already, and if this helps secure another supporter of the bill, we certainly would work with you on this amendment and support it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. ROYCE).

The amendment was agreed to.

AMENDMENT NO. 25 OFFERED BY MR. KIND

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before any short title), insert the following new section:

SEC. ____. None of the funds made available by this Act may be used to provide payments (or to pay the salaries and expenses of personnel to provide payments) to the Brazil Cotton Institute.

The Acting CHAIR. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. KIND. Mr. Chairman, my amendment is very straightforward, and in a second I'm going to explain it in more detail.

For many, many years now, I and a group of bipartisan Members of this Congress have formed a coalition in an attempt to move farm bill reform forward, to try to end these large taxpayer subsidies that are going to a few, but very large, agribusinesses, subsidies that are not in fact helping family farmers, leading to greater consolidation in production of agriculture, driving up land values, making it more difficult for new beginning farmers to enter agriculture, and subsidies that are not fiscally responsible.

In light of the budget deficits that we're wrestling with, what better time to continue to move in the area of reform under the farm bill with this Agriculture appropriation bill, rather than waiting for the promise or hope that in a year or two in the reauthorization of another farm bill that this institution might finally come around and start making the long overdue changes.

Just to show you how perverted these farm programs have gotten, recently Brazil challenged our own domestic cotton subsidy program and prevailed in the WTO court. Now you would expect our rational response would be to reform our cotton subsidy program, to come into compliance with that WTO decision, to end these subsidies that you really can't justify here to our cotton producers, and we would solve this problem.

But that's not the approach that was taken. In fact, the administration recently set up a new subsidy program that is now going to subsidize Brazil cotton producers.

Let me repeat that. We are spending $147 million a year in order to bribe the Brazilian Government so that they don't enforce the sanctions that they're entitled to now because of our unwillingness to reform our own cotton subsidy program. That is wrong, and that is what my amendment would address. It would prohibit the use of funds through this Agriculture appropriation bill going to this new subsidy program to subsidize the Brazil cotton industry.

It just shows you what a pretzel our farm programs have turned this Congress into because of yet again the unwillingness for us to reform our own domestic title I subsidy programs. The answer to this is not to funnel out another $147 million a year until maybe we address this in the next farm bill, which could end up costing the American taxpayer over a half a billion dollars, when we can make that correction now, reform the domestic program, get out from under the WTO decision, start saving money by not sending $147 million a year to Brazil, and also start saving some money by reforming our own cotton domestic subsidy program.

That's the solution to this. That's something that we can fix tonight, rather than continuing this facade of maintaining these programs that many of us warned in the last farm bill would be challenged, and sure enough they did, and they're prevailing, and now they can apply economic sanctions against us.

So the time to act is now, not waiting for a year or two or whenever we're going to get around to reauthorizing

another farm bill; and the time to start saving some real money is this night, by passing the amendment that we're offering. We can save $147 million, we can reform the cotton subsidy program and save more taxpayer dollars, and we have that ability to be fiscally responsible and start making changes tonight.

I know what the argument on the other side will be: wait for the next farm bill; we'll take care of it then. Well, there is a lot that we are moving forward on this year on deficit reduction, and I for one think that the farm bill should also be open for scrutiny for potential savings to reduce our deficit.

But that's not what's being offered tonight in reforming the title I subsidy programs. Instead, most of the deep cuts are coming under the conservation title, the nutrition programs, certain key investments that we have to make to empower our farmers to be good stewards of the land, to reduce sediment and nutrient flows and the impact it has on the quality water supply that we need in this country, the protection of wildlife habitat. In fact, three out of every four farmers applying for conservation funding assistance today are turned away because of inadequacy of funds. That number will only explode because of the deep cuts coming in these other titles of the farm bill.

We have an opportunity to start making some changes under title I, the subsidy program, first by stopping the additional layer of subsidy that's been created where we're starting to subsidize other countries' farmers. Let's start making that change tonight.

I would encourage my colleagues to look closely at this amendment. This is the reasonable response that we should be taking. Let's not defer this decision any further. We can do that. And instead of encouraging any type of trade war or sanctions with Brazil, we should move forward in reforming the cotton subsidy program starting tonight.

With that, I yield back the balance of my time and ask my colleagues to support this amendment.

Mr. CONAWAY. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CONAWAY. Thank you, Mr. Chairman.

My colleague is very passionate, but he is also very wrong. This money does not go to Brazilian farmers. That's illegal for us to do that. What it does do, it does go to an institute that promotes Brazilian agricultural production. It may be a fine line to distinguish there, but it's inflammatory to say it's going to Brazilian farmers, that we're doing that, and he knows it and it is wrong, but it is a payment. It's a payment negotiated by the Obama administration in reaction to a loss at the WTO in order to buy time so that a trade war with our 10th largest trading partner in the world doesn't erupt that has actually nothing to do with ag protection.

The trade war that is being prevented, over $800 million worth of exports to Brazil, protects a broad variety of nonagricultural industries in this agreement. This buys us time until the 2012 farm bill could get done. We cannot tonight nor should we tonight delve into a very complicated farm safety net program that has worked well for the American people.

It is unquestioned that the American people enjoy the safest, most abundant and cheapest food and fiber source in the world, in the developed countries; and we do that because of the hard work, sweat equity, and risk-taking of the American ag producer. They rely in turn on a safety net that is relatively complicated and interwoven across a bunch of things that make it help.

The budget that we did pass says that the farm bill will be written in 2012. I understand my colleague's disdain for the process of the Agriculture Committee. He doesn't like the Agriculture Committee, he doesn't like the work product that we come out with, but that's the group that knows the most about the process of the safety net.

□ 2110

Doing this, what the gentleman would like to do tonight, would disrupt that trade agreement and undercut the U.S. Trade Representative and his ability to negotiate around the world because he's negotiated with a group who won't stick by their word.

The 2008 farm bill put in place a 5-year contract, 5-year agreement with the American ag producers, it goes to the 2012 farm bill—2012 crop year, and we ought to stand behind it and defeat this amendment.

So the money does not go to farmers. It does protect $800 million a year in exports of nonagricultural exports that are imported to this country, including intellectual property rights that would be abrogated if we back out of this deal that we've made with Brazil. So with that I respectfully request my colleagues to oppose the Kind amendment as being wrong-headed tonight.

I yield back the balance of my time.

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

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. BLUMENAUER. I listened to my good friend from Texas talk about deferring yet again to the Ag Committee, that somehow this payment goes to the Brazilian cotton industry and not to the cotton farmers, a distinction without a difference I would suggest.

I rise in support of my colleague from Wisconsin in this proposal. I've been in this Congress having watched three farm bill reauthorizations, and each time we find that there is expression on the floor of this Chamber for actual reform. We've asked for limitations. We are told well we just don't—the floor doesn't understand; it's too complicated. Well, it is complicated and twisted because this is an effort to try, through the complexity, to layer efforts here that cheat the American consumer, that hurt the environment, and pose serious problems for international trade.

And my friend from Wisconsin is correct. We were talking about this in the last farm bill, and we got our comeuppance, but instead of responding responsibly in reducing or eliminating the illegal cotton subsidies, we're shoving upwards of a half-billion dollars to the Brazilian cotton industry, and I'll be prepared to argue, it benefits cotton farmers. So we're subsidizing two countries because we fail to reach our responsibilities now.

I sincerely think this is wrong. I think $147 million could go a long way towards helping the part of American agriculture that grows food that we categorize as specialty crops who are dramatically shortchanged.

I would like to yield the remainder of my time, if I could, to my good friend from Wisconsin, the sponsor of this amendment.

Mr. KIND. Well, I thank my good friend from Oregon for his support of the amendment and for his support throughout the years in trying to lead the effort for meaningful farm bill reform.

Mr. Chairman, there is another solution to this that's going to be offered by our good friend and colleague from Arizona in just a little bit, Mr. FLAKE. He goes to the heart of the WTO decision to find out what changes we should be making in the cotton subsidy program to get out from under the thumb of Brazil, and I would support that amendment, and I hope my colleagues support his amendment as well because that is the ultimate solution to this: Instead of just cutting off the funding to Brazil right now, coming up with the cotton subsidy reform.

Now, let's remember the context in which we find ourselves this evening. Cotton payments are almost at a world record high price right now, yet these subsidies are still going out. There's just very little relationship right now with the subsidies under title I to the grain producers and cotton producers of our country and the price they receive in the marketplace. And in a time of tough budgets, when everyone else is being asked to take a haircut, whether you're a supporter of conservation programs or vital nutrition programs for our children and seniors, for us to not even look and consider the title I programs in the context of this agriculture appropriation, it's beyond the pale. There's just no justification to it.

These programs are outdated. They are impossible to justify with the American taxpayer, especially with the deficit reduction that all of us are interested in participating in this year. This is a small, but I think significant, step down the road of reform with the farm bill finding savings that can be applied to either other programs or for deficit reduction.

That's why I commend my colleague from Arizona for the amendment he's about to offer, but my friend from Oregon, too, will have some important amendments for us to consider, a payment limitation limiting the overall amount of subsidies that go to our producers. And folks, this is going to agribusiness, many of whom have mailing addresses in Manhattan, in Chicago, in San Francisco. These aren't even family farmers working the land, and they're some of the primary recipients of these agriculture subsidies.

Mr. BLUMENAUER's amendments address that, along with Mr. FLAKE's AGI cutoff at $250,000 a year. That's 250 thousand dollars of profit, and if you're an entity making a profit of over a quarter-million dollars a year, should you really still be receiving taxpayer subsidies for the business that you're running? I think not, and we'll have another opportunity to consider that later tonight.

So I appreciate the gentleman yielding me this time and further explaining what this amendment is all about. And if we are serious about deficit reduction, if we are serious about reining in some of these programs that are tough to justify, then we should be serious about supporting this amendment tonight.

Mr. BLUMENAUER. And Mr. Chair, on that note I, too, commend what my friend from Wisconsin is doing. I look forward to the comments from my friend from Arizona. If we're serious about reform and saving money, it's time to move in this area.

I yield back the balance of my time.

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

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

Mr. FLAKE. Mr. Chairman, I rise in support of the Kind amendment. I commend the gentleman from Wisconsin for offering this.

You know, we've heard here that we need this program to make us trade compliant. Many of us warned when we did the last farm bill that if we did this level of subsidies that it would run afoul of our trade agreements. Yet we plowed ahead and did it anyway. And then April of last year is when our farm programs, which on their best day are out of step with reality, moved into the realm of the absurd when we hatched a program to actually fund an institute in Brazil to fund the cotton industry there to start subsidizing the Brazilians so that we could continue to subsidize our own farmers. Is that not absurd? Why are we continuing to do this?

It was raised before that we've got to do this to make us trade compliant now where tariffs might be imposed. That is true, but I offered an amendment in the committee earlier on that would have taken money from the direct payments that we currently pay to cotton farmers and paid off the Brazilians with that money rather than raid the Treasury and raid the taxpayers once again. And guess what? That passed in committee but was stricken when it came to the floor.

So when you hear all this rhetoric about, hey, we want to be trade compliant, we could have done that. We could have simply allowed that amendment to stick in the bill, and then this would have been trade compliant. But the Brazilians would have been paid off not with new taxpayer money but with the money that is making us non-trade compliant in the first place.

So don't believe what you're hearing about, we just want to be trade compliant; that's what this is about. We offered an alternative to that, and it was rejected. And so here we are asking the taxpayers to once again this year, $147 million to the Brazilians to make us trade compliant. We've got to stop this.

Nobody really believes that we're going to do a farm bill this year. Nobody really believes we're going to do one next year. And so we're going to be doing this year after year after year, so that means that we're going to continue to do this unless we stop it. I can tell you if we pass the Kind amendment tonight, we will be back and we'll reform our cotton subsidies in a way that will make us trade compliant. We'll go back and accept the Flake amendment that passed in the Appropriations Committee that perhaps took the money from the cotton program.

We don't need to continue to ask the taxpayers to pay off the Brazilians so that we can continue out-of-step subsidies to our own farmers. That's what this amendment is about. I commend the gentleman for offering it.

And I would yield to the gentleman from Wisconsin.

Mr. KIND. I appreciate the gentleman yielding, and I appreciate his support of this amendment and the leadership that he's shown not only in committee but throughout the years when it comes to sensible farm bill reform.

The easiest way for us to come into trade compliance isn't by bribing the Brazilian government to get them to not enforce the sanctions that it can under WTO; it's fixing this domestic program, and doing it now rather than waiting years from now, as my colleague just pointed out, for the next farm bill. I know this isn't easy, and I know the committees wrestles with a lot of different constituent problems. I used to serve on the committee.

I'm not asking anyone here tonight to do anything differently than what I'm asking my producers to do in my district of Wisconsin and in my State, and that's taking a haircut. The reforms that I've been proposing through the years would require my district to take a haircut on these agriculture subsidies. It's not always easy standing up to groups that are getting something from the government and saying we can't afford it, nor can we justify it, with the market and with the deficit. But that is what it's going to take for this body to come together if we are going to be serious about deficit reduction and getting the spending under control.

□ 2120

I know that the Agriculture Committee has their hands full, and I know they would rather just defer this next decision until the next farm bill and put it off. But we don't know when that's going to be. But the thing we do know for certain is there is $147 million going out the door every year right now that we can stop doing tonight with the passage of this amendment.

Mr. FLAKE. I just want to make a point that everybody needs to take a haircut here if we are going to get this debt and deficit under control. We shouldn't ask the taxpayers once again to pay off the Brazilians so we can continue out-of-step subsidies to our own farmers.

We have a cotton industry in Arizona. They may take a hit because of this, but everybody has to take a haircut. Everybody has to contribute here to getting this deficit and this debt under control. And if we can't start with a program like this, I don't know where we'll start.

After this amendment, I plan to offer an amendment that will go after the programs that actually make us nontrade compliant. I will be glad to give up on that amendment, not offer it at all, if this amendment is allowed to pass. But if it is called for the ''noes,'' then I plan to offer the amendment after this.

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

Mr. PETERSON. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. PETERSON. Mr. Chairman, you know, this is kind of a surreal debate because I don't think we're talking about the real issue here. You know, the cotton program isn't perfect. A lot of the programs that we have in the Agriculture Committee aren't perfect. Freedom to Farm, it was passed in '96. It got us into some of these problems. I opposed. It saved a little bit of money, and then we ended up spending 10 times as much money bailing people out when it collapsed. So you have got to be careful what you are doing.

But the problem here is, we're arguing about something that no longer exists. This program that they sued us under no longer exists. We have fixed it two or three times. We tried to address this. It was never good enough for the Brazilians. But we made some changes, and we made some more changes, and then we made some more changes in the 2008 farm bill. It's still not good enough for them.

Cotton went through some very difficult times. I don't have any cotton in my district. This is not a parochial

issue for me. But if they wouldn't have had that safety net, we would have been out of the cotton business. But what was going on at the same time? We had Brazil using government money to increase cotton production in Brazil. And this is something that isn't considered in the WTO because we are such geniuses that we agreed to this agreement that tied our hands and gave our competitors the ability to eat our lunch. And that's what's going on.

You know, JBS, which just took over a big part of the livestock industry in this country, is financed by the Brazilian Government. They own 30 percent of JBS. Nobody complains about that. The Brazilian Government created most of this competition that collapsed the cotton prices worldwide.

And then we agreed to let China into the WTO, and they promised that they weren't going to go into cotton production. We shipped our textile market to China and collapsed all of our textile industry. And what happened? They increased production like crazy. India increased production like crazy. Our cotton prices went down below the cost of production because of these trade agreements that we got involved in. But the way they're structured, there's nothing we can do about it. But they're going to sue us over a little step two program that we now got rid of, trying to keep our people in business.

Now, if you want to ship the whole cotton industry to Brazil and China and India, you are on a good start to doing that. And if you keep on this road, you're going to ship the rest of agriculture to these so-called developing nations that are not developing nations. If you've been to Brazil, in agriculture, they are anything but a developing nation; but they're protected under the rules that we agreed to in this WTO deal.

So is this a perfect solution? No. But we couldn't get the Brazilians to honestly sit down and work this out because they don't want to. They're trying to use this for other reasons, for other advantages in these trade negotiations and so forth. And I don't think we can ever do anything to satisfy them.

So there's more to this than people are talking about here. This is not about saving money. This is about making sure that we can have a safety net in this country so we can maintain production of agriculture in the United States and not ship it all to other countries and not get dependent on foreign countries for our food, like we've become dependent on foreign countries for our energy. That would be the worst thing that could happen to us.

So I just hope people understand all of the different ramifications. This isn't a perfect deal; but for the time being, it's probably the best solution that we can come up with.

I yield back the balance of my time.

Mr. LUCAS. Mr. Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Oklahoma is recognized for 5 minutes.

Mr. LUCAS. Mr. Chairman, I rise in opposition to this amendment.

I want to return for a moment, I think, to the focus of the discussion. I want to be absolutely clear. If this amendment passes, it will—it could incite a trade war. Brazil could immediately impose $800 million in retaliatory tariffs on a variety of U.S. goods.

I promise you, they won't retaliate against U.S. agricultural products. They'll go after ag chemicals and biotechnology products. And they'll go after veterinarian medicines and software and books and music and films. They'll go at everybody outside of production agriculture with their $800 billion in retaliatory tariffs.

Now, we can debate how we got here; and my colleague, the ranking member, gave a very good history of what led us to this point. But this amendment right here, right now would expose the U.S. to job-killing sanctions on goods valued at $800 million.

In 2010, the Obama administration finalized a framework agreement with Brazil that was a critical step in resolving this dispute about the U.S. Upland Cotton Program and export credits. And, yes, under the agreement, Brazil agreed to delay trade sanctions, trade retaliation until the 2012 farm bill was developed and put together. This amendment would circumvent the legislative process in what could only be described as a haphazard way that should be a relic of the past.

This amendment is an attempt to circumvent regular order, the democratic policy process, by changing policy on an appropriation bill. Now, I can assure you, I plan and we will have a full and open process when we start the farm bill debate. We'll debate the relevant issues dealt with in this amendment.

And on that note, I would serve a notice for record that next week, we plan to start the process of conducting an audit of all farm programs. This audit is just the beginning of the comprehensive and transparent process we'll use to draft the 2012 farm bill. Policy changes will be considered carefully with the input from industry stakeholders and constituents and within the larger context of improving the competitiveness and long productivity of American agriculture.

Let's not incite a trade war. Let's return to regular order. And if nothing else, my friends, remember, this bill is 13 percent lower than the previous spending bill. This Ag approps bill takes us almost back to 2006. We are giving our share in this appropriations process. And everyone in this room knows that whether it's the regular farm bill next summer or if we have some grandiose understanding on the national debt ceiling and spending, the deficit, we could well have a farm bill dramatically quicker than next summer, and we'll have a farm bill that reflects a dramatic reduction in resources compared to past farm bills.

Let the Ag Committee in regular order craft the policy, and then when we bring it to the floor—all of our friends, expert ag economists, we all may be together—you will have your shot, as you've had before. But please don't incite a trade war. Please don't ignore the regular order of appropriation authorization. Please be rational in what you do. We've got tough decisions ahead of us. Collin and I and the rest of the committee, we know that. We're going to do what we have to do. But let us do it in regular order, not in this fashion.

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

Mr. BISHOP of Georgia. I move to strike the requisite number of words.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Georgia. Let me just say this: Georgia is the second-largest cotton-producing State. It accounts for approximately 10 percent of the U.S. cotton production. In 2011, Georgia farmers intend to plant almost 1.5 million acres of cotton.

□ 2130

The average farm-gate value is more than $600 million. There are approximately 2,800 businesses directly involved in the production, processing, and distribution of cotton. Accounting for the broader economic effects, the Georgia cotton industry supports more than 46,000 jobs, and it generates economic activity of approximately $11 billion.

Now, the proponents of these amendments target provisions in the cotton programs that are at the center of a WTO trade case which Brazil has against the United States. The U.S. and the Brazilian Governments have scheduled a series of consultations designed to identify the modifications in policy that will resolve the case. The intention is to reach agreement on carefully thought-out provisions that can be included in the 2012 farm bill.

These hastily drafted amendments are not guaranteed to resolve the dispute, 1, since the U.S.-Brazil consultations have not resulted in any specific agreement and, 2, since these approaches will certainly undermine the future discussions as the two countries attempt to reach a final resolution that's fair and that is reasonable.

The amendments target cotton farmers in an effort to reduce government spending. The 2008 farm bill, including the cotton provisions, was fully paid for, offset, and did not add one single dime to the deficit. They cite the years in which the government's support for cotton was historically high, but they ignore the years when the support actually is at historic lows. We need to maintain the safety net so that it's there when it's needed but not utilized, as it hasn't been recently, when it's not needed.

Farmers understand the current budget pressures. They understand that very well. But they expect to be a part

of a debate involving all of the agricultural stakeholders, and not be singled out for ad hoc budget reductions with hasty policy decisions.

These proposed amendments would nullify the basic component of cotton policy. If these amendments are enacted, they would take effect October 1, and, as a result, USDA would have to change the cotton program rules in the middle of the marketing year and change them back effective October 1, 2012. This would undermine the confidence in commodity programs, especially among agricultural lenders.

This would compromise our agriculture policy, a policy that has been vetted very carefully by our authorizing committees and relied upon by our growers and our lenders in making their business decisions going into 2012. The reauthorization of the farm bill in 2012 is the proper forum to debate the cotton agriculture policy, not here on this appropriations bill.

We have got to do what is right in regular order. This is not the time. It's not the place. And what we're doing tonight, if they go forward with this, is pulling the rug out from under our cotton farmers and our agriculture when they have made financial plans through 2012. It is unfair; it's not right, and we should not do it.

I urge my colleagues to reject these amendments. They are ill-advised.

I yield back the balance of my time.

Mr. FARENTHOLD. I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. FARENTHOLD. I would like to speak in opposition to this.

The ranking member gives a great history lesson on how this comes out. The previous farm bill—passed by primarily Congress controlled by your side of the aisle—created a situation with our cotton subsidies that has caused a problem with Brazil, and we are trying to work it out.

My colleagues on this side of the aisle and many of the colleagues on the other side of the aisle are also concerned that this government as a whole, through the regulatory process, picked the regulatory agencies, making it very difficult and unpredictable for businesses by changing the regulatory environment.

Our businesses are holding back, not investing, not creating jobs. But we're about to do the same thing ourselves right here with this amendment by yanking the rug out from under our cotton farmers, who have built their businesses, made their plans based on the promise of the last farm bill.

You know, I love to save money for this government. I'm none too happy to see this money going to Brazil. But we basically lost a lawsuit and we're having to pay the damages. And we're going to fix it in the regular order without yanking the rug out from under the farmers, who are the backbone of this country, by changing the rules in the middle of the game. Give us until next year to get that farm bill out, and we will address it.

Even though it didn't rise to the point of order, this really does rise, in my opinion, to the level of legislating within an appropriations bill.

I don't like spending the money. I don't like sending it offshore. But we cannot change the rules in the middle of the game. We cannot move the goalposts for our farmers, many of whom are small, private farmers who have built their future, taken out loans, decided to buy more land, decided to buy more equipment, based all their business decisions on the promise that this government made to them in the last farm bill. And changing the rules at this point is absolutely wrong, and I encourage my friends and my colleagues to vote against this amendment.

I yield back the balance of my time.

Mr. DEFAZIO. I move to strike the last word.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. The gentleman that preceded me said we lost a lawsuit. We didn't lose a lawsuit. If he knows anything about the WTO dispute resolution process, no conflict of interest, no open litigation, no legal proceeding as we in the United States of America understand it. A closed group with no conflict-of-interest rules that makes rulings. And they have decided that we, under this failed trade policy, should pay tribute, tribute, more than we paid to the Barbary pirates—$147,300,000 a year to the Government of Brazil so we can subsidize our cotton farmers.

Now, you go home and explain that to your constituents. We'll borrow $147,300,000 from China and we'll send it to Brazil so we can subsidize our cotton farmers.

What is this all about? It is about a totally failed trade policy. And at some point, this Congress has to take a stand.

RON PAUL and I, a number of years ago, 3 years ago—we get to do it once every 5 years—offered an amendment to withdraw the United States of America from the WTO. That will come up soon. I hope you'll all support it. It is something that binds us and is destroying our industries, our farmers, and everything else that's great about this country. I voted against the WTO.

This isn't about so much as a failed farm policy or farm bill, as the gentleman outlaid. It's about totally failed trade policies.

Other countries want to protect their agricultural interests. They want to feed their own people. They don't want to import polluted food from China.

We've opened up our country to polluted foods and goods from China and Brazil and everyplace else in the world with the WTO and these trade agreements. They don't observe them. We go and we lose this dispute and say, oh, we've got no choice but to pay. We have a choice. Let's not pay. We're not going to pay the tribute. We're not going to borrow the money from China. We're not going to send it to Brazil. Let's see what they do next. And maybe we can blow up this thing called the WTO and get back to something that protects our national interests.

I yield to the gentleman from Wisconsin.

Mr. KIND. I thank the gentleman for his comments in support of this amendment. And just one final point to my colleagues who have been supportive of trade agreements in the past.

Let's be honest with ourselves. If we're going to be a part of this WTO organization to establish rules of trade across borders, then let's not turn our back on an adverse decision that affects us. Let's, instead, comply and bring the cotton subsidy program into compliance. That is the answer to this. And let's end this nonsense of stacking subsidy program on top of subsidy program to just buy off and blackmail other governments who have a WTO decision in their hands.

And I cannot believe that this evening, when we're asking for huge, unprecedented cuts in conservation programs that will affect thousands of farmers throughout the country and unprecedented cuts with nutrition programs that will affect thousands of low-income families with their children, and seniors, saying, ''Tough luck. We're operating under tough budget times. You're just going to have to do without,'' when it comes to a simple amendment like this to save $147 million a year to bribe Brazil cotton producers and an unwillingness to go into the title I subsidy programs for cost savings, then what the heck are we doing around here?

□ 2140

It is just beyond the pale that we're willing to take the deep cuts—and the chairman of the Agriculture Committee claimed a 12 percent cut in the farm bill, but he didn't say where those cuts were coming from. I'll tell you where it's not coming from. It's not coming from these subsidy programs. It's not coming from the cotton subsidy program that has gotten us into this problem. A handful of powerful cotton families are holding this institution hostage in order to maintain these subsidy programs that have benefited them for too long. Talk about benefiting the few at the expense of the many; this is the classic example of this Agriculture appropriation bill before us this evening. We can do a heck of a lot better.

Mr. DEFAZIO. I will reclaim my time to say we may have some differences over the underlying trade agreement and the mandates and the process which got us to this point, but I agree, subsidies—or bribes—on top of subsidies is insane in these tough budget times.

And I would just note that we're going to be confronted very soon with another limitation amendment on another bill where we're going to have a

choice: We're going to abandon the American trucking industry to Mexico—which is, again, exacting tribute from the U.S., $4 billion a year worth of tariffs, to try and drive our companies south of the border to use Mexican drivers.

So time and time again these trade agreements are failing us. I think it's bigger than the problem of the subsidies in the farm bill, and this Congress needs to pay attention. One way or another, we're either going to get real about our deficits and what's really essential to the American people—feeding our people, clothing our people, and putting American people to work—or we're going to abandon ourselves to this failed notion of the WTO and other trade agreements.

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

Mr. BRADY of Texas. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BRADY of Texas. Mr. Chairman, the world has changed. It's not enough to simply buy American anymore, we have to sell American. We have to sell our American agriculture products, our technology products and services all throughout the world. But oftentimes, when we compete, we find much of the world is tilted against us. Other countries cut agreements to make it tough for us to sell. That's why we are involved in the World Trade Organization, to insist that other countries play by the rules, but that means America has to play by the rules as well.

We lost this case in the WTO. So the question today isn't about cotton subsidies or even saving money; it's about the smart way to address this issue that protects American jobs.

Now I am very sympathetic to this amendment. Paying Brazil nearly $12 million a month is not the right way to resolve this issue, and I agree with that. In fact, America should simply live up to its WTO obligation and insist that others do the same as well.

The settlement that's in place today is necessary to prevent Brazil from imposing almost $1 billion of new tariffs, new taxes on American products when we try to sell them into Brazil. And it's not just agriculture products. As you heard Chairman FRANK LUCAS talk, he made the point that not only can Brazil penalize our ag products, they can tax and tariff a broad range of products, especially America's innovation economy. So in your State, if you have companies that produce pharmaceuticals, medical devices, business software, technology, anything in the innovation sector of America, your companies and your workers face the loss of jobs and the loss of product sales because of this issue.

So the smart way to handle this is to deal with this not only in the farm bill, but at the WTO today, insisting that as we end these cotton subsidies, other countries end their agricultural subsidies as well. That is the smart way to resolve this issue that doesn't hurt America and jobs, in fact protects our American intellectual property rights in Brazil and other countries.

This is an issue of doing it the smart way. I oppose this amendment. I urge our colleagues to continue to work together to resolve this issue in a smart way for our economy and a smart way for our jobs.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. KIND).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. KIND. Mr. Chairman, I demand a recorded vote.

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

Mrs. SCHMIDT. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Mrs. SCHMIDT. Mr. Chairman, a few moments ago my friend from California had an amendment that she did withdraw that really wanted to codify into law the USDA's rules regarding the school lunch program. And while I won't go into the lengthy reasons why it's the wrong way to go for nutrition—not just the cost that it bears to the schools, but also the fact that USDA was recommending reducing the consumption of potatoes, corn, peas and lima beans to just one serving a week—which believe me I was shocked. But it wasn't just myself that had this reaction; it was also the California Fruit Growers Association, it was the National School Boards Association, it was the Council of the Great City Schools that wrote a letter. And that's why I and 40 other colleagues wrote to Mr. Vilsack of the U.S. Department of Agriculture in reaction to the promulgation of these rules.

I will enter into the RECORD the testimony I was going to give until she withdrew the amendment, as well as these four letters.

Mr. Chair, I rise in opposition to this amendment. Breakfasts and lunches served in schools are important components of the diets of school age children. Improving the nutritional profile of meals served to school children is very important.

When the USDA proposed a rule that eliminated potatoes from the School Breakfast program and limited the School Lunch program to one cup a week of potatoes, I was very concerned.

On the Agriculture Committee, I have made it frequently known how important healthy living and nutritious eating habits are to me as a person, a mother, a grandmother and as a legislator. It is especially near and dear to my heart when we discuss policies that affect children's nutritional needs.

When I heard that the USDA recommended reducing the consumption of potatoes, corn, peas, and lima beans—I was shocked.

When my daughter was growing up, I took great care to ensure that she ate healthy, balanced meals. Of course, potatoes were a part of that equation. You all know that they are full of potassium, vitamins C and B6, potassium, fiber, and antioxidants. I cannot understand why the USDA would want to reduce school children's consumption of potatoes.

I think that it is short sighted for the USDA to ignore the health benefits that the potato provides. When looking at how to incentivize healthier eating habits, we in Congress need to find a way to encourage and educate program recipients to eat balanced meals.

I think it is very important to make sure that children receive balanced meals, and that certainly includes potatoes.

I, along with forty-one of my colleagues sent a letter to the USDA asking a number of questions about this proposed rule. Mr. Speaker, without objections, I would like to submit a copy of this letter to the RECORD.

Mr. Chair, potatoes, lima beans, peas, and corn are all healthy vegetables that should certainly be in the School Breakfast and Lunch Programs.

Potatoes are an excellent source of potassium and good source of fiber. According to the USDA's own magazine, Amber Waves, potatoes deliver these nutrients at a very low cost.

FNS has estimated that the proposed rule would increase the cost of school meals by $6.8 billion over the next five years. Per meal, the cost will increase by 14 cents per lunch and fifty cents per breakfast.

Mr. Chair, school districts and states across the country are already cash-strapped and cannot afford this increased cost.

This additional burden will be passed onto students paying full price for their meals.

While I agree with the intent of the USDA to encourage the consumption of more fruits and vegetables, whole grains, and lean proteins—restricting the consumption of nutritious vegetables like potatoes, lima beans, peas, and corn is short-sighted and not the most effective approach to achieve that goal.

I encourage my colleagues to vote no on this amendment and instruct the USDA to issue a new proposed rule on implementing the new national nutrition standards for the School Breakfast and School Lunch Programs.

CALIFORNIA LEAGUE OF
FOOD PROCESSORS,
*Sacramento, CA, June 15, 2011.*

Hon. LYNN WOOLSEY,
*Rayburn House Office Building, House of Representatives, Washington, DC.*

DEAR REPRESENTATIVE WOOLSEY: The California League of Food Processors (CLFP) respectfully opposes your amendment to the FY 2012 Agriculture Appropriations bill, H.R. 2112, prevent the Agriculture Department from reissuing more reasonable and cost effective proposed regulations on the school breakfast and lunch program.

CLFP has concerns about USDA recommending school breakfast programs eliminate ''starchy vegetables'' and proposing restrictions on the use of tomato paste and cheese. As I'm sure you remember CLFP members account for 95% of the fruits and vegetables canned, frozen and dehydrated/dried in California and this repersents more than 35% of U.S. production. For a number of preserved food products, California produces 100% of U.S. output, for example tomato paste. These new USDA restrictions could potentially mean the loss of millions of dollars in sales of vegetables, fruit and cheese to the national school program. Its negative effects would ripple throughout the industry,

from farmers, dairymen, package manufacturers, etc. The cost impact of this rule on our schools and food producers should be considered by USDA. Affirmative changes to the meal plan relative to starchy vegetables limits and tomato serving calculations would go a long way to fixing the cost issues that are concerning to schools.

CLFP supports your efforts to help ensure school kids have access to healthy and nutritious meals. However, we urge you to allow USDA to ensure the new rule on school meals is cost neutral and resist efforts by USDA to proclaim vegetables and other healthy foods ''good'' or ''bad''.

Very Truly Yours,

ED YATES,
*President and CEO,*

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NATIONAL SCHOOL BOARDS ASSOCIATION,
*Alexandria, VA, June 14, 2011.*

Re: H.R. 2112—FY 2012 Agriculture Appropriations Bill.

MEMBER,
*House of Representatives, Washington, DC.*

DEAR REPRESENTATIVE: The National School Boards Association (NSBA), representing over 90,000 local school board members across the Nation, is deeply committed to fostering a healthy and positive learning environment for children to achieve their full potential. However, NSBA is gravely concerned about the financial impact of the recent child nutrition reauthorization (P.L. 111–296) on school districts at a time when many are in dire economic straits. Therefore, NSBA supports report language accompanying the FY 2012 Agriculture Appropriations bill that directs the U.S. Department of Agriculture (USDA) to propose new rules that do not create unfunded mandates for school districts.

For example, the USDA estimates a cost increase of 14 cents per school lunch under new proposed standards for school meal programs, even though the available reimbursement increase is just 6 cents. A district serving free and reduced price lunches to 5,000 students faces a potential shortfall of $72,000 annually under this scenario. The Department recommends a number of cost-shifting measures to address the shortfall (such as increased student payments, increased state and local funding, and operational changes), that are unrealistic and unconscionable given the current economic realities for many states and communities.

School districts have already closed buildings, terminated programs and laid off teachers due to eroding local, state, and federal resources. Every dollar in unfunded mandates in the child nutrition reauthorization must come from somewhere else in the educational system and result in more layoffs, larger class sizes, narrowing of the curriculum, elimination of after-school programs, and cuts to other program areas, including school food services.

The new meal standards are just one of many provisions of P.L. 111–296 being implemented over the next two-to-three years and will impose additional costs on school districts. The reauthorization is a hollow promise to our children when it comes at the expense of the education that will help them to succeed.

Therefore, NSBA supports report language accompanying the FY 2012 Agriculture Appropriations bill that directs USDA to propose new rules that do not create unfunded mandates for school districts. Questions regarding our concerns may be directed to Lucy Gettman, director of federal programs at 703–838–6763; or by e-mail at lgettman@nsba.org.

Sincerely,

MICHAEL A. RESNICK,
*Associate Director.*

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COUNCIL OF THE GREAT CITY SCHOOLS,
*Washington, DC, June 14, 2011.*

HOUSE OF REPRESENTATIVES,
*Washington, DC.*

DEAR REPRESENTATIVE: The Council of the Great City Schools, the coalition of the nation's largest central city school districts, writes to call your attention to the proposed federal School Meals regulations that will cost an additional $6.8 billion, and the possible amendment to the FY 2012 Agriculture Appropriations bill, H.R. 2112, by Representative Woolsey that would prevent the Agriculture Department from reissuing more reasonable and cost effective proposed regulations pursuant to the Committee report. The Great City Schools strongly opposes the Woolsey amendment.

Many of the nation's largest urban school districts have been among the leaders in improving the nutritional content of school meals and snacks provided to our students. Yet, our school districts are extremely concerned that USDA is proposing new federal school meals requirements costing an additional $6.8 billion, with over $5 billion in unreimbursed costs shifting on to school district budgets. The newly proposed school breakfast program requirements alone would cost $4 billion, with the federal government providing not one-cent of additional federal reimbursement for these additional meal costs. The Council is skeptical that our formal regulatory comments recommending over $4.5 billion in cost-saving changes to the rule will be accepted by USDA.

Before the Education and Workforce Committee, the San Diego Unified School District explained that they were already meeting all of the proposed new school meal nutritional standards, with the exception of the future sodium requirement, but that the school district would have to scrap its Nutrient-based School Meals program (as would 30% of the nation's school districts) and institute the new meal system required under the proposed USDA regulations, at the additional cost of over $4 million annually to the district. School nutritionists and food service directors point out in regulatory comments that many of the newly proposed school meals requirements are unnecessary, excessive, costly, or counterproductive in the case of the regulatory prohibition on well-tested nutrient-based school meal systems.

Congress unfortunately shortcut the legislative process in passing the Senate's version of the Child Nutrition reauthorization bill in the lame duck session of the 111th Congress. The House child nutrition bill was not considered by the full House, and in fact there was no floor debate on the Senate child nutrition bill, which was adopted by unanimous consent prior to the August 2010 congressional recess. Without a full legislative process, the extent of the unreimbursed costs reflected in the USDA regulations, already under development for multiple years, was not fully examined. The drumbeat of celebrities and food advocacy groups promoting healthier lifestyles, and anti-obesity programs drowned out the practical considerations of cost-effectiveness and local budgetary realities faced by each of your school districts in this economic downturn.

A NO vote on the Woolsey amendment provides an opportunity to underscore the Appropriations Committee report that the Agriculture Department should withdraw its overreaching new federal school meals rules, and reissue a more realistic and workable proposed regulation.

Sincerely,

MICHAEL CASSERLY,
*Executive Director.*

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CONGRESS OF THE UNITED STATES,
*Washington, DC, May 5, 2011.*

Hon. TOM VILSACK,
*Secretary, U.S. Department of Agriculture, Whitten Building, Independence Avenue, SW, Washington, DC.*

DEAR SECRETARY VILSACK: Breakfasts and lunches served in the school setting are important components of the diets of school age children. Improving the nutritional profile of meals served in schools and maintaining participation rates are important priorities. We share your commitment to continually improving the contribution of the school meal to the nutritional needs of school children and to encourage healthy lifestyles for children that are built on a foundation of sound nutrition and physical activity.

USDA recently published a proposed rule on school meal plans to reflect the Dietary Guidelines. That proposal was based in great part on a study by the Institute of Medicine (IOM) commissioned by USDA. The recently released 2010 Dietary Guidelines identified potassium, fiber, vitamin D and calcium as nutrients of concern for all Americans, including school age children. Changes to the school meal plans should take steps toward increasing the consumption of these key nutrients by increasing student access to fruits and vegetables that are either ''excellent'' or ''good'' sources.

Changes to the school meal plans must consider the constraints faced by school lunch providers. School lunch providers need to offer nutritious affordable options that children will eat and that will encourage continued high rates of participation in both breakfast and lunch programs. For many children, the school meals are their prime source of nutrition for the day. Changes that discourage participation will reduce the overall health and wellness of American children.

As we continue to follow the development of the next generation of school meal plans, we would appreciate your thoughts on the following questions:

In the proposed rule, USDA indicates that implementation of the proposal will result in $6.8 billion in increased costs over five years and that small entities will incur 80 per cent of that increase. Do you have estimates on the impact of these cost increases on participation among reimbursed, partially reimbursed and paying participants?

Potatoes are rates as an ''excellent'' source of potassium and a ''good'' source of fiber. According to a recent article in the March 2011, USDA magazine, Amber Waves, potatoes deliver these nutrients at a very low cost. What is the rationale for eliminating potatoes from the breakfast meal and limiting them to one cup a week when they provide cost effective access to two key nutrients of concern identified by the IOM?

By limiting access to potatoes and other starchy vegetables, the proposed meal plans seem to advance the notion that this will increase the consumption of the orange, green and other types of vegetables otherwise offered. Is there science to support the theory that consumption of orange, green and other types of vegetables will increase is offered more often? What science exists that measures this type of vegetable menu change on nutrient delivery?

The starchy vegetable category includes vegetables with a variety of nutritional characteristics. What are the key characteristics that USDA identified which link the vegetables placed in this category, and how are they distinct from other vegetables excluded from the starchy vegetable category?

According the nutrition experts, bananas and potatoes are very similar in their nutritional makeup. This goes beyond both being

rich in potassium. It includes similarities in carbohydrates, dietary fiber and other nutrients. Should both bananas and potatoes have serving limits in the proposed meal plans?

The meal plan acknowledges a preference for orange and dark green vegetables? Is there sufficient science to support such a preference for orange and dark green vegetables? Would Irish potatoes with yellow, purple or other flesh color be considered starchy vegetables?

According to the proposed rule, lima beans in the fresh, canned or frozen form are considered starchy vegetables. In dried form they are legumes. Are there nutritional changes between the forms that support such a distinction?

The proposed meal plans are based on consumption data available from 2002 that was reviewed by the IOM for their report. Did USDA evaluate the applicability of that consumption data on potatoes and other starchy vegetables, given changes in preparation methods for products currently offered in school?

Are the serving limits on starchy vegetables, and potatoes in particular, based primarily on the nutritional profile of the product or on the preparation methods for the product?

Thank you in advance for your feedback to our questions. We look forward to working with you toward our common goal of improving the well-being of our nation's school children.

Sincerely,

Jean Schmidt, Joe Baca, Rick Berg, Ken Calvert, K. Michael Conaway, Eric A. ''Rick'' Crawford, Renee L. Ellmers, Wally Herger, Bill Huizenga, Raúl R. Labrador, Dan Burton, Dennis A. Cardoza, Jim Costa, Sean P. Duffy, Stephen Lee Fincher, Jaime Herrera Beutler, Steve King, Doug Lamborn, Tom Latham, Tom McClintock, Michael H. Michaud.

Devin Nunes, Collin C. Peterson, Chellie Pingree, Gregorio Kilili Camacho Sablan, Michael K. Simpson, Robert E. Latta, Cathy McMorris Rodgers, Candice S. Miller, William L. Owens, Thomas E. Petri, Reid J. Ribble, Kurt Schrader, Adrian Smith, Marlin A. Stutzman, Scott R. Tipton, Greg Walden, Steve Womack, Lee Terry, Fred Upton, Timothy J. Walz, Todd C. Young.

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

AMENDMENT OFFERED BY MR. DINGELL

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following new section:

SEC. ____. The amounts otherwise provided by this Act for ''Departmental Administration'', ''Agriculture Buildings and Facilities and Rental Payments'', administrative expenses under the third paragraph under ''Agricultural Credit Insurance Fund Program Account'', administrative expenses under the fourth paragraph under ''Rural Housing Insurance Fund Program Account'', and ''Foreign Agricultural Service—salaries and expenses'' are hereby reduced by, and the amount otherwise provided by this Act for ''Food and Drug Administration—salaries and expenses'' is hereby increased by, $5,000,000, $20,000,000, $10,000,000, $4,000,000, $10,000,000, and $49,000,000, respectively.

Mr. DINGELL (during the reading). Mr. Chairman, I ask unanimous consent that the reading of the amendment be dispensed with.

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

There was no objection.

The Acting CHAIR. The gentleman from Michigan is recognized for 5 minutes.

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

Mr. DINGELL. Mr. Chairman, this is a good amendment.

At a time when 30 people have been grossly sickened and died in Germany and 3,000 have been sickened, we are cutting Food and Drug's enforcement budget. The legislation would cut the food safety budget of FDA by $87 million below fiscal year 11, and $205 million below the President's fiscal year 12 request.

We are witnessing now one of the deadliest E. coli outbreaks ever overseas in Europe, and that infection is spreading across the society of the world. My amendment has the support of the Consumers Union, Pew Charitable Trusts, the Center for Science in the Public Interest, U.S. PIRG, and the National Women's Health Network.

It is time for us to understand that every year in the United States, 3,000 Americans are killed with bad food, 128,000 are hospitalized, 48 million are made sick. We have imported food that is causing all manner of difficulty: Bad peanuts with salmonella, bad mushrooms, E. coli in peppers, melamine in dairy products, salmonella in eggs, bad shellfish and fish from China.

The amendment sees to it that Food and Drug has the resources it needs to do the job to protect the American people from bad food being imported into the United States. We are able to inspect less than 1 percent of the food coming into the United States. This is a positive risk to the American consuming public.

The situation here is indefensible. The House last year passed major improvements in our food safety laws. And we saw to it—we had a funding mechanism which was removed by the Senate. But without the adequate funding that this amendment would afford to our people, we will find that they are at risk of serious health dangers from bad food and from sickness that comes with those things. We are here, by this amendment, giving Food and Drug the resources that it needs, some $49 million, to see to it that these imported foods and other foods are safe.

□ 2150

This is extremely important. And while you might say, well, I don't know whether it is going to affect me, somebody in this country is going to get sick because bad food came in and because it kills people when that happens.

I urge my colleagues to support the amendment until we can get ourselves in a situation where we have proper and adequate funding for Food and Drug to see to it that our people are safe from imports which are causing sickness, illness and death to the American people.

The legislation, unfortunately, does cut the food safety budget, and it cuts it in ways which are threatening a piece of legislation which has strengthened Food and Drug with the support of not just farmers and consumers, but also of the food processing industry, which rallied around and supported the legislation along with consumer groups and all of the other sources in industry, recognizing we desperately need something to be done to ensure that our people do not get sick and die from bad imported foods.

I urge my colleagues to support the amendment. I urge them to do so with vigor until such time as we can get a fee system in place which will adequately support Food and Drug and see to it that our people can sleep easily after they have a full meal knowing that the food they have consumed is safe.

I yield back the balance of my time.

Mrs. LUMMIS. Mr. Chairman, I rise with great temerity in opposition to the amendment by the great gentleman from Michigan.

The Acting CHAIR. The gentlewoman from Wyoming is recognized for 5 minutes.

Mrs. LUMMIS. Mr. Chairman, I would note that over the last 2 days we have heard how ag credit and rural housing have had deep cuts in this bill, and yet now we have an amendment that would cut more from them and would impart those funds on a program that between fiscal year 2004 and the current fiscal year has experienced a net budget authority increase of $2 billion, a 121 percent increase, and over the same time period, direct appropriations increases of over $1 billion, or 75 percent. Implementation of the Food Safety Modernization Act of 2010 would require an additional $1.4 billion in new budget authority. If the President's budget request were adopted, the result would be a 156 percent increase for FDA since 2004.

This level of spending is unsustainable. While the recommended funding level for FDA in this bill is an 11.5 percent decrease below the amount provided in the fiscal year 2011 continuing resolution, the subcommittee's overall allocation was reduced by 13.4 percent. Hence, this program suffered a smaller reduction than other programs within the budget.

Once again, with these massive increases in budget authority and in actual spending through direct appropriations over the time period 2004 and the current fiscal year, Mr. Chairman, and given the fact that ag credit and rural housing have already taken the types of deep cuts that are referenced in the rest of the bill, I urge my colleagues to defeat the amendment.

I yield back the balance of my time.

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

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. PALLONE. I rise in support of the Dingell amendment to partially restore the Food and Drug Administration funding to the fiscal year 2012 agriculture appropriations bill.

I listened to what my colleagues said on the other side of the aisle. The fact of the matter is that today's bill slashes the FDA by $572 million, or 21 percent, below the President's request, and by $285 million, or 12 percent, below this year.

I beg to differ with the gentlewoman. This is not the time to be cutting the FDA's budget. We have had many scares. We have had many outbreaks. We have had people die. We have had people become seriously ill. That is why in the last Congress we passed the landmark Food Safety Act, because we wanted to have increased inspection of food manufacturing plants, increased scrutiny of imported foods, and development of the capability to more quickly respond to food-borne illnesses and minimize their impact.

I don't know about you, but when I go home, I hear a great deal of concern about the quality and the safety of our food supply and our groceries. When people buy food in the supermarket, when they go and buy it at a roadside stand, they are very concerned about the quality of the food and whether they are going to get sick. That is why we passed the landmark Food Safety Act. It is clear that we have just recently had the E. Coli breakout. The Nation's food supply is so extremely vulnerable, and the FDA must be equipped to keep it safe.

The FDA has important responsibilities to protect and promote the health of the American people. To succeed in that mission, FDA must ensure the safety of not just food, but drugs and medical devices that Americans rely on every day. They don't just need to oversee the safety of the products. They also need to be involved in facilitating scientific innovation that makes these products safe, effective, and more affordable.

Now, these efforts are especially critical today because I believe that American competitiveness depends on our ability to innovate. To do that, we must properly fund key agencies like the FDA that are essential to assisting in the development of new drugs and devices. FDA places a high importance on promoting innovation. In fact, they are currently developing a new Innovation Pathway, an initiative to help promising technologies get to market. But let me share something with my colleagues. One of the FDA's senior leadership staff testified before the Energy and Commerce Health Subcommittee recently and assured us that these cuts would prevent such efforts from moving forward.

What I am trying to emphasize is that whether you look at it from the point of view of the food supply, whether you look at it from the point of view of innovation, to make cuts in the FDA budget simply makes no sense.

It is crucial to job creation. It is crucial to people feeling safe about what they eat, and the government has to be responsible for facilitating an environment where Americans can continue to innovate. It is a key to creating new thriving industries that will produce millions of good jobs here at home and a better future for the next generation. If government abandons its role, we run the real risk of squandering too many opportunities that lead to innovative discoveries and great economic benefits.

Mr. Chairman, the bottom line is the funding level put forth in today's appropriations bill is inadequate. FDA is already an underfunded agency. If we don't continue to give the FDA the resources it needs to complete its mission, they cannot support initiatives that save lives and create jobs; and these are priorities that Congress should embrace.

I listened to what my colleagues say on the other side of the aisle. I understand we have to be concerned about funding and budgets and that we have a deficit. We also have to figure out what is important as a priority. The American people have told us that food safety is a priority. That is why we passed this landmark bill last year.

There has to be a significant increase in funds, even in this environment, if we are going to keep the food supply safe. If we don't do that, a lot of economic activity is also going to suffer, including innovation, including what we can do for the future to keep this country competitive. So I understand what she is saying, but I also think that it is very important to restore these funds.

I want to commend my colleague, Mr. DINGELL, for putting forth this amendment, and I would ask my colleagues to support the amendment.

I yield back the balance of my time.

Mr. KINGSTON. Mr. Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. I stand in opposition to the amendment, but with great admiration for the author of the amendment—but still disagreement.

Now, the previous speaker actually said that FDA funding has been slashed. FDA is funded both with direct appropriations and with fees. Last year, their funding level was $3.6 billion. This year, it is $3.64 billion. It is a little bit more. I would say it is level funding. But FDA funding has not been slashed, and it is very important for us to realize that.

Number two, let me show you something about the FDA funding history, Mr. Chairman. If you can see this, this chart actually goes back to 2000 and goes up to 2011. It has been nothing but a 10-year climb uphill for the FDA. And while a lot of people are saying the FDA funding is slashed, there is not even a slight dip in any of this 10-year funding chart. It is very important for us to realize that.

□ 2200

Now, the second point is, in the FDA hearing, I was concerned about FDA's ability to do food safety and to take on this big mission. Here is why:

You hear the figure of about 48 million foodborne illnesses—a very high number which we are enormously concerned about—but 20 percent of those illnesses are from known, or specified, pathogens. Nearly 60 percent of the illnesses from known pathogens comes from the Norovirus. So how do we address this?

The CDC tells us on their March 4 memo that appropriate hand hygiene is likely the most important method to prevent the Norovirus infection and to control transmission. Reducing any Norovirus present on hands is best accomplished by thorough handwashing. Now, in the FDA's 630-page budget request, there is not one mention of Norovirus. I believe that that's relevant.

The second point: The second highest cause of illness is salmonella; but under its authority, the existing authority, before the Food Safety Modernization Act was passed by the House, the FDA updated its own food safety as respect to salmonella. They are saying—and this was according to their own press release in July of last year—that as many as 79,000 illnesses and 30 deaths due to the consumption of eggs contaminated with salmonella may be avoided. That was last year. That was before a new bureaucracy. This bureaucracy, by the way, over a 10-year period of time, will cost $1.4 billion and will hire 17,000 new Federal employees.

The third highest cause of foodborne illnesses is clostridium. Again, in the FDA's 630-page budget request, it was only mentioned once.

I want to say something else that is very important. Do we believe that McDonald's and Kentucky Fried Chicken and Safeway and Kraft Foods—and any brand name that you can think of—aren't concerned about food safety? The food supply in America is very safe as the private sector self-polices because they have the highest motivation. They don't want to be sued. They don't want to go broke. They want their customers to be healthy and happy and to come back and give them repeat business.

Now, in response to the 2006 E. coli outbreak that happened in California with spinach, where three people died and 200 consumers were sickened, the California Leafy Green Products Handler Marketing Agreement was made. This is a private sector agreement which has done already 2,000 farm audits on a voluntary basis. Nearly 200 billion servings of lettuce and spinach and other leafy greens produced under this program have been surveyed. It is a successful private sector initiative, and those types of things happen all

the time in the private sector, but we're blind to it.

Here are some numbers from the CDC. It's very important because I think America loves to beat itself up over things all the time. The CDC numbers, Mr. Chairman: There are 48 million foodborne illnesses reported a year, 128,000 hospitalizations, 3,000 deaths. Those numbers are very high. I'm very concerned about it. That's why we spend a lot of money already on food safety.

I yield back the balance of my time.

Mr. CONAWAY. I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CONAWAY. Mr. Chairman, I yield to my colleague from Georgia (Mr. KINGSTON).

Mr. KINGSTON. I thank the gentleman for yielding.

I just want to continue with this, Mr. Chairman.

You have 311 million Americans eating three meals a day. That's 933 million meals eaten each day. That's nearly 1 billion food consumption events in our country, which is over 360 billion meals consumed. If you do the math in going back to the 48 million foodborne illnesses, according to the USDA, our food safety rate is 99.99 percent.

I want to address the 48 million, but what I also suggest to you is that we can spend $45 million more for FDA funding; we can spend $100 million more or we can spend $1 billion more, but I don't think you can increase this number of a 99.99 percent food safety rate according to the CDC. So, in these times of very tight budgets, it is very important to keep these facts in mind.

I am going to close with this statement by the Democrat Secretary of Agriculture, Tom Vilsack, and this was as of yesterday. He said he is ''reasonably confident'' that U.S. consumers won't be faced with the same sort of E. coli outbreak now plaguing Germany. He goes on and explains why—because of the current food safety laws in place and the current food safety funding.

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

Mr. FARR. I move to strike the last word.

The Acting CHAIR (Mr. DOLD). The gentleman from California is recognized for 5 minutes.

Mr. FARR. I yield to the chairman, the gentleman from Michigan (Mr. DINGELL).

Mr. DINGELL. I thank my good friend for yielding to me.

I want to thank my colleagues on both sides of the Appropriations Committee and their extraordinary staffs for their courtesy to me as we have gone on through this legislation and through the discussion of this amendment.

I've listened to my Republican colleagues tell us how great we're doing. My good friend, for whom I have enormous fondness, presents us with a bunch of pictures of food. It looks great. Maybe it's safe and maybe it's not. He has got a bunch of numbers that say that it's 99.99 percent safe. That sounds wonderful.

But what are the real facts? All right.

The real facts are that, at the time that this cut is going into place on Food and Drug's budget, 3,300 people have been sickened in Germany with a particularly dangerous form of E. coli, and 30 people are dead. It is spreading across the German borders into other countries.

Now, how are we doing over here?

First of all, Food and Drug has been starved of resources for years and has not been able to provide the necessary protection to the American people from imported food, which is coming in and is, frankly, sickening people.

What is the situation? Salmonella and peanuts, bad mushrooms from China, E. coli in peppers coming in from Mexico, melamine in dairy products. It kills kids. It kills babies. It causes all manner of health risks and dangers.

There are bad pharmaceuticals coming in. We haven't been able to get ahold of that problem yet, but I'm going to try and get a bill that will address that; and I'm going to try and see to it that we get a fee system that will enable us to not have to quarrel about these moneys on the House floor.

But in this country, let's look. If this is going so well and if the Secretary of Agriculture is so right and if my dear friend from Georgia is correct, then there is really nothing to worry about; and I would like somebody around here to tell me what I'm then going to tell the 3,000 people who are killed in this country by bad food every single year. 128,000 of them are sick enough that they have to go to hospitals. On top of that, 48 million people get sick.

There is no way on God's green Earth, with the budget that Food and Drug has, that they can properly and adequately protect American food and protect the American people from the dangers of bad imported food. China is the Wild West. The stuff that they're exporting to the United States, quite frankly, I'm not sure I'd feed my hogs.

Having said these things, it is time for us to stand up to the problem and to say, Okay. We're going to spend the money that's necessary to keep people safe. We are talking about $49 million here. A lot of money. But how much do you think it takes to bury 3,000 Americans? How much does it cost to take care of 128,000 people who are hospitalized every year because of this? or to take care of the 48 million people who get sick? and the mothers who lose babies because of bad milk and things of that kind that come in from China, where they put melamine in them to up the fictitious levels of nitrogen and protein?

So I beg you, let us do what is necessary to see to it that Food and Drug has the funds that they need to do the job to protect the American people.

Mr. DINGELL. Mr. Chair, I have an amendment at the desk. This legislation before us would cut the food safety budget of the U.S. Food and Drug Administration (FDA) by $87 million below FY 2011 and $205 million below the president's FY 2012 budget request. At a time when we are witnessing one of the deadliest E. coli outbreaks ever overseas in Europe, the House stands ready to cut funding for our food safety systems. This is indefensible and why I am offering an amendment that will which takes $49 million from several administrative accounts at the U.S. Department of Agriculture (USDA) and transfers them to FDA for the implementation of the Food Safety Modernization Act (FSMA), of which I am the author. Specifically, this amendment cuts $5 million from the Departmental Administration account, $20 million from the Agriculture Buildings and Facilities and Rental Payments account, $10 million from administrative expenses under the Agricultural Credit Insurance Fund, $4 million from administrative expenses under the Rural Housing Insurance Fund, and $10 million from the Foreign Agricultural Service.

I want to make clear that the offsets I am offering are difficult, and not accounts which I would cut in normal circumstances. However, these are not normal circumstances, and the draconian cuts already made by this legislation to the food safety budget leave me with no other choice. The cuts to the USDA General Administration Account and to the Buildings and Administration Account are certainly damaging. I believe in the good work USDA is doing to promote agriculture in this nation, but these specific accounts did not receive as large a cut as others. The safety of our nation's food supply must take priority over these administrative accounts.

Furthermore, the cut to the Agricultural Credit Insurance Fund, which provides loans to farmers when they can not obtain them in the private sector, will be taken from an administrative account which will not affect the loan levels to farmers in need. The cut to the Rural Housing Insurance Fund, which guarantees some rural housing loans, will also be taken from an administrative account which will not impact the loan level. Finally, while I am supportive of the Foreign Agricultural Service and their work to promote agricultural exports overseas and their international development efforts, I believe the American people would agree that at a time when we recently had a recent scare with Salmonella in eggs and authorities have agreed that the E. coli outbreak which is impacting Europe could happen here, our priority must be on the safety of our own food supply.

I want to make it very clear that the money given to FDA by my amendment is intended for their food safety activities. Last Congress when this institution overwhelmingly passed the Food Safety Enhancement Act, it had bipartisan support, the support of consumer groups, food safety groups and industry, and a guaranteed source of funding for food safety activities. The food safety reform law gives FDA the tools it needs to prevent and detect food-borne illnesses—like the E. coli outbreak in Germany—from occurring.

Under this new law, the FDA has the authority to recall food products, to require food facilities to have safety plans to identify and mitigate risks, and to increase the frequency of FDA inspections of facilities here and

abroad. Unfortunately, a dedicated fee to fund the changes to our food system was dropped by my friends in the Senate and now we are witnessing a perfect storm—because of the political whims of my colleagues we are limiting the funding available for food safety activities at the same time the FDA has the responsibility to begin implementation of the historic food safety law.

Year after year we witness devastating outbreaks that sicken or kill innocent people. We have seen E. coli in peppers, Salmonella in peanuts, melamine in milk—the list goes on. A fee system is not a radical concept. The drug industry pays a user fee dedicated to assisting the FDA with the review of new drug applications and the medical device industry pays a user fee dedicated to the review of marketing applications. Such a fee guarantees that the FDA has a source of funding dedicated to their review process free from political posturing.

We can all agree that we must reduce our budget deficit and that all options to cut spending must be on the table. However, at a time when we are witnessing the latest E. coli outbreak in Europe sicken nearly 3,200 people and kill 33, it is unconscionable that we would cut funding from the agency whose responsibility it is to prevent such food-borne illnesses here in the United States.

I urge my colleagues to vote in favor of my amendment restoring funding to the FDA for their food safety activities.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. DINGELL).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. DINGELL. Mr. Chairman, I demand a recorded vote.

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

□ 2210

AMENDMENT NO. 13 OFFERED BY MR. CHAFFETZ

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to pay the salaries and expenses of personnel who provide nonrecourse marketing assistance loans for mohair under section 1201 of the Food, Conservation, and Energy Act of 2008. (7 U.S.C. 8731).

The Acting CHAIR. The gentleman from Utah is recognized for 5 minutes.

Mr. CHAFFETZ. Mr. Chairman, this is a simple amendment to limit the subsidies for mohair.

Mohair is something that back in World War II we needed for our military uniforms. The problem is we haven't used mohair in our military uniforms since the Korean war, and yet the subsidies still continue. So this is a commonsense amendment to simply limit this. This is roughly $1 million a year. This is something that Congresses previously had eliminated. It crept back in.

And this limitation amendment that I would offer, I would urge my colleagues to vote for. My understanding is there's no opposition on either side of the aisle.

I yield back the balance of my time.

Mr. KINGSTON. Mr. Chairman, I support the amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Utah (Mr. CHAFFETZ).

The amendment was agreed to.

AMENDMENT NO. 14 OFFERED BY MR. CHAFFETZ

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to make (or to pay the salaries and expenses of personnel in the Department of Agriculture to make) payments for the storage of cotton under section 1204(g) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8734(g)) or for the storage of peanuts under section 1307(a) of such Act (7 U.S.C. 8757(a)).

The Acting CHAIR. The gentleman from Utah is recognized for 5 minutes.

Mr. CHAFFETZ. I would hope this body would take this amendment with the same pace we did the mohair subsidies, but perhaps not.

This amendment seeks to eliminate the cotton and peanut storage payments that we have been making. I would point out to my colleagues that President Obama recommended terminating this program in his fiscal 2012 budget. No other agriculture commodities receive this type of assistance.

I would like to read a paragraph that's found on the WhiteHouse.gov Web site:

The credits allow producers to store their cotton and peanuts at the government's cost until prices rise. Therefore, storage credits have a negative impact on the amount of commodities on the market. Because storage is covered by the government, producers may store their commodities for longer than necessary. There is no reason the government should be paying for the storage of cotton or peanuts, particularly since it does not provide this assistance for any other commodities.

I happen to concur with the President on this. I hope my colleagues would find this to be a commonsense amendment to say we should not be specifying winners and losers. In this particular case, we're going to offer a storage credit for just cotton and just peanuts. It's something that I think should be eliminated. I would hope the body would concur. I would hope we would understand we're going to have to make some changes in the way we do things. This is one instance where I actually agree with the President. I'm proud to stand in support of that and would encourage my colleagues to support this amendment.

I yield back the balance of my time.

Mr. BARROW. I move to strike the last word.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. BARROW. Mr. Chairman, I rise in opposition to the gentleman's amendment to eliminate storage and handling payments for cotton and peanuts.

I represent a lot of producers of these commodities, and I guess it makes me a little bit more sensitive to why storage and handling is an important part of our agricultural policy and why this amendment could have potentially devastating impacts if allowed to become law.

I believe it's in the best interest of our country to support domestic agriculture. If you think our reliance on foreign oil is a nightmare, imagine what it would be like if we had to rely that much on foreign sources of food and fiber. For that reason, it has been the policy of the Congress for decades to provide a safety net to help protect domestic farmers where prices are low and world markets are unfavorable.

If you represent farm country or if you've ever worked on a farm bill, you have some idea of what a delicate balance it can be to use the different tools at our disposal to craft a law that meets the needs of farmers and consumers. Different commodities have different economies. Prices sometimes swing wildly. Sometimes, even biological differences need to be accounted for.

For example, if peanuts are not stored correctly, they can develop toxicity that renders them not only useless, but dangerous, to the consumer. Storage and handling assistance has been developed as an efficient policy for peanuts because it not only gives the farmer some latitude about how long he can store his crops, but it also improves food safety for the public.

Mr. Chairman, I was on the Ag Committee back in 2008 when we crafted the last farm bill. It's been the law of the land since then and will continue to be until next year. It's the basis on which every farmer has planned during that time. This amendment creates uncertainty for those farmers. It threatens their jobs, and it threatens the domestic production the rest of us depend on.

I believe this amendment is bad policy, and I urge my colleagues to reject it.

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

Mr. CONAWAY. I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CONAWAY. I also oppose the amendment.

This amendment does not save one nickel in fiscal 2012. It's a bit theater. And unlike mohair, peanuts and cotton

have a little different circumstances. The storage that is talked about here is only paid if the prices for these two commodities drops below their loan rate. CBO does not estimate this to happen for the next decade in terms of these prices. The loan rates are substantially below where the current prices are. That means the producers pay for these storage costs as these products are moved to market.

So this amendment, while we debate it for some 15 to 20 minutes, will cost more to debate than it will save for the taxpayers. It is an integral part of the safety net that these producers rely upon.

You've heard this over and over tonight: The Ag Committee is best suited to develop a proper safety net and an ag policy for this country. This country has had an ag policy from its inception. We ought to stand by that ag policy once it's put in place. We put it in place in 2008. Many tradeoffs were made between conservation programs, commodity programs. Cotton and peanuts were in the mix.

We will have those exact same conversations this time next year. The farm bill will come to the floor, and those who disagree with the farm policy that's developed in the Ag Committee will have ample opportunity to come to this floor and make these arguments once again. But to do this in an appropriations bill in basically a drive-by shooting manner, in my view, is wrongheaded. We ought to trust that the Ag Committee will get this work done and get it done properly.

The 2008 farm bill was put in place. Ag producers across this country, bankers across this country, implement dealers across this country have looked at that as a deal. Most folks in the business world don't back up on a deal when they don't have to. And we don't have to in this particular instance because, as I said at the start of this, it does not cost the taxpayer any money as long as prices are high. CBO and most folks estimate that in the near term the prices will not drop below 18 cents a pound for peanuts or 52 cents a pound for cotton.

So I respectfully disagree with my colleague's attempt to alter the farm bill in this way, in an appropriations bill, and I would ask my colleagues to oppose the amendment.

I yield back the balance of my time.

Mr. BISHOP of Georgia. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Georgia. I think this amendment is very, very ill advised.

Storage and handling fees are an integral part of the peanut program and the cotton program. Removal of these fees will strike against the growers, the farmers' bottom line. The current marketing loan rate is $355 per ton. There has been no increase in the peanut loan rate, which is the safety net, since the 2002 farm bill. With the new farm bill expected to take place next year, it's unfair for the program to change dramatically in this final year of the 2008 farm bill.

Peanut growers changed their program from a supply-management program, in 2002, to a marketing loan program. We eliminated the old quota system. This included a price reduction from $610 per ton to $355 per ton marketing loan. The growers will lose even more if the program suffers another $50 per ton reduction due to the elimination of the storage and handling fees.

Peanuts are a semiperishable commodity. This is different from corn, from wheat and other commodities. It is economically unfeasible for producers to store their peanuts on the farm like other commodities such as corn and wheat. Peanuts need a secure and an atmospheric-controlled environment. Peanuts require intense and constant management in the warehouse storage, which a farmer does not have the skills to do.

□ 2220

Without proper management, a farmer's peanuts could go from what is known as a Seg 1 loan price, which is the best, to a Seg 3 loan price, which is contamination due to aflatoxin.

Elimination of the storage and handling program could certainly impact food safety, the safety of the product.

Shellers basically control over 75 percent of the peanuts after the peanuts leave the farmer's control. Since peanuts are semi-perishable and due to the highly concentrated shelling industry, farmers are at the mercy of the shellers in terms of pricing. Shellers could possibly force the farmer to accept a lower price that would cover the storage and handling cost. Farmers then have no alternative in selling their peanuts. That eliminates the competitive edge.

This could effectively lower the loan rate to producers, as I said, by $50 a ton. The storage and handling program has effectively been a no-net-cost program to the government. Thus, the elimination of it will not help to reduce the Federal deficit.

Again, we are here about to pull the rug out from under farmers who have relied upon what this Congress and what this government has done in setting farm policy starting from 2008 to 2012. Why would we come at this point and pull the rug out from under them and upset all of their plans? Many times they have made loans, they've had to purchase equipment, and particularly throughout the Southeast, the equipment that is required for southeastern peanut growers and southeastern farmers is varied. We've got a broad portfolio, unlike the Midwest. We grow multiple crops.

In the Southeast, from Virginia all the way to Texas, you will find that farmers will grow corn; they will grow grain, of course; they'll grow peanuts; they'll grow soybeans; and they'll grow cotton. Each of those commodities at least will require three different kinds of equipment, and the combines and the equipment for cotton costs anywhere from $250,000 to $350,000. Other equipment for peanuts, for grain, $150,000, $500,000.

This is going to undermine the bottom line, it's going to remove the competitive edge that American peanut growers have, and it's going to devastate our ability to maintain the highest quality, the safest, and the most economical peanuts anywhere in the world.

I think this is very, very ill-advised. I think it will undermine American agriculture. It will lessen our food security, and certainly that is the last thing that we need to do because we are already energy insecure.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Utah (Mr. CHAFFETZ).

The amendment was rejected.

AMENDMENT OFFERED BY MS. JACKSON LEE OF TEXAS

Ms. JACKSON LEE of Texas. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 80, after line 2, insert the following:

SEC. _____. The amounts otherwise provided by this Act are revised by reducing the amount made available for ''Agriculture Buildings and Facilities and Rental Payments'' by $13,000,000, and increasing the amount made available for the ''Office of the Secretary,'' by $5,000,000.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. JACKSON LEE of Texas. I thank the Chairman, and I thank the Agriculture appropriations subcommittee for their kindness and their deliberateness in this very long evening and as well the ranking member along with the chairman.

This is a simple amendment about food and about helping more Americans get healthy food. There is not one of us that does not understand how dry and difficult a desert is. This amendment is simply about food deserts in rural and urban areas.

This amendment provides a $5 million increase to the Office of the Secretary to allow assistance to provide relief to those who are suffering from the lack of access to food quality.

This is a healthy child, we would hope. That healthy child needs to have good food. These funds will increase the availability of affordable healthy food in underserved urban and rural communities, particularly through the development or equipping of grocery stores and other healthy food retailers.

Fast-food restaurants and convenience stores line the blocks of low-income neighborhoods, offering few if any healthy options. In rural areas, there may be no access at all. This particularly impacts African American and Hispanic communities and, as I indicated, rural communities.

This climate in the difficult times that we have requires us to be able to

allow families to have access to good food. We also have the issues of obesity and as well nutrition. Food deserts impact many districts, and I will say to you that Texas in particular has fewer grocery stores per capita than any other State.

According to the Kaiser Family Foundation, 32 percent of all children in Texas face a nutrition issue. Targeting assistance to food desert areas will provide healthy food to affected areas, open new markets for farmers, create jobs, and bolster development in distressed communities.

Farmers markets are a good idea, but farmers markets sometimes are difficult to find in our communities. Again, let me emphasize, this is about rural and urban areas. This initiative will provide for the availability of healthy food alternatives to some 23 million people living in food deserts.

Let me just suggest to you that these families that we care for, families, young families of the military, many of you have heard stories where the military families are on food stamps. Many of them live in areas beyond their bases, and some of their families are back home in rural and urban areas. This amendment, which will provide an $8 million gift back to the government, will give a mere $5 million to provide the opportunity for those food desert loopholes, if you will—rural places in our Nation where there are big gaps with access to food, and as well urban areas—to have access to the opportunity for good and healthy food.

With that, I yield back the balance of my time and ask my colleagues to support the Jackson Lee amendment that addresses the question of helping those who need healthy food.

I thank the Chairman for this opportunity to explain my amendment to H.R. 2112, which will reach back into the bill to increase the funding for the Office of the Secretary by $5 million dollars. This increase, provided for by reducing the funding for operations and maintenance of Buildings and Facilities in order to fund President Obama's Healthy Food Funding Initiative, HFFI. Supporting this amendment will not only fund an important pilot program, but save the government $8 million.

Funding HFFI will increase the availability of affordable, healthy foods in underserved urban and rural communities, particularly through the development or equipping of grocery stores and other healthy food retailers.

These "food deserts", communities in which residents do not have access to affordable and healthy food options, disproportionally affect African American and Hispanic communities. Fast food restaurants and convenience stores line the blocks of low income neighborhoods, offering few, if any healthy options.

Many of my colleagues across the aisle have made arguments about the economic climate, and the need for budgetary cuts, and I agree that we must work to reduce the deficit. We cannot, however, continue to make irresponsible cuts to programs for the underserved, lower income families, and minorities.

Since the mid-1970s, the prevalence of overweight and obesity has increased sharply for both adults and children, and obesity is a grave health concern for all Americans. However, food deserts have taken a toll on low income and minority communities and exacerbated growing obesity rates and health problems.

According to the Center for Disease Control and Prevention, CDC, 80 percent of black women and 67 percent of black men are overweight or obese. African American children from low income families have a much higher risk for obesity than those in higher income families.

The CDC also estimates African American and Mexican American adolescents ages 12–19 are more likely to be overweight, at 21 percent and 23 percent respectively, than non-Hispanic white adolescents who are 14 percent overweight. In children 6–11 years old, 22 percent of Mexican American children are overweight, compared to 20 percent of African American children and 14 percent of non-Hispanic white children.

Food deserts have greatly impacted my constituents in the 18th Congressional District, and citizens throughout the state of Texas. Texas has fewer grocery stores per capita than any other state. The U.S. Department of Agriculture, USDA, identified 92 food desert census tracts in Harris County alone. These areas are subdivisions of the county with between 1,000 to 8,000 low income residents, with 33 percent of people living more than a mile from a grocery store.

According to the Kaiser Family Foundation, 32 percent of all children in Texas are overweight or obese. These statistics underscore the staggering affect food deserts have on the health of low income and minority communities. In Houston and other cities across the country, local programs have proved that well targeted funding and assistance can create viable business outcomes and increase access to healthy food.

Targeting federal financial assistance to food desert areas through the Healthy Food Funding Initiative will provide more healthy food to affected neighborhoods, open new markets for farmers, create jobs, and bolster development in distressed communities.

The Healthy Food Funding Initiative is not a handout, or a crutch. Funding through this program is intended to provide financial and technical assistance in support of market planning, promotion efforts, infrastructure and operational improvements, and increase availability of locally and regionally produced foods.

This initiative will increase the availability of healthy food alternatives to the 23.5 million people living in food deserts nationwide. Yes, we must work toward reducing the deficit, but cutting programs that provide healthy food to those who simply do not have access to nutritional options, is not the way.

Mr. KINGSTON. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. My dear friend from Texas has worked diligently to find something to work out with this. As I had indicated to her last night, we're trying to work on some alternatives and see if there's a way to do it. Just in the last 30 minutes, I've gotten something from GAO that says that you could actually cut out $45 million dollars from this program and that it would not affect the potential of it.

Right now what I will do—and I know my friend from California is rising. Let me yield to him because I know he probably has a different view, but I want to kind of keep the debate going.

Mr. FARR. Go ahead. I'll just strike the last word.

Mr. KINGSTON. Well, you've got 4 minutes from me. You could still strike the last word. That gives you 9 minutes.

Mr. FARR. Mr. Chairman, thank you.

I have concerns about where the money comes from as all these bills are offsetting, but I think that the purpose here should be funded. We have this whole initiative—and some of it has been attacked tonight—about trying to get healthy foods grown by American farmers to people in areas that are called food deserts, as the gentlelady from Texas pointed out. There are places that people just can't go. There isn't a grocery store. There aren't fresh fruits and vegetables.

□ 2230

I mean, think of the 7–Eleven. That's the kind of convenience stores that are around. Even the one we use up here a couple of blocks away is very limited in the amount of fresh fruits and vegetables it has.

So what this initiative is all about, and it's the President's initiative too, is trying to get food—it's an educational process. I think the hardest cultural—this is what I learned from living in other cultures in the Peace Corps. The hardest thing to do is to get people to change their eating habits. We all know that struggle when we go on a diet. So it takes a lot of education. It takes a lot of support, but it also takes the need to have access to it.

You need to have access to the fresh fruits and vegetables, and they can either come to you in a farmers market or you can go to them. But if you have neither a farmers market and there's nothing to go to, you have no option. And that's what this amendment is about, getting some money into the program that will be able to outreach and getting good, nutritious food to families who most need it who, without that, have a good chance of not growing up healthy, high incidence of obesity, high incidence of diabetes, high-risk issues that cost a lot of money for the taxpayers when they have to go on dialysis or have to be under treatment.

So we have spent many years here in the committee—and the chairman knows it very well—of looking at how do we prevent this from happening when the choices are there. These are preventable diseases and preventable ill health situations, but we've got to reach out and do it, and that's what this amendment does and I think it deserves support.

Mr. KINGSTON. If I could reclaim my time, I want to read this quote from GAO. It says: The committee may wish to consider reducing the request for this initiative for FY 12 by $45 million until the effectiveness of these

demonstration projects has been established.

And I want to say to my friend from Texas, we had some talks around this but not directly addressing it, not direct hearing; but I do remember and the gentleman from California might and I think Ms. Foley might remember that the Safeway in Washington, D.C., I believe has some sort of grant I believe to operate in an area that was considered a food desert, and I believe that that is one of the most profitable Safeways there is. Do either of you have a recollection of that? Thank you for pulling the rug out from underneath me this early.

Mr. FARR. I have a recollection of that.

Mr. KINGSTON. Do you remember that, Mr. FARR, that discussion?

Mr. FARR. Yes.

Mr. KINGSTON. Was that not about food deserts?

Mr. FARR. Yes, it was. But remember Ms. KAPTUR's amendment in our committee of trying to subsidize farmers markets to go into high-risk areas to get it started so that it does develop a market approach and can be sustainable, but we reach out and do those kinds of things.

Mr. KINGSTON. Let me reclaim my time. GAO reported that a variety of approaches, including improving access to targeted foods, have the potential to increase the consumption of targeted food that could contribute to a healthy diet, but little is known about the effectiveness of these approaches.

And so I think what I would like to do, Mr. Chairman, is continue to oppose this; but knowing my good friend from Texas and from California will keep this as a priority, we'll talk about this. You know, the hour's late. The gentlewoman's been working on this for a long time, but I need a little more focus on it before I could accept it.

The Acting CHAIR. The time of the gentleman has expired.

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

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

Mr. FARR. I yield to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. First of all, let me thank Mr. FARR and Mr. KINGSTON. I had hoped my friend from Georgia could see in his heart that this is a very small microcosm for a very large issue, and that is that food deserts do exist and the families that are impacted, number of families that include those who are members of the United States military from the very youngest child.

I have been fiscally responsible, if that is the case, to narrow this very well, and I have no quarrel with individual chains engaging in marketing outreach. But I'm talking about hard-to-serve areas that include urban and rural areas where there are no food chains to engage in any benevolent assistance.

I'm also suggesting to you that if you look at the landscape of districts across the Nation, just take for example my district is number 32 in regards to food insecurity, but there are 31 above me. The people have limited access to food.

I enjoy the point that Mr. FARR made about Ms. KAPTUR's farmers markets. This will infuse energy into the farmers markets. This will create jobs for a limited amount of pilot resources. This is the right thing to do. This is to take a great land like America and say we want everybody to minimally have access to good, healthy, nutritious food.

So I would ask for the humanitarian consideration of my friends on the other side of the aisle. I thank the gentleman from California for his instructiveness and the work of the members of this Appropriations Committee, and I ask my colleagues to support this amendment, the Jackson Lee amendment. It fills the gaping hole of the lack of food by providing resources to cure the problem of food deserts.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. JACKSON LEE of Texas. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 23 OFFERED BY MR. GIBSON

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 80, after line 2, insert the following:

SEC. _____. For the cost of broadband loans, as authorized by section 601 of the Rural Electrification Act of 1936, to remain available until expended, there is hereby appropriated, and the amount otherwise provided by this Act for payments to the General Services Administration for rent under the heading ''Agriculture Buildings and Facilities and Rental Payments'' is hereby reduced by, $6,000,000.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. GIBSON. Mr. Chairman, over 50 congressional districts across our country have at least 10 percent of their population without access to high-speed broadband. My district is one of these over-50 districts. Now, this is a significant impediment to job creation. We have farmers without access to the high-speed broadband. We have many small businesses in our districts, including bed and breakfasts which impact our tourism without that access. This amendment helps address this situation.

Now, the underlying bill zeroes out the loan program for rural broadband. This is down from $22.3 million that we just closed out a few months ago for FY 11, and with a healthy respect for the leadership of the Agricultural appropriations subcommittee, I think this is a mistake.

I know that there have been issues with this program in the past. I have read the IG report. I will also say that my understanding is the administration has made progress since the publishing of that report. One of the things that has been said about this program is it has not been able to address the significant volume of requests, and I think it's important to note that in March 2011 they cleared the backlog of all the applications for the program; and, in fact, there's now up to $100 million in new loan applications, showing the interest in this program.

Another criticism has been that this program is duplicative and that, in fact, you can apply under telemedicine for rural areas. And I will tell you that we have tried that in our district with no success, and this program that I'm offering as an amendment today for $6 million, a loan program, fully offset, is the only program exclusively dedicated to rural broadband. And this program, this amendment, $6 million can give us access to and support over $100 million in loan applications.

□ 2240

Mr. Chairman, this amendment will help create jobs, and it will help our farmers with profitability. Of course, I'm biased. But I believe we've got the smartest, the hardest working farmers in the world. Their issue is profitability, and this amendment will help.

The CBO assesses this amendment as neutral, and it says that it will reduce outlays by $2 million in 2012. Let me say that again. CBO says this amendment will reduce outlays by $2 million in 2012.

So how do we offset this? How do we provide access for farmers and small businesses to loan programs? We cut the Federal bureaucracy—$6 million in office rental payments.

Now, the USDA is blessed with some of the most significant office space among all the Federal bureaucracy. And in addition to what they have here in the District, in Beltsville, Maryland, there is additional office space of which they possess. So on top of all of that, there is $151 million in this appropriations bill for the rental of office space, including right here on M Street in Washington, D.C. This is a good pay-for to give access to our farmers so that they can have access to rural broadband.

So to all my colleagues, I say this is a good amendment. The only amendment that provides exclusive rural broadband access. It's supported by the American Farm Bureau. It's supported by the New York State Farm Bureau and numerous chambers of commerce in my district. I urge my colleagues to support the amendment.

I would like to yield to my good friend and colleague from Arizona (Mr. GOSAR).

Mr. GOSAR. I thank the gentleman for yielding.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. The gentleman will suspend.

The gentleman from New York must remain on his feet.

Mr. GOSAR. I rise in support of the amendment proposed by Mr. GIBSON and Mr. OWENS because I think it is exactly what the American people want us to do here in Washington. The people expect us to be responsible with their tax money. The people have made it clear, more than clear, that the Federal Government is too big. Our job is to look for waste, inefficiencies, and bloat. The Gibson-Owens amendment has found such bloat and seeks to remedy it.

There is no doubt that the USDA does good work and that the agency should have suitable workspace to conduct its work. Indeed, as Mr. GIBSON has pointed out, the USDA has 3 million square feet of prime office space on The National Mall in a beautiful building that contributes to the architectural beauty of the Nation's Capital. To learn that the USDA also has a campus in Maryland that occupies 45 acres of land is, itself, concerning.

With all that office space currently available to the USDA in the Washington area and an additional $151 million to rent office space elsewhere, why does the USDA want to rent more office space in D.C.? The people of this country will not begrudge an architecturally distinguished office for the Nation's Capital, but a luxurious high-rent office in addition is too much.

The Acting CHAIR. The time of the gentleman has expired.

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

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. I want to say to the gentleman from Arizona, if I have time left over, I will yield you some. But you can also get your own 5 minutes if you want.

Mr. Chairman, I oppose this.

I want to start out by saying that the committee has taken a really close look at this over the years. And I wish you could see, from where you are sitting, better the saturation level of broadband access in the United States of America. That's in the blue. As you can see, the entire country is mostly blue according to this.

But I would not want your eyes to just strain from there, so I will give you some numbers here:

New Jersey, 100 percent penetration; Florida, 99.9 percent penetration; New York, 99.8 percent; Georgia, 99.4 percent; Arizona, 98.2 percent.

This program is not necessary. And in a time when we're talking about saving money, we do not need to increase this account. The process is burdensome. We get lots of complaints from people who have had applications pending for a long time and they can't get their questions answered, or they get approved but they can't get their money. Their eligibility is too broad. And in many areas, it competes with private sector broadband service.

Now, the IG report had a number of things that they found. They found that this rural broadband program granted loans of $103 million to 64 communities near large cities, including $45 million loans to 19 suburban subdivisions within a few miles of Houston, Texas. That's hardly the intent of the program.

The IG report also found out that they were competing with preexisting broadband access in many places and found that 159 of the 240 communities associated with the loans—that's 66 percent—already had service. I will repeat that. Sixty-six percent of the communities who got grants already had service.

Now, there was a little criticism, and the program was supposed to be reformed. But the IG took another look at it and found that, in 2009, only eight out of the 14 recommendations had had action taken on them. Thirty-four of 37 applications for providers were in areas where there were already private operators offering service, 34 out of 37.

So when our committee took a look at this, we felt like the program needed changing. It did not need new money. So I must respectfully disagree with my good friends who are offering this and stand in opposition of the amendment.

With that, I yield to my friend from Arizona.

Mr. GOSAR. Well, I would like to disagree. And that is, as I serve a vast part of Arizona, 60 percent of Arizona, in which I serve a large number of Native American tribes which are fighting to try to get economic development and trying to get broadband service, this is exactly the kind of funding that we want to direct you to the appropriate place.

The Native Americans are exactly the place that this could go. This is the economic development that they need, and they're currently in the process of trying to get that. They're trying to build that infrastructure, and this is exactly where that fund can be.

Mr. KINGSTON. I now yield to the gentleman from New York (Mr. GIBSON).

Mr. GIBSON. I thank the chairman for yielding.

I just want to reiterate that there is significant need for expanding access to rural broadband in America. We've got over 50 districts that have at least 10 percent of their population that are not in the 21st century, that don't have access to the high-speed broadband.

I want to remind my colleagues, this loan program reduces outlays by $2 million in 2012, according to the CBO. This program should not be zeroed out. It should not go from $22 million to zero. We should accept this amendment.

I urge my colleagues to accept this amendment so that we can continue to make progress with rural broadband.

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

Mrs. LUMMIS. Mr. Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentlewoman from Wyoming is recognized for 5 minutes.

Mrs. LUMMIS. Respectfully, my chairman and I disagree on this issue.

I raised this in our subcommittee of Appropriations, and his superior abilities to convince the subcommittee prevailed. But I weigh in on the side of Mr. GIBSON and Mr. GOSAR, and let me tell you why.

The information that the committee chairman has is correct insofar as it gives you numbers on broadband access that will allow you a speed of receiving service that is so slow that it is basically 20th century rather than 21st century communications. For example, under the speed at which the numbers that the gentleman from Georgia has derived cover, this 99, 98 percent coverage, it would take you 9 hours to download a movie. Now, who's going to do that?

But with this digital world we're in, the kinds of data that need to be unloaded in order to be a lone eagle, to have a business, to have the type of broadband access that my colleague from Arizona would like the Native Americans in his State to have, would require a much faster broadband service. And when you look at the speed of the broadband service that is consistent with having a robust community that has real broadband service, my State is at the rock bottom. Less than half of the people in my State have the kind of robust service that is typical of urban areas or suburban areas.

□ 2250

The same could be said for my colleague from Arizona and the areas of his State where Native Americans so desperately need the opportunity to market products over the Internet. So I encourage my colleagues to support the position of my colleagues, Mr. GIBSON and Mr. GOSAR. And I rise in support of their amendment.

I yield to the gentlelady from Ohio.

Ms. KAPTUR. I just wanted to ask the gentlelady if she would find the present time convenient to enter into the discussion regarding GIPSA, though we are on this amendment at this point.

Mrs. LUMMIS. With the Chairman's leave, I would consent.

The Acting CHAIR. The gentlewoman is recognized.

Mrs. LUMMIS. Would you consent to a departure as I use the remainder of my 5 minutes to discuss the issue of the stockyards and the GIPSA rule?

The Acting CHAIR. The gentlewoman is recognized for the remaining time.

Mrs. LUMMIS. I yield to my colleague from Ohio.

Ms. KAPTUR. I thank the gentlewoman. And while I will not offer an amendment to strip section 721, a legislative provision that prevents the U.S. Department of Agriculture from doing its job as instructed in the farm bill, relative to fair competition in meat products so consumers get fairly priced meats, I otherwise rise in strong opposition to the language that's in the bill.

And when the authorizing committee wrote the farm bill, USDA was directed to use the existing packers and stockyards act to restore fairness to livestock and poultry contract markets. But instead of allowing the agency to do its job, Congress, in an uneven-handed way, has allowed itself to become captured by the consolidated meat industry.

And while ranchers, farmers and producers are increasingly being squeezed out of the markets, and small, local slaughterhouses continue to close, large consolidated players manipulate the rules to favor their own business operations, and meat prices rise. Congress simply can't stand by silent.

So on behalf of the millions of farmers, ranchers and producers that struggle every day to survive as they face the gargantuan task of competing against monopolistic entities, I oppose the base language in 721.

And I would like to place two statements in the RECORD, a letter from the American Farm Bureau opposing section 721 and a letter from over 140 organizations supporting the pro-competition proposals made by the Department of Agriculture.

AMERICAN FARM
BUREAU FEDERATION,
*Washington, DC, May 31, 2011.*

Hon. MARCY KAPTUR,
*House of Representatives, House Office Building, Washington, DC.*

DEAR CONGRESSWOMAN KAPTUR: On behalf of the six million families represented by the American Farm Bureau Federation, we write to support your amendment to allow the Agriculture Department (USDA) the opportunity to complete reviewing the 60,000 comments received and the proposed rule entitled ''Implementation of Regulations Required Under Title XI of the Food, Conservation and Energy Act of 2008; Conduct in Violation of the Act.'' It is also imperative that USDA continue its economic analysis of the rule.

Farm Bureau is in the unique position of representing every species impacted by this rule. We also have no affiliation with major packers, integrators or processors, and therefore our only interest is the impact of this rule on farmers and ranchers. Because of this unique position, there are several provisions in this rule that we strongly support, while others give us pause.

Generally speaking, Farm Bureau's philosophy supports a market environment where our farmers and ranchers can sell their product in a way that best fits with their individual operation and risk aversion level. Our policy clearly states that ''We support efforts to ensure open markets to all producers.'' Over the years, our farmers and ranchers have recognized the need for a referee in the marketplace, and Farm Bureau policy supports the Grain Inspection, Packers and Stockyards Administration (GIPSA) in that role. Some of our policy supporting the authority of GIPSA includes:

''We . . . oppose any attempt to lessen the ability of [GIPSA] to adequately enforce the act and its regulations.''

''We support more vigorous enforcement of U.S. antitrust laws in keeping with original intent; to include . . . [the] Packers and Stockyards Act of 1921.''

''The Packers and Stockyards Act should be amended to . . . strengthen the ability of GIPSA to stop predatory practices in the meat packing industry.''

We support ''establishing GIPSA as the overall authority and provider of oversight to ensure livestock contracts are clearly-written, confidentiality concerns are addressed, investments are protected . . .'' as well as ''enhanced price transparency, [and] price discovery,'' and ensuring that ''contractors honor the terms of contracts.''

These overarching policy principles guide Farm Bureau's comments on this proposed rule.

It is also worth noting that Farm Bureau has consistently requested thorough economic analysis from agencies when promulgating new rules. Without such an analysis it is difficult for America's farmers and ranchers to assess the true impact of rules and to understand all of the implications of proposed rules. This rule is no exception.

We oppose language to preclude USDA from reviewing the comments and completing their economic analysis and are strongly opposed to any action that would stop work on that rule.

Sincerely,

BOB STALLMAN,
*President.*

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*House of Representatives,*
*Washington, DC, April 21, 2011.*

ATTN: Agriculture & Appropriations Legislative Aides

DEAR REPRESENTATIVE: As a result of rapid consolidation and vertical integration, the livestock and poultry markets of this nation have reached a point where anti-competitive practices dominate, to the detriment of producers and consumers. Numerous economic studies in recent years have demonstrated the economic harm of current market structures and practices, and have called for greater enforcement of existing federal laws in order to restore competition to livestock and poultry markets.

Until recently, Congress and the U.S. Department of Agriculture have largely ignored these trends. Fortunately, Congress included language in the 2008 Farm Bill to require the U.S. Department of Agriculture to write regulations, using its existing Packers and Stockyards Act authorities, to begin to restore fairness and competition in livestock and poultry markets.

On June 22, 2010, the Grain Inspection Packers and Stockyards Agency (GIPSA) issued proposed rules to implement the 2008 Farm Bill mandates, and to address related anticompetitive practices in the livestock and poultry industries. These reforms are long overdue and begin to respond to the criticisms by farm groups, consumer groups, the Government Accountability Office and USDA's Inspector General about USDA's past lack of enforcement of the Packers and Stockyards Act. The proposed GIPSA rules define and clarify terms in the Act in order to make enforcement more effective, and to provide clarity to all players in livestock and poultry markets.

The Packers and Stockyards Act of 1921 makes it unlawful for packers, swine contractors, and live poultry dealers to engage in any ''unfair, unjustly discriminatory, or deceptive practice or device,'' or to ''make or give any undue or unreasonable preference or advantage to any particular person or locality in any respect, or subject any particular person or locality to any undue or unreasonable prejudice or disadvantage in any respect.'' The ambiguity of these terms has resulted in uncertainty in the marketplace and hindered enforcement of the Act.

Key provisions of the proposed GIPSA rules would:

Provide contract growers with commonsense protections when making expensive investments in facilities on their farms to meet the packer or poultry company requirements; provide growers, farmers, and ranchers with access to the information necessary to make wise business decisions regarding their operations; require transparency and eliminate deception in the way packers, swine contractor and poultry companies pay farmers; eliminate collusion between packers in auction markets; and provide clarity about the types of industry practices the agency will consider to be unfair, unjustly discriminatory, or when certain practices give unreasonable preference or advantage. These are all terms used in the existing statute, which have never been adequately defined.

Prohibit retaliation by packers, swine contractors or poultry companies against farmers for speaking about the problems within industry or joining with other farmers to voice their concerns and seek improvements. Currently, many farmers are often retaliated against economically for exercising these legal rights.

Allow premiums to be paid to livestock producers who produce a premium product, but requires the packer or swine contractors to keep records to detail why they provide certain pricing and contract terms to certain producers.

Reduce litigation in the industry by eliminating the ambiguity in interpretation of the terms of the Packers and Stockyards Act. Such ambiguity leads to litigation as farmers and packers seek court action to clarify the intent of the Act.

GIPSA has received approximately 60,000 comments on the proposed rule during the five-month public comment period that ended in November 22 of 2010. USDA is in the process of analyzing those comments, and providing the in-depth cost-benefit analysis necessary before issuing the final rule.

Because of the great importance of this rule to livestock and poultry producers and consumers, and the large volume of misinformation about the rule perpetuated by livestock and poultry trade associations and packer-producer groups, the undersigned organizations are writing to reiterate our strong support for the GIPSA rule and for its swift publication in final form.

We urge your support for the GIPSA rulemaking process, and its efforts to restore fairness and competition in our nation's livestock and poultry markets.

Sincerely,

Agriculture and Land Based Training Association (CA); Alabama Contract Poultry Growers Association; Alliance for a Sustainable Future (PA); Alternative Energy Resources Organization (AERO)—MT; Ambler Environmental Advisory Council; American Agriculture Movement; American Corn Growers Association; American Federation of Government Employees (AFL-CIO), Local 3354, USDA-St. Louis (representing Rural Development and Farm Loan employees in Missouri, Oklahoma, and Kansas); American Grassfed Association; American Raw Milk Producers Pricing Association; Ashtabula-Lake-Geauga County Farmers Union; BioRegional Strategies; Buckeye Quality Beef Association

(Ohio); C.A.S.A. del Llano (TX) California Dairy Campaign; California Farmers Union; California Food & Justice Coalition; Campaign for Contract Agriculture Reform; Campaign for Family Farms and the Environment; Carolina Farm Stewardship Association; Cattle Producers of Louisiana; Cattle Producers of Washington; Center for Celebration of Creation; Center for Food Safety; Center for Rural Affairs; Chemung County Church Women United (NY); Chemung County Council of Churches (NY); Chemung County Council of Women (NY); Church Women United of Chemung County (NY); Church Women United of New York State; Citizens for Sanity.Com, Inc.; Citizens for Sludge-Free Land; Colorado Independent CattleGrowers Association; Community Alliance for Global Justice; Community Farm Alliance (Kentucky); Community Food Security Coalition; Contract Poultry Growers Association of the Virginias; Court St Joseph #139, Coming/Elmira, Catholic Daughters of the Americas, Corning, NY; Crawford Stewardship Project; Cumberland Counties for Peace & Justice; Dakota Resource Council; Dakota Rural Action; Davidson College Office of Sustainability; Ecological Farming Association; Endangered Habitats League; Family Farm Defenders; Farm Aid; Farm and Ranch Freedom Alliance; Farmworker Association of Florida; Fay-Penn Economic Development Council; Federation of Southern Cooperatives; Food & Water Watch; Food Chain Workers Alliance; Food Democracy Now!; Food for Maine's Future; Gardenshare: Healthy Farms, Healthy Food, Everybody Eats;

Georgia Poultry Justice Alliance; Grassroots International; Heartland Center/Office of Peace and Justice for the Diocese of Gary, Indiana and the Integrity of Creation; Hispanic Organizations Leadership Alliance; Idaho Rural Council; Illinois Stewardship Alliance; Independent Beef Association of North Dakota (I-BAND); Independent Cattlemen of Nebraska; Independent Cattlemen of Wyoming; Institute for Agriculture and Trade Policy; Iowa Citizens for Community Improvement; Iowa Farmers Union; Island Grown Initiative Izaak Walton League; Kansas Cattlemen's Association.

Kansas Farmers Union; Kansas Rural Center; Ladies of Charity of Chemung County (NY); Land Stewardship Project; Main Street Opportunity Lab; Maryknoll Office for Global Concerns; Michael Fields Agricultural Institute; Michigan Farmers Union; Michigan Land Trustees; Michigan Organic Food and Farm Alliance; Midwest Environmental Advocates; Midwest Organic Dairy Producers Association; Minnesota Farmers Union; Missionary Society of St. Columban; Mississippi Livestock Markets Association; Missouri Farmers Union; Missouri Rural Crisis Center; National Catholic Rural Life Conference; National Family Farm Coalition; National Farmers Organization; National Farmers Union; National Latino Farmers & Ranchers Trade Association; National Sustainable Agriculture Coalition; Nebraska Farmers Union; Nebraska Sustainable Agriculture Society; Nebraska Wildlife Federation; Network for Environmental & Economic Responsibility; New England Small Farm Institute; Nonviolent Economics; North Carolina Contract Poultry Growers Association; Northeast Organic Dairy Producers Alliance; Northeast Organic Farming Association—NY; Northeast Organic Farming Association, Interstate Council; Northern Plains Resource Council; Northwest Atlantic Marine Alliance; Ohio Ecological Food and Farm Association; Ohio Environmental Stewardship Alliance; Ohio Farmers Union; Oregon Livestock Producers Association; Oregon Physicians for Social Responsibility; Oregon Rural Action; Organic Consumers Association; Organic Farming Research Foundation; Organic Seed Alliance; Organization for Competitive Markets; Partnership for Earth Spirituality; Past Regents Club, Catholic Daughters of the Americas, Diocese of Rochester, NY; PCC Natural Markets; Pennsylvania Farmers Union; Pennypack Farm and Education Center (PA); Pesticide Action Network North America; Pomona Grange #1, Chemung County NY; Powder River Basin Resource Council (WY); R-CALF United Stockgrowers of America; Rocky Mountain Farmers Union; Rural Advancement Foundation International—USA (RAFI-USA); Rural Coalition; Sisters of St. Francis of Philadelphia; Slow Food USA; South Dakota Livestock Auction Markets Association; South Dakota Stockgrowers Association; St John the Baptist Fraternity of the Secular Franciscan Order, Elmira, NY; Sustain LA; Taos County Economic Development Corporation; Texas Farmers Union; The Cornucopia Institute; Tilth Producers of Washington; Trappe Landing Farm & Native Sanctuary; Veteran Grange #1118, Chemung County, NY; Virginia Association for Biological Farming; Western Organization of Resource Councils (WORC); WhyHunger; Women, Food and Agriculture Network.

The meatpackers have a stranglehold on this House, scaring Members with millions of dollars in campaign contributions and real threats of political retribution. Instead of engaging in well-meaning public debate and attempting to win on the merits of the argument, the National Cattlemen's Beef Association, which has a right to speak out, but not a right to intimidate, sent out a national notice to its members to harass the American Farm Bureau. This is not the nature of well-meaning debate and, for many, has crossed the line of propriety.

I urge my colleagues to resist the misinformation and to stand strong for independent producers and family farmers and ranchers.

Section 721 of the base bill goes further than many realize. It will stop USDA from conducting its economic analysis of this industry.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. KING of Iowa. Mr. Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. KING of Iowa. I yield to the gentlelady from Ohio.

Ms. KAPTUR. I thank the gentleman so very much for that kind effort.

The current proposal will silence the nearly 60,000 comments on the rule because it will prevent USDA from reading the record. And, finally, it will undermine long overdue fairness in poultry and livestock contracts for millions of farmers, ranchers and producers.

By allowing section 721 to remain in the bill, the House is standing with the few big meatpackers and against the many thousands and thousands of producers.

To understand how illogical this committee's action is, I refer the House to the committee report where, on competition issues, the committee directed USDA to submit legal documents by June 10, 5 days ago, and before the House began consideration of this bill. On its face, the committee has directed the agency to comply with something before the House has even considered the bill. Is this proper?

Furthermore, I would note that, ironically, if section 721 were to be implemented, the agency would not be able to comply with its own report language. If there ever was a time that the Appropriations Committee has overstepped its bounds, this is it.

After the 2002 farm bill, this committee prevented USDA from implementing an important provision of law known as the Country of Origin labeling. It was the same consolidated meat packing industry crying from the rafters with claims of exaggerated economic costs which was behind the meat labeling COOL delay. We seem to have returned to the dark days, recycling the same talking points.

It took us almost 8 years and, finally, consumers now have the legal right to see where their meat comes from, which is what the vast majority of the American people wanted. So on behalf of the millions of farmers, ranchers and independent producers, I pledge to continue this fight and to prevent a similar 8 years of delay and confusion on USDA competition rules in the meat industry.

Let USDA do its job.

I thank the gentleman and the gentlewoman so much for their consideration.

Mr. KING of Iowa. Reclaiming my time, I thank the gentlelady for her attention to this matter, both gentleladies for their attention to this matter and for standing up with and for the best interests of agriculture.

Mr. FARR. Mr. Chair, I submit the following:

STATEMENT OF ADMINISTRATION POLICY

H.R. 2112—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

(REP. ROGERS, R–KY)

The Administration has serious concerns about the content of H.R. 2112, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes. The Administration is committed to ensuring the Nation lives within its means and reducing the deficit so that the Nation can compete in the global economy and win the future. That is why the President put forth a comprehensive fiscal framework that reduces the deficit by $4 trillion,

supports economic growth and long-term job creation, protects critical investments, and meets the commitments made to provide dignity and security to Americans no matter their circumstances.

While overall funding limits and subsequent allocations remain unclear pending the outcome of ongoing bipartisan, bicameral discussions between the Administration and congressional leadership on the Nation's long-term fiscal picture, the bill provides insufficient funding for a number of programs in a way that undermines core government functions and investments key to economic growth and job creation. Programs adversely affected by the bill include:

Food and Nutrition Service (FNS). The Administration strongly objects to the level of funding provided for nutrition programs that are critical to the health of nutritionally at-risk women, infants, children, and elderly adults. The proposed funding levels would lead to hundreds of thousands of participants being cut from the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) and the Commodity Supplemental Food Program, and reduce Federal support for food banks. These cuts would undermine efforts to prevent hunger and support sound nutrition for some of the most vulnerable members of our society.

Food Safety. The Administration is concerned with the funding provided in the bill for the Department of Agriculture's (USDA's) Food Safety and Inspection Service (FSIS) which will significantly hamper USDA's ability to inspect food processing plants and prevent food borne illnesses and disease such as E. coli and Salmonella from contaminating America's food supply. The Committee's recommendation may require the agency to furlough employees including frontline inspectors which make up over 80 percent of FSIS staff. By reducing FSIS inspections, food processing plants may be forced to reduce line speeds, which could lead to decreasing product output and profits, as well as plant closures.

Healthy Food Financing Initiative (HFFI). The Administration is concerned that the bill does not support HFFI, which is a key initiative to combat childhood obesity. HFFI will expand USDA's activities to bring healthy foods to low-income Americans and increase the availability of affordable, healthy foods in underserved urban and rural communities by bringing grocery stores and other fresh food retailers to ''food desert'' communities where there is little or no access to healthy food.

Research. The bill provides insufficient funds for USDA research programs, which are needed to help solve food production, safety, quality, energy and environmental problems. By reducing funding for the Agricultural Research Service to its lowest level since 2004 as well as inadequately funding the Nation's competitive grant program, the bill will hinder the Department's ability to develop solutions to address current as well as impending critical national and international challenges.

Food and Drug Administration (FDA). The Administration is concerned that the funding level in the bill and resulting staff reductions will severely limit the FDA's ability to protect the public's health, assure the American consumer that food and medical products are safe, and improve Americans' access to safe and less costly generic drugs and biologics.

Commodity Futures Trading Commission (CFTC). The Administration strongly objects to the funding level for CFTC, as it would cause a cut in staffing levels and seriously undermine CFTC's ability to protect investors and consumers by effectively policing the futures and swaps marketplace through its current market oversight and enforcement functions. Moreover, the funding level would significantly curtail the timely, effective implementation of the Dodd-Frank Wall Street Reform and Consumer Protection Act, including new CFTC responsibilities to regulate the $300 trillion swaps derivatives market.

International Food Aid. The Administration opposes the level of funding provided for the Food for Peace Title II international food aid program as it would severely limit the United States' ability to provide food assistance in response to emergencies and disasters around the world. Given a statutory floor on non-emergency development food aid, a reduction would be borne entirely by the emergency component of the program, and would prevent distribution of emergency food aid to over 1.1 million beneficiaries.

In addition, the bill includes the following problematic policy and language issues:

Restrictions on Finalizing USDA Regulations. The Administration opposes the inclusion of section 721 of the bill, which effectively prevents USDA's Grain Inspection, Packers and Stockyards Administration from finalizing a rule on conduct that would violate the Packers and Stockyards Act of 1921. The final rule has not yet been published and any concerns about the rule are better addressed through the standard rulemaking process than through an appropriations rider.

Restrictions on FDA Regulations and Guidance. The Administration strongly opposes section 740 of the bill, which would undermine or nullify FDA statutory standards that have been in place for decades and that are essential to protect the health of Americans. The provision would unduly limit the factors that FDA considers in determining the best ways to protect the public from unsafe foods; protect the safety of the blood supply from HIV, West Nile Virus, and other infections; ensure the safety of infant formula; protect patients from drugs and medical devices that have not been shown to be safe and effective; assure that food labeling and health claims on foods are accurate; and reduce youth use of tobacco products and otherwise reduce illness and death caused by tobacco use.

WTO Trade Dispute. The Administration is concerned by a provision in section 743 that would eliminate payments that are being made as part of the mutually agreed settlement of a World Trade Organization (WTO) dispute regarding U.S. domestic cotton supports and the export credit guarantee program. The framework serves as a basis to avoid trade-related countermeasures by Brazil that are authorized by the WTO until the enactment of successor legislation to the current Farm Bill. Under the agreement, the United States is committed to fund technical assistance and capacity-building support for Brazil's cotton sector. The bill's provision preempts the resolution process and would open the door to retaliation negatively affecting U.S. exports and interests.

The Administration strongly opposes inclusion of ideological and political provisions that are beyond the scope of funding legislation.

The Administration looks forward to working with the Congress as the fiscal year 2012 appropriations process moves forward to ensure the Administration can support enactment of the legislation.

Mr. KING of Iowa. I yield back the balance of my time.

The Acting CHAIR. The question is the amendment offered by the gentleman from New York (Mr. GIBSON).

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

Mr. KINGSTON. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. BLUMENAUER

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following new section:

SEC. ____. None of the funds made available by this Act may be used to pay the salaries and expenses of personnel of the Department of Agriculture to provide benefits described in section 1001D(b)(1)(C) of the Food Security Act of 1985 (7 U.S.C. 1308–3a(b)(1)(C)) to a person or legal entity in excess of $125,000.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. BLUMENAUER. Mr. Chairman, these are challenging budgets and difficult economic times. But unfortunately, there really are alternatives to slashing environmental payments and nutritional support in the farm bill. There is an alternative to reform and modernize.

The last farm bill pretended to start limitations in payments. But exempted from the modest limitations in some areas were market loan payments, loan deficiency payments, and commodity certificates not capped. This means that entities can virtually receive unlimited title I dollars under the current law.

Mr. Chairman, it's important for us, as we are dealing with trying to reduce the strain on the Federal budget, to do so in a way that is strategic. The amendment I propose would establish a $125,000 payment limitation in total. Now, this will save two-thirds of a billion dollars.

Bear in mind that we are now cutting existing environmental contracts if this bill came forward. The majority of farmers and ranchers in this country still receive nothing, 62 percent receive nothing. In my State of Oregon, it's 87 percent of the farmers and ranchers. It's time to start with modest restrictions on government subsidies.

There are a wide range of areas in this budget. As it's working its way through the House, we're going to see very dramatic reductions, almost a third in transportation. We sliced $1 billion from sewer and water programs to State and local governments. At a time of record high farm commodity prices, this would be a time to place this modest limitation.

There's actually a question whether or not some of these payments even go to farmers at all. In 2009, some of the entities that received title I handouts—the Fidelity National Title Institute received over $4.85 million. Almost $3 million went to the Mercer County

Abstract Company. The American Marketing Peanut Association received largesse from the Federal Government worth over $3.98 million.

□ 2300

These aren't the small family farmers that I think all of us would like to support.

In this day and age, it's embarrassing to be giving away $4 million of taxpayer money in 1 year to a private, for-profit company when I think what we should be doing is concentrating on the support for America's farmers and ranchers. We have the opportunity, with this amendment, to take a step in this direction.

I would strongly urge that my colleagues join with me in adopting this amendment establishing a $125,000 overall limit, and be able to start saving two-thirds of $1 billion and send a signal that we're serious about reforming spending.

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

Mr. LUCAS. Mr. Chairman, I rise to strike the last word.

The Acting CHAIR. The gentleman from Oklahoma is recognized for 5 minutes.

Mr. LUCAS. Mr. Chairman, I rise in opposition to this amendment. This amendment would have far-reaching and devastating effects for America's farmers. I'm not sure the gentleman is aware of the full extent of this amendment.

This amendment throws the Noninsured Crop Disaster Program into an arbitrary payment limit scheme. This program, in which farmers pay a fee to obtain crop insurance coverage, protects them from catastrophic events like flooding and tornados. If this amendment passes, farmers who have been flooded out are quite literally up a creek without a paddle. They won't get the coverage they've signed up for even though they've paid in.

This amendment would also affect the permanent disaster program. Producers were required to purchase crop insurance to be eligible for that program. This amendment would be a bait and switch—they've fulfilled their end of the bargain, but we're pulling the rug out from under them now.

There's a time and a place to debate the appropriate level of support for farmers. I welcome that debate as a part of the 2012 farm bill process which will in effect begin next week. The Agriculture Committee will be auditing farm programs for effectiveness and efficiency, and then we will seek input from across the country on the best way to support our farmers and ranchers while making good use of taxpayer dollars.

Discussing farm programs in the context of a farm bill will represent honest, transparent policymaking. This amendment prevents that discussion from taking place by altering the terms of the contracts with farmers once they've already been signed. Protecting farmers during catastrophic weather events is the least we can do to maintain a stable food supply in our country.

My colleagues in the Midwest have seen firsthand the devastation that comes with flooding. My colleagues in the Southwest know how droughts can turn healthy farms into desolation. For that reason alone, I urge my colleagues to oppose this amendment. But I also urge you to oppose it because policy changes like this should be conducted within the broader context of all farm bill policy.

I urge my colleagues to vote ''no'' on this amendment.

I yield back the balance of my time.

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

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

Mr. PETERSON. Mr. Chairman, I oppose this amendment, and I want to associate myself with the remarks of Chairman LUCAS.

In the 2008 farm bill, we spent a lot of time working through this payment limitation issue. There were a lot of different ideas and a lot of different discussions, and it was not easy. We made significant reforms in this payment limitation area, and as the chairman indicated, we came to a resolution and people are relying on that. We've got a 5-year farm bill. People make decisions not from year to year; they make them in the long term, and it's just not fair to come in and change things in the middle of the stream.

One of the other things we did is we applied the payment limitations to all of the programs, and as I understand this amendment, it only applies to the commodity title. So we're once again going to create a different set of payment limitations for one part of the farm program compared to another.

I don't know exactly what the purpose of this is because the farm programs are not designed to be a welfare program or to pick winners and losers and decide how big a farm is going to be and all that sort of stuff. The purpose of these farm programs is to support production agriculture so we can feed this country and, frankly, feed the world. You read all these stories coming from all over the world that we're worried that we're not going to have enough food to feed all of the increase in population and all that stuff. If you go down this track, you're going to go down a policy that's going to make it very difficult for us to feed the world.

So this is ideology run amok. Some people have problems with the way we've designed this safety net. And I think we could do a better job, but this is just the wrong thing to do. This is too complicated an issue to settle here on the floor in a few minutes of debate. And it's just not fair to the people that have made long-term decisions, have invested a lot of money based on expecting that this farm bill was going to be in this form until September 30, 2012. So I encourage my colleagues to oppose this amendment.

I yield back the balance of my time.

Mr. HIMES. I move to strike the last word.

The Acting CHAIR. The gentleman from Connecticut is recognized for 5 minutes.

Mr. HIMES. Mr. Chairman, I rise in support of the amendment offered by my colleague from Oregon.

And with all due respect to the ranking member, I think the effort to limit these subsidies is both fiscally responsible, more in keeping with the kind of market economics that so many of us in this Chamber believe are the right way to go, and will help the health of the American people, something that will have a dramatic impact on the rising health care costs in this country.

Mr. Chairman, the amendment would limit the total title I payments to farm entities to less than $125,000 a year. It doesn't eliminate them; it simply limits them. Under current law, market loan payments, loan deficiency payments, and commodity certificates are not capped, and entities can receive unlimited title I dollars.

Mr. Chairman, 4 hours ago in this Chamber, we debated amendments that would eliminate and gut the WIC program, WIC—women, infants and children. This is a program that seeks to provide basic food to poor children, to poor families.

There were amendments that would eliminate the Food for Peace program whereby we send food—in those bags that we've all seen, ''A gift from the people of the United States of America''—to people who are starving around this planet, a gift from the people of the United States of America at a moment when we can use friends. And we said we're going to gut them, we're going to reduce them. Why would you do that? You would only do that if you face the kind of budget constraints that we face today. A brutal necessity to find savings.

Here we have an opportunity to save nearly $1 billion in subsidies to large producers. These are not small farmers, as my colleague from Oregon said. The top 10 percent of subsidy recipients receive almost three-quarters of these funds. This is not the small farmer; these are big conglomerates.

These subsidies are bailouts. We hear a lot about bailouts in this Chamber. And nobody thinks bailouts are a good thing. These are slow-motion, year-in-and-year-out bailouts of an industry.

Many of my colleagues support both the goals of fiscal responsibility and the idea that markets are efficient. Here, not only are we taking taxpayer dollars and sending them to a slow motion, perpetual bailout, but we're doing it in such a way that it creates cheap corn sugars and other things that go into the fast-food that exacerbate the obesity problem in this country. This is a bad idea. And I urge my colleagues to support this amendment for both fiscal health and sheer market grounds.

I yield to my colleague from Oregon.

Mr. BLUMENAUER. I thank the gentleman, and I appreciate his kind words and thoughtful analysis.

□ 2310

The approach that we are taking here is to put an overall limit of $125,000 in addition to what we are talking about. This would have only affected about 6,500 entities in 2009. It is an appropriate step forward.

I hear some of my colleagues concerned about changing the rules for a few thousand people who are getting huge amounts of subsidy. You know, this bill will change the rules for tens of thousands of farmers and ranchers who would otherwise get environmental protections, payments for environmental programs. In fact, some of the existing contracts would be abrogated.

Now, there are going to be lots of changes going on. I hope that we start now beginning the process of agricultural reform and making clear that we want to start by putting some overall limitation during a time of record high farm prices. There is never a good time to do it. I think the time to do it is now.

I look forward to a spirited debate on farm bill reform. I hope at some point we are able to actually do some meaningful reform, as acknowledged by even the proponents from the committee. We have got lots of problems with the existing bill. We could do a better job. It is complicated.

Well, this isn't complicated. This is straightforward and direct, and I urge an ''aye'' vote in support of the amendment.

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

Mr. CONAWAY. I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CONAWAY. Mr. Chairman, once again we have come to a point where I need to defend the work of the Ag Committee, the authorizing committee, the committee that knows the most about this process.

The $125,000 limit is picked out of whole cloth. It is made up. It is arbitrary. It is capricious. It has no clue what it might have as an impact on the farmers and ranchers in the district and parts that I represent. It is a drive-by shooting of farm policy that, frankly, makes no sense whatsoever if you are really going to seriously protect the production of agriculture in this country.

On the one hand, we hear our colleagues on the other side rant about imported foods, and they want to then turn around and make sure that the American farmer and producer does not have the safety net that we promised them in 2008. Now, I understand my colleagues don't like that safety net. They had ample opportunity when they were in the majority in 2008 to effect a farm bill when it came to this floor. If they didn't like the process, they needed to take that up with Speaker PELOSI and them.

The process going forward that I anticipate happening next year is that we will begin, as the chairman has said, to audit these farm bill programs over the next several months. We will then craft, with limited resources, a new farm bill that will be introduced in the committee, debated through subcommittees and at the full committee, and then we will bring it to the floor. It will be exposed to all of these arguments in an appropriate manner that should take place, not in the appropriations process.

I know my colleagues on the other side of the aisle did not vote for the budget we passed here in April. That budget clearly said the appropriations process in 2012 would not be used to effect a farm bill, that the farm bill would be written by the Agriculture Committee, the authorizing committee in 2012.

My colleagues' arguments are unpersuasive, and I do believe this is an ill-advised amendment to go at a safety net that, by every description, is complicated, is difficult to understand, but it has worked to protect production of agriculture from the risks that they take year in and year out to provide the safest, most abundant and cheapest food and fiber source of any developed country in the world.

I urge my colleagues to vote against the Blumenauer amendment. It is the wrong policy at the wrong time and the wrong place.

I yield back the balance of my time.

Mr. BISHOP of Georgia. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Georgia. Again, I think that this is an amendment that is ill-conceived. I think it will do great harm, and I think it is not timely. I agree with the gentleman that the authorizing committee has great expertise. We have taken a lot of time to vet this program, and I think for us to come tonight willy-nilly and do it is very, very ill advised.

Nineteen years ago when I came to this body I was on the authorizing committee, on the Agriculture Committee, and the chairman of the committee at that time was a gentleman by the name of Kika de la Garza. Mr. de la Garza was fond of telling us one of his life experiences, and that was his submarine story.

He said that all of his life, from the time he was a little boy, even though he grew up in the rural areas in Texas on the farm, that he wanted to ride on a submarine. He always was just enamored with submarines. Finally, after he came to Congress and after he became the chairman of a committee, he had an opportunity to go out on one of our nuclear submarines. Of course, as the guest, he was allowed to take the wheel and to submerge the submarine, to get it up, to play with the periscope, and he was just really, really amazed at how impressive that nuclear submarine was. So he turned to the captain and he asked the captain, he said, Captain, how long can this nuclear submarine stay underwater without coming up? It is so fine, we have spent so much money and it is an excellent machine. The captain looked at him and said, Mr. Chairman, how long would you guess? And Mr. de la Garza said he thought for a while, and he said, Well, maybe a year? And the captain chuckled and said, Mr. Chairman, we can stay underwater for as long as we have food for the crew.

We in this country will be able to defend ourselves and we will be able to have a strong country as long as we have food, and right now we are headed to getting imported food for the majority of our people. If we continue with the route that we are going, if we impose these limitations, if we limit the ability of our farmers to compete on a level playing field with our global competitors, all of our food will be coming from Mexico and South America and China.

We cannot afford for that to happen. America cannot stay strong. Our people cannot be healthy. We cannot get safe food if we don't allow our farmers to have the capacity to earn a living and to produce the highest quality, the safest and most economical food and fiber anywhere in the industrialized world.

We have to defeat these amendments. We have to studiously and assiduously study the way to reform these programs and to get cost-effectiveness. But tonight in this bill is not the place to do it. The time to do it is when we take up the farm bill in 2012 with the authorizing committee and all others having the opportunity to take our time and to thoughtfully craft a new farm policy.

With that, I urge the defeat of this amendment.

I yield back the balance of my time.

Mr. KIND. Mr. Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. KIND. Mr. Chairman, I do rise in support of my friend, my colleague from Oregon's amendment this evening.

I am not sure if a $125,000 payment limitation is the right amount, but this isn't a new concept. There has been a lot of discussion about payment limitations under title I, and the gentleman is correct. The time to start doing this is now.

We can pretend that there aren't major policy changes being made under this agricultural appropriations bill, but there are. There are deep cuts in the conservation title. We just had a large consortium, a coalition of outdoor sporting groups, write a letter expressing their concern about the deep cuts in the voluntary and incentive-based land and water conservation programs and the impact that is going to

have on quality water and habitat protection or the ability of our farmers to be good stewards of their land. There is a huge demand for these programs which will be dramatically affected with the deep spending reductions that are contained in this appropriation bill.

The same goes for the nutrition programs. The huge funding reductions will have an impact on tens of thousands of families throughout the Nation, low-income children that rely on these programs, the Women, Infants, and Children program in particular, seniors on these nutrition programs. They are going to feel the effects of the decisions that we are making in this Agriculture appropriation bill.

Now, for so many of my colleagues to stand up this evening and claim we can't mess with title I program funding, we should wait for the next farm bill, I think, is disingenuous at best.

I ask my colleagues tonight, mohair subsidies? Is that the best we are going to be able to do? And I would submit to my colleagues that the reason why mohair was picked on is because they are not a particularly well-organized, sophisticated, politically-connected entity out there, so it was easy to go after them, as my colleague from Utah showed with his amendment.

But we have known for a long time now that these subsidy programs under title I do distort the marketplace. They do distort our trade policy, as my Brazil cotton subsidy amendment highlighted a little earlier this evening. And we are long past time to start making these revisions in light of the huge budget deficits that we are facing.

□ 2320

When 80 percent of the producers in our Nation get nothing under title I subsidies—not a dime—that leaves a very small group of entities that is receiving the bulk of these taxpayer subsidies, and we all know who they are. They're the big five grain-producing entities of this country—corn, soybeans, cotton, rice, and wheat. They're the ones who are receiving the bulk of these title I subsidy programs.

Under the farm bill, there are multiple programs which they can be eligible for: from the LDP Program, to Countercyclical, to the new ACRE Program under the last farm bill, to the Direct Payment Program. Many of us were arguing in the last farm bill whether it was necessary to go forward with direct payments that bear no relationship to current market prices—all based on past production history.

Today, we are facing world record commodity prices in these categories. Not only did we continue them, but we increased the direct payments, and we're allowing double entities on the same fund to qualify for the direct payments. Yet none of that is being discussed in the context of this Agriculture appropriations bill.

As to my original point, I'm not sure if 125 is the right level, but the concept isn't new, and it's definitely a step in the right direction. I think it's trying to bring more sanity to the title I subsidy programs, which we shouldn't be delaying until the next farm bill which may or may not happen next year. We know it's tough to get major pieces of legislation through during an election year, let alone a Presidential election year. It could be years from now before we have the next farm bill ready to go with any potential change.

So I commend my colleague for offering this amendment and for continuing the discussion, and I encourage my colleagues to seriously consider supporting it. I'm sure the Senate will have some ideas, too, on things that they recommend.

This, I think, is appropriate and it's not new; and to claim that we shouldn't touch title I, yet we're eviscerating virtually the rest of the farm bill in what we're doing with this appropriations bill, I think is disingenuous.

I would be happy to yield to my friend from Oregon.

Mr. BLUMENAUER. I appreciate the gentleman's words, and I appreciate his courtesy.

I listened with amusement to my friend from Georgia talk about his concern that we're going to be importing food from overseas if we have some reasonable limitation on these title I payments.

The food, which are the fruits and vegetables that the people in my State raise—and I met with a bunch of them this last week again—get zip. They get nada. We're cutting back on the research funding for them. We're cutting back on marketing. We're cutting back on helping them comply with the environmental requirements that they want to meet because they're good stewards of the land. We're making it harder for them to do the work of producing food for America. Yet we're having lavish subsidies for five commodities, which is where 90 percent of the money goes.

If you really cared about protecting the food supply, we'd redirect it. We'd save this $650 million, and we'd put it where it would do more good.

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

Mrs. LUMMIS. I move to strike the requisite number of words.

The Acting CHAIR. The gentlewoman from Wyoming is recognized for 5 minutes.

Mrs. LUMMIS. I yield to the gentleman from Minnesota.

Mr. PETERSON. I thank the gentlelady for yielding.

I just wanted to clarify that it was discussed that what we were trying to do was to get the top 20 recipients off of the EWG Web site, and I just got a copy of it.

Four of the top 10 recipients actually are title or law firms that did work for WRP. The top one is Fidelity National Title at $4.8 million. That is all work that was done on WRP contracts. It looks to me like six of the top 20 are actually abstract and title firms that did work on conservation WRP contracts that are not affected by this amendment, so that's a problem.

You're throwing all these statistics around and claiming that these big guys are getting all this money. But these aren't even farmers. These are law firms. Maybe we should have payment limitations on law firms. That might be a good thing. Maybe we should only let these guys do $125,000 worth of WRP work so that we can spread it around a little bit and make it more fair. That's the other problem with this whole concept.

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

Mr. FARR. I move to strike the last word.

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

Mr. FARR. I wasn't going to rise on this amendment—and I probably shouldn't—but this discussion just bugs me.

I represent more productive agriculture in my district than anyone in this room—$4 billion in just one county—and I represent a bunch of counties. What we grow are specialty crops. We grow 85 crops in Monterey County. As we were talking about earlier, 58 percent of all the lettuce in the United States is grown in that county. We grow 35 different varieties of wine grapes, and we are the leading counties in strawberry production and in a bunch of berry productions. In fact, our motto there is that we're the ''salad bowl capital of the world,'' which includes all of the ingredients in salad—celery, lettuce. All those things, we grow.

Do you know what? They don't get a dime of support from the Federal Government. If the market falls, they eat it. If a disaster comes in, they eat it.

So the reason these amendments are brought up by Mr. KIND and Mr. BLUMENAUER year after year is that, frankly—do you know what?—the farm bill doesn't address this issue. It really doesn't. It's too tough—it's too politically tough—and there are too many vested interests in this town. You have a whole bunch of agriculture out there, and some people would suggest that more than all of the money created in commodity supports is in what they call ''specialty crops,'' and that's the stuff you eat all the time.

You can't have this bifurcated world out there where you have a bunch of people who are essentially on welfare and a bunch of people who are just assuming all the risk. What really surprises me is that, with the conservative side of the aisle over here that really is driven toward market approaches to solve problems, this is not a market approach. This is a subsidy. It's a taxpayer subsidy, and it's going to very wealthy people in some cases.

So I am rising to say this amendment, as in the past, gets defeated; but

these gentlemen have an issue, and I just beg with the leaders. I've got great respect for the ranking member of the Ag Committee here on our side of the aisle. I know he can wrestle with these problems. He's a CPA. He knows these things.

I think the handwriting is on the wall. If the conservatives on your side of the aisle would take this on as an issue that Americans are really going to address, we may get some progress on the farm bill. If you don't, you're abandoning your marketing concepts, and you're abandoning what is needed in modern America.

Just remember, that apple, that pear, that banana in there, that celery, the strawberries—the list goes on and on with all the fruits and vegetables—they don't get any of these payments. So let's not have a bifurcated agricultural production out there where half of it depends on taxpayer payments and the other half has to just live by market forces. Let's have everybody a lot more influenced by market forces.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BLUMENAUER. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following new section:

SEC. ____. None of the funds made available by this Act may be used to make payments (or to pay the salaries and expenses of personnel of the Department of Agriculture to make payments) under section 201 of the Claims Resolution Act of 2010 (Public Law 111–291; 124 Stat. 3070), relating to the final settlement of claims from *In re Black Farmers Discrimination Litigation*, or section 14012 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2209).

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. KING of Iowa. Mr. Chairman, this amendment emanates from claims that were filed subsequent to a press conference held by then-Secretary of Agriculture Dan Glickman in 1995, who said that the USDA was discriminating against black farmers. I believe that happened. Their estimate at the USDA at that time was that there were approximately 3,000 black farmers who would file claims under what resulted in a consent decree in the late nineties.

□ 2330

The 3,000 estimate became 22,551 claims of discrimination. But according to the census, there are 18,000 black farmers. According to the testimony of the president of the Black Farmers Association before the Judiciary Committee, there are 18,000 black farmers. Well, the 18,000 black farmers estimating 3,000 claims of discrimination became 22,551 claims. That was Pigford I. And $1.05 billion was paid out then to settle all of the claims that were there. There was an argument made that others didn't get filed. But it always was a number greater than the actual number of black farmers. And you can't have more black farmers discriminated against than there actually are.

They tried to open up Pigford II. This Congress didn't act on it in an affirmative way between the House and the Senate until late last fall in a lame duck session. President Barack Obama introduced legislation as a junior Senator from Illinois in 1989 and 2007, and was instrumental in pushing this through in a lame duck session that appropriated $1.15 billion to pay out claims.

Now we have not 3,000 claims. We still have 18,000 black farmers. Now we have 94,000 claims and report after report of fraudulent claims and marketing this as perpetuation of a fraud across this country. And my amendment shuts off the funding that would be used to administer or to fund the balance of these Pigford II claims, which this Congress must investigate the fraud that's here.

By the way, Shirley Sherrod, who was fired by the Secretary of Agriculture, was the largest recipient and the largest civil rights claim in the history of America, with $13 million for her claim. Three days later, Tom Vilsack hired her to work for the USDA. Later, he fired her. Later, he hired her back. Then she sued Andrew Breitbart. All of these things are information that we need to find out. This Congress cannot be paying out another $1.15 billion in good money going after bad claims. We have reports and videotape. One is a class counsel who had his own videotape and says that he has 3,000 clients who have filed discrimination claims, and least 10 percent of them are fraudulent claims. A class counsel, who was included in this second agreement, which by the way, the court has not finally approved.

So, Mr. Chairman, this amendment shuts off the funding that would be used to pay these claims, the funding that would be used to administer these claims, and it gives this Congress an opportunity to look into what has been done to the taxpayer here in America. And so I urge adoption of my amendment. I believe that I have explained what it amounts to, although it has been very intensively in the news over the last year or so.

I would urge its adoption.

I yield back the balance of my time.

Ms. JACKSON LEE of Texas. I move to strike the last word.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. JACKSON LEE of Texas. The opportunities for Members to have amendments is a privilege that should not be denied. And I respect my colleague from Iowa for his right to offer an amendment. But it is tragic and disappointing that my friend from Iowa, who served with me on the Judiciary Committee, would take this time to demean the tragic lives that black farmers, Native Americans farmers, and others impacted have experienced over several decades; to raise the name of Shirley Sherrod, whose eloquent story and painful story of the loss of her father in the segregated South, who was murdered, and the family had to survive after his tragic murder because of his color—to my knowledge, a farmer, man of the Earth.

I sat on the Judiciary Committee for a number of years, and this legislation proceeded through the Judiciary Committee. I join the gentleman in wanting to ensure the adequacy of the implementation of this settlement. I want to stand alongside a transparent system. But this was a lawsuit that many of the litigants died before they even got to the settlement. This is the American way—a battle in the courts, a settlement—had it not been for the good will of Members of this body on both sides of the aisle, members of the Congressional Black Caucus who joined with members of the Democratic Caucus, Republicans, past Presidents, who were concerned and interested in the devastation tragedy of the segregated South and a segregated Department who treated black farmers in a disparate way from others. Individuals who went bankrupt, who lost farms because they could not get the same access to agricultural loans that others could. And in the wisdom of the court system and the wisdom of this body and the wisdom of a settlement, relief was brought not before many had died and their heirs, trembling, limited, scattered, few, were able to come together and receive the funding.

I'm sorry Mr. KING was not at the signing of that final settlement and to see those historic families, patriots, who expressed nothing but love for this country. What a tragedy to come and interfere with an existing settlement. I don't even know how he can put this amendment up on the floor. It's late. We're losing our voices here. But I would ask my colleagues on both sides of the aisle to recognize that there's nothing wrong with ensuring that the Agriculture Department and the surrounding entities that are dealing with the distribution of these funds be transparent and without fraud.

But it would be absurd for any Member to join and to vote to interfere with the legitimate settlement of legitimate claims that have evidenced the pain and devastation and disregard and disparate treatment and discrimination and unconstitutional treatment of farmers who we claim on this floor today to love. Farming is part of the American fabric. And if there's any

body of people who understands farms, it is the ex-slaves who worked for 400 years without payment in the cotton fields of the South.

I ask my colleagues to consider opposing this amendment, and I rise respectfully to oppose it.

Mr. FARR. Mr. Chair, Pigford v. Glickman was a class action discrimination suit between the USDA and black farmers. The suit was filed by an estimated 2,000 black farmers who said that USDA discriminated against them in loan programs. A settlement agreement was approved in 1999.

The suit claimed that USDA discriminated against black farmers on the basis of race and failed to investigate or properly respond to complaints from 1983 to 1997.

The deadline for submitting a claim was September 12, 2000. However, a large number of applicants filed late and reported deficiencies in representation by class counsel.

Consequently, the 2008 farm bill (PL 110–246) permitted any claimant who had submitted a late-filing request under Pigford and who hadn't previously obtained a determination on the merits of their claim should obtain a determination. A maximum of $100 million in mandatory spending was made available for payments of these claims in the 2008 farm bill.

The multiple claims that were subsequently filed by over 25,000 black farmers were consolidated into a single case, In re Black Farmers Discrimination Litigation (commonly referred to as Pigford II).

On February 18, 2010, Attorney General Holder and Secretary Vilsack announced a $1.25 billion settlement of these Pigford II claims.

The Pigford II settlement provides both a fast-track settlement process and high payments to potential claimants who go through a more rigorous review and documentation process.

Potential claimants can seek the fast-track payments of up to $50,000 plus debt relief, or choose the longer process damages of up to $250,000.

Finally, our Nation's black farmers who were discriminatecl against by their own government have received some modicum of justice.

Despite years of political gamesmanship that prevented us from finding a fair resolution, thousands of families who have waited for the settlements will now receive them.

We cannot deny them this basic justice.

Ms. JACKSON LEE of Texas. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Iowa (Mr. KING).

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

Mr. FARR. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT OFFERED BY MR. ENGEL

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Department of Agriculture, the Food and Drug Administration, the Commodity Futures Trading Commission, or any other Federal Agency receiving funds under this Act to lease or purchase new light duty vehicles, for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum-Federal Fleet Performance, dated May 24, 2011.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. ENGEL. On May 24, President Obama issued a memorandum on Federal fleet performance, which requires that all new light-duty vehicles in the Federal fleet to be alternate fuel vehicles, such as hybrid, electric, natural gas, or biofuel, by December 31, 2015.

□ 2340

My amendment simply echoes the Presidential memorandum by prohibiting funds in the Agriculture appropriations bill from being used to lease or purchase new light-duty vehicles except in accord with the President's memorandum.

Two weeks ago, I introduced a similar amendment to the Department of Homeland Security appropriations bill that was accepted by both parties and passed by voice vote unanimously.

Our transportation sector is by far the biggest reason we send $600 billion per year to hostile nations to pay for oil at ever-increasing costs, but America doesn't need to be dependent on foreign sources of oil for transportation fuel. Alternative technologies exist today that, when implemented broadly, will allow any alternative fuel to be used in America's automotive fleet.

The Federal Government operates the largest fleet of light-duty vehicles in America. According to GSA, there are over 660,000 vehicles in the Federal fleet, with almost 38,000 belonging to the Department of Agriculture. Supporting a diverse array of vehicle technologies in our Federal fleet will encourage development of domestic energy resources, including biomass, natural gas, coal, agricultural waste, hydrogen, and renewable electricity.

Expanding the role these energy sources play in our transportation economy will help break the leverage over Americans held by foreign government-controlled oil companies and will increase our Nation's domestic security and protect consumers from price spikes and shortages in the world's oil markets. I ask that we all support my amendment.

The chairman, the gentleman from Georgia, and I cochair the Oil and National Security Caucus, and we do it because we believe that America cannot be totally free unless we're energy independent and while we still have to rely on hostile foreign nations to get our fuel and to get our fuel supplies.

On a similar note, I have worked with my colleagues, Mr. SHIMKUS, Mr. BARTLETT and Mr. ISRAEL, and for many years with Mr. KINGSTON to introduce the bipartisan open fuel standard, H.R. 1687. It's similar to what I'm doing now.

I just wanted to briefly mention that our bill, not this amendment but our bill, would require 50 percent of new automobiles in 2014, 80 percent in 2016, and 95 percent in 2017 to be warranted to operate on non-petroleum fuels, in addition to or instead of petroleum-based fuels. It would cost $100 or less per car to manufacture cars that would be flex fuel cars.

Compliance possibilities include the full array of existing technologies, including flex fuel, natural gas, hydrogen, biodiesel, plug-in electric drive, fuel cell, and a catch-all for new technologies.

I encourage my colleagues to support the Engel amendment and the open fuel standard as we work toward breaking our dependence on foreign oil. I thank Chairman KINGSTON for his courtesies, and I urge bipartisan support of my amendment.

I yield back the balance of my time.

Mrs. LUMMIS. Mr. Chairman, the chairman of the subcommittee informs me that he will accept the amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. ENGEL).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used for mifepristone, commonly known as RU-486, for any purpose.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. KING of Iowa. Thank you, Mr. Chairman.

This is an amendment that comes and there's an Iowa focus on this that affects the whole country. We have had a practice that began experimentally in Iowa by Planned Parenthood of issuing telemed abortions by distributing RU–486, the abortion pill, what is also known as mifepristone, distributing it through a means of setting up a television monitor and it circumventing the requirement in Iowa that they be seen by a doctor. A doctor sits remotely on the other side of the Skype screen, so to speak, and interviews the potential mother, who if once she answers the questions that the doctor asks and they record it under film that they've protected themselves perhaps from liability, he clicks the mouse on the one end and it opens a drawer underneath the screen on the other end and out rolls the abortion pill, RU–486.

I am very concerned about the robo distribution of abortion pills in Iowa or anywhere else. Some of us signed a letter, 70 of us, to Kathleen Sebelius and asked if they had distributed grants for telemedicine to any of the abortion

providers, including Planned Parenthood. Their response came back in the affirmative, that they had issued several grants to Planned Parenthood; and these funds, as near as we can determine, are being used to provide telemedicine for the robo abortions, robo Skype abortions as I've described.

This amendment provides that none of the funds made available in this $15 million telemedicine line item that's in this appropriations bill shall be used for the purpose of purchasing, prescribing, dispensing, procuring, or otherwise administering mifepristone, commonly known as RU–486.

I would just urge the body to pay attention to what this means for the country and understand that no one in America paying taxes should be compelled to pay for abortions if they are doing that. Skype-robo abortions are abhorrent. They're irresponsible. We have 14 deaths of moms that have come from this; 2,207 adverse events; 339 blood transfusions; and 612 hospitalizations.

This is a dangerous drug, and to distribute it through robo-Skype abortions—I'm opposed to it philosophically for a lot of reasons, but practical minds who might disagree on the abortion issue should understand that this government should not be paying for it. This amendment prohibits the use of these funds in the $15 million line item from being used to provide telemedicine abortions.

Mr. FARR. Will the gentleman yield?

Mr. KING of Iowa. I yield to the gentleman from California.

Mr. FARR. Could you tell me where in the bill this has anything to do with what you're talking about?

Mr. KING of Iowa. Reclaiming my time, I believe I did, but I would restate that there's a line item in the bill that provides $15 million to go to grants for telemedicine.

Mr. FARR. That's not in the amendment that we have.

Mr. KING of Iowa. The amendment that I have put out here says: ''None of the funds made available by this Act may be used for mifepristone, commonly known as RU–486, for any purpose.''

And so I've specified why I'm concerned and why I address this language to the broader bill, but because there are grant funds available for telemedicine in the bill, that's why I'm concerned that this application that I've used could well go, and has gone according to Kathleen Sebelius, to those grants.

If the gentleman doesn't agree, I would think he neither would disagree with the amendment because, therefore, it wouldn't have an effect by the gentleman's interpretation.

Mr. Chairman, I urge the adoption of my amendment.

I yield back the balance of my time.

Mr. FARR. I move to strike the last word.

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

Mr. FARR. Mr. Chairman, I know it's late, but I rise in opposition to this, because, first of all, using telemedicine by FDA I don't think is, one, illegal, or ill-wise. Secondly, I think what the gentleman is going to talk about is a legal drug in the United States. It's been a legitimate drug in the United States after it met all of the rigorous FDA process in 1996 and has been available since 2000 in this country.

I remember vigorous debates in this committee about the conditionality by which FDA would license this drug. It is legal and available in all 50 States in the United States, in Washington, DC, in Guam, and in Puerto Rico. It's a prescription drug which is not available to the public through pharmacies. Instead, its distribution is restricted to specifically qualified licensed physicians. To use it, a woman must go to a doctor's office.

Whatever controversy surrounded the introduction of RU–486 in the United States was settled years ago, and there's no reason for this amendment other than to stir up the controversy over the reproductive rights of women. I think by the gentleman's comments, you can see that that's what he's trying to do.

I would urge us all to oppose this amendment. And frankly it doesn't have anything to do with USDA funds, because we don't do telemedicine abortions.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Iowa (Mr. KING).

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

Mr. FARR. Mr. Chairman, I demand a recorded vote.

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

□ 2350

AMENDMENT OFFERED BY MR. CLARKE OF MICHIGAN

Mr. CLARKE of Michigan. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. Of the funds appropriated by division B of Public Law 111–117 under the heading ''Economic Support Fund'' for assistance for Afghanistan, $7,700,000 shall be transferred to, and merged with, funds appropriated by this Act under the heading ''Agricultural Marketing Services, Marketing Services''.

Mr. CLARKE of Michigan (during the reading). I ask unanimous consent to dispense with the reading, Mr. Chairman.

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

Mrs. LUMMIS. I object.

The Acting CHAIR. Objection is heard.

The Clerk will continue to read.

The Clerk continued to read.

Mrs. LUMMIS. Mr. Chairman, I reserve a point of order on the gentleman's amendment. I don't have a copy of it.

The Acting CHAIR. A point of order is reserved.

The gentleman from Michigan is recognized for 5 minutes.

Mr. CLARKE of Michigan. Thank you, Mr. Chair.

I would like to let this Congress know and the American people know that I've identified a funding source so that we can provide nutritious food and fresh fruits and vegetables to those Americans who live in areas around this country that the gentlelady from Texas (Ms. JACKSON LEE) so appropriately described as food deserts.

As a matter of fact, this government currently spends hundreds of millions of dollars to build agricultural businesses, to help support farmers, to help new farmers start new agricultural businesses in order to address food desert issues. Unfortunately, that money is not spent here to help Americans eat better. It's spent in the Afghanistan desert. As a matter of fact, in this previous fiscal year, this government spent over $700 million on agricultural aid in Afghanistan. What I propose is to redirect 1 percent of that money that's going to Afghanistan right now, send it back to the United States so people here can eat nutritional food and have access to fresh fruits and vegetables.

And I would like to say one thing. The argument on why we're spending that kind of money to support farmers in Afghanistan is because we don't want those farmers growing poppies to sell opium to fund safe havens for terrorists. We understand that there are people around the world that want to attack this country like they did many years ago, but because bin Laden is now dead, it's time for us to reassess our mission in Afghanistan. We don't need to spend $100 billion a year in Afghanistan right now. We need to take a share of that money to help the American people. So, if we took 1 percent of the money that we spent last year, we would be able to fund the program proposed by the gentlewoman from Texas.

Look, I've got young folks in the city of Detroit right now that would likely not have to resort to selling drugs if they could make a living in urban agriculture. We need that money that's going to Afghanistan. We need it right here in the United States so we can help our farmers here, so we can support farmers' markets, so we can provide food and nutritional supplements to our pregnant mothers and to their infants and children. Our people in the United States need a share of their own money back here, and that's why I wanted to rise to raise this point.

Now, I understand that the rules of this House may not allow me tonight to redirect that money from Afghanistan back here to this budget. And you

know what also, too? We could use a share of that money to help retire our deficit and debt at the same time. I'd like to work with you on that. But you know what we should do? We should change these darn rules of the House so we can reduce the overspending, help create jobs here, reduce health care costs—because people are going to be eating a lot better, and help the American people right now during this economic recession.

I'd like to work with you. I'd also like to work to change the rules of the House so that we can do this, and I understand at this late date this is not the time to act, but I'd like to pledge an agreement to work with the majority so that we can save the American people money, save us health care costs, provide better nutrition, address those food desert issues, fund the initiative proposed by the gentlelady from Texas (Ms. JACKSON LEE) and help end this economic recession and return us to prosperity.

With that, Mr. Chair, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT NO. 22 OFFERED BY MR. GARRETT

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, before the short title, insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Commodity Futures Trading Commission to promulgate any final rules under paragraphs (13) or (14) of section 2(a) of the Commodity Exchange Act, as added by section 727 of the Dodd-Frank Wall Street Reform and Consumer Protection Act, until 12 months after the promulgation of final swap transaction reporting rules under section 21 of the Commodity Exchange Act.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. GARRETT. This is a protect retiree pensions and jobs by ensuring a well-functioning swaps market amendment.

Mr. Chairman, I ask for your support today for my amendment which would do that—prevent unintended consequences from impacting literally millions of pension plan participants and the beneficiaries that follow. My amendment would simply require the CFTC to finalize important data-reporting rules before they implement new rules for certain swap transactions.

See, with this change, it would be able to collect the transaction data that it needs to determine the reasonable standards for block trade levels and real-time reporting requirements without first disrupting the marketplace. You see, finalizing any numerical determination of block trade sizes or setting real-time reporting requirement timeframes prior to having necessary data, really, if you think about it, would be arbitrary, would encourage litigation, and will likely have the unintended consequences on those very same pension funds I talked about—their ability to protect their investors, as well as on the economic growth of our country and job creation.

So, what this amendment would do is require swap data-reporting rules to be finalized and be in place before promulgating the final block trade rules or those real-time reporting criteria rules.

Now, I do this because numerous market participants of all shapes and sizes have sent to us public comment letters warning of the dangers of getting block trades and real-time rules wrong. I will just give you this one. I had others. I will just give you one of those letters, and that comes from the American Benefits Council. Who are they? Well, they and their members provide benefit services to over 100 million Americans in the Committee on Investment of Employee Benefit Assets, whose members include more than 100 of the country's largest pension funds and manage more than $1 trillion on behalf of 15 million member plan participants and the beneficiaries.

I will just give you one quote from this, not all the other ones: We have concerns about the sequencing of proposed real-time reporting rules in relation to the collection of swap market information. We believe that they should first obtain market information via reporting of trades of swap data repositories—which have to be set up, of course—and then propose rules based on this data such as real-time reporting, which necessarily would better serve the intended purposes.

So, in conclusion, by instituting a more commonsense approach to these rule-makings, we're giving them the ability to collect that data of the swap transaction information to determine those reasonable block trade levels that they have to set, the real-time reporting requirement as well, and to do so in a way that will not impair the well-functioning of the marketplace.

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

Mr. PETERSON. Mr. Chairman, I rise to oppose the amendment and move to strike the last word.

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

Mr. PETERSON. Mr. Chairman and Members, this is part of the continuing effort to delay the implementation of the Dodd-Frank Act as long as possible. We've seen some other examples of that. This section deals with public reporting swap data.

What people need to understand, the people that are most afraid of the public disclosure are not the people that are using this market. It's the banks. What this is really about and what this end-user debate that's been going on is about more than anything else is that the public disclosure of this information will lower the spreads of the Wall Street banks that do these swaps. That's what's the bottom line of this whole deal.

□ 0000

If the market participants know more, like what we do in the exchange trading and so forth, the margins are going to come down and the profits of these big banks are going to shrink. In fact, some people have said that they think that once this is implemented that it's probably going to reduce the profits of the Wall Street banks 40 percent. And they don't like it, and they want to delay it.

So some would argue that we need more data collection, and I guess that's what you are arguing before this public reporting. I think for some swaps, that is the case, and I will agree with that. But on other swaps, the institutions are already collecting this data. They can go forward with this public reporting. We have the information. There's no reason to delay it. In other cases where we don't have the information, it probably isn't appropriate to delay it.

But the CFTC has the discretion to do this, and it's right in the law. It's on page 328 of the conference report. And we've put in there the criteria to allow them to move ahead with the swaps where we have the data and to delay it where we don't have the data. But what you are trying to do is you are going to delay the whole thing, and all it's going to do is ensure that these profits and these big bonuses that they're paying on Wall Street can go on longer than they need to.

So I don't know any reason why we need to do this. If you read this, they have all the discretion. All of the problems that people brought up with the block trades and these other things that people were concerned about are in there.

And the last thing it says: They have to take into account whether the public disclosure will materially reduce market liquidity. And they are doing that, and they are doing that as we're going through this process. And I believe that at the end of the day, it's going to be fine.

Mr. GARRETT. Will the gentleman yield?

Mr. PETERSON. I yield to the gentleman from New Jersey.

Mr. GARRETT. So the gentleman agrees that there is only partial information at this point in time out there.

Mr. PETERSON. On some things.

Mr. GARRETT. On some things.

On other things, the gentleman would agree that there is no information out there at all on certain—

Mr. PETERSON. Well, I wouldn't say there isn't any information. Some of these are so thinly traded that you are never going to be able to have real-time reporting. We understand that, and there is not going to be a requirement on those. But there's no reason to

stop the real-time reporting where we have the information and where that information will make these prices better for the people that use it.

And this is the same issue with the end users. They're going to get a better deal if we allow this disclosure. Why they're fighting us is beyond me, unless they're in cahoots with the Wall Street banks. I'm not sure. Do people think that the folks on Wall Street aren't making enough money? Is that what this is about? I don't know.

Mr. GARRETT. I would appreciate if the gentleman would not make the allegation that we make these applications here because anyone is in cahoots with Wall Street banks, such as you've just made.

Mr. PETERSON. They are the people that are against this. They were against it when we did it. So I just don't buy that the pension funds are the ones that are concerned about this because the things that they're concerned about are covered in the law, and they're being taken into account by Chairman Gensler and the people at the CFTC as they develop these rules.

Mr. GARRETT. If the gentleman will yield, I know I read through it quickly because I was asked to move along things quickly at the end of the evening, but one of the documents that I read was one of the comment letters. It was not from the Wall Street bank but was from the American Benefits Council, those very same pension benefits companies speaking about this. They are the ones who are raising it. So it is those end users. Those are the participants. Those people are representing beneficiaries. They are the ones who are asking for this delay. It's not the Wall Street banks that I'm making reference to. It's the pension funds.

Mr. PETERSON. There are hundreds of thousands of comments. I haven't read them all. I don't know what they all say.

Mr. GARRETT. We can supply you with the ones.

Mr. PETERSON. Well, I have end users coming into my office arguing against their own interests. So I can't figure it out.

The Acting CHAIR. The time of the gentleman has expired.

Mr. PETERSON. But all I'm saying is this is an unnecessary amendment. It's in the statute. These things are covered. It makes no sense to delay the entire situation. You have maybe a few things that are of concern, and they are going to be taken care of.

Mr. FARR. I move to strike the last word.

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

Mr. FARR. What Ranking Member PETERSON is talking about is that this is an ag bill that is to help agriculture, producers of agriculture. What this amendment does is hurt them. It supports the banks by delaying transparency. So it's going to cost the end user more money. The end user is all the customers that this bill is all about.

If the gentleman really wants to help the banks, maybe his amendment ought to be in the Financial Services bill. But this is going to hurt our people that we, in this committee, work for all the time. And I don't think that's a very good amendment.

I ask for a ''no'' vote on the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. GARRETT).

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

Mr. PETERSON. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

AMENDMENT NO. 29 OFFERED BY MS. JACKSON LEE OF TEXAS

Ms. JACKSON LEE of Texas. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 80, after line 2, insert the following (and make such technical and conforming changes as may be appropriate):

SEC. 747. None of the funds made available by this Act may be used in contravention of the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.).

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. JACKSON LEE of Texas. Mr. Chairman, I hope my colleagues will join me in recognizing the value of emphasizing the importance of urban gardening. My amendment would prohibit any of the funds made available by the appropriations from being used in contravention of the Food and Nutrition Act of 2008.

Forty-seven million American families live in poverty that restricts their access to healthy food. The Food and Nutrition Act of 2008 supports numerous programs aimed at reducing hunger throughout the country. Seventeen million children struggle with hunger every day, affecting their ability to learn and develop in a country so full of resources. It is unconscionable that millions of children do not have enough to eat. We cannot consider proposals that would contradict existing legislation aimed at improving food security, such as the Food and Nutrition Act of 2008.

In my home State of Texas, where I represent the 18th Congressional District, 17.4 percent of all households struggle with food security. Community Food Projects Competitive Grants are a vital aspect of the Food and Nutrition Act and must be preserved. Community Food Projects Grants have helped thousands of people in low-income communities combat food insecurity by developing community food projects that encourage healthy habits and self-sufficiency. These grants increase the self-reliance of low-income communities that have historically encountered difficulties in providing foods. Programs funded by Community Food Projects Grants have been successful in cities and towns. And, in fact, more than 550,000 Harris County residents relied on the Supplemental Nutrition Assistance Program to buy food.

But one of the important aspects of this is the urban garden. The People's Garden School Pilot Program will develop and run gardens in high-poverty schools. Teaching students about health and nutrition and increasing access to healthy foods are invaluable benefits of schools where more than 50 percent of the student body qualifies for free or reduced-cost lunches.

I rise to encourage support for this particular part of the bill so that we can continue to support urban gardening. And I want to salute Veggie Pals, a gardening program that does just that. It finds patches of land wherever it might be, and it makes sure that we provide healthy food.

This amendment would ensure that nothing in this legislation, nothing in this appropriation would prohibit the growth and continued expansion of this very important concept of urban gardening. The number of Americans who suffer from poverty and hunger is unacceptable.

□ 0010

Reducing or redirecting funding meant to increase food security and nutrition is simply not an option. Join me in recognizing the value of urban gardens. And thank you to the Veggie Pals gardening program that has educated how many thousands of children and emphasized the value of good and healthy food.

This program, Veggie Pals, urban gardening, educating people about nutrition, meal preparation, physical activities, cookbooks, Olympics and others, promotes healthy behavior.

I ask my colleagues to support this amendment.

Mr. Chair, I rise before you and my colleagues today to take the opportunity to explain my amendment to H.R. 2112, "Making Appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Programs for the fiscal year ending September 30, 2012, and for other purposes." My amendment would prohibit any of the funds made available by the appropriations from being used in contravention of the Food and Nutrition Act of 2008.

47 million American families live in poverty that restricts their access to healthy food. The Food and Nutrition Act of 2008 supports numerous programs aimed at reducing hunger throughout the country.

17 million children struggle with hunger every day, affecting their ability to learn and develop. In a country so full of resources, it is unconscionable that millions of children do not

have enough to eat. We cannot consider proposals that would contradict existing legislation aimed at improving food security, such as the Food and Nutrition Act of 2008.

In my home state of Texas, where I represent the 18th Congressional District, 17.4 percent of all households struggle with food security. Community Food Project Competitive Grants are a vital aspect of the Food and Nutrition Act that must be preserved.

Community Food Project grants have helped thousands of people in low-income communities combat food insecurity by developing community food projects that encourage healthy habits and self-sufficiency.

These grants increase the self reliance of low income communities that have historically encountered difficulties in providing for their own food needs. Programs funded by community food project grants have been successful in cities and towns across America, and would certainly make a difference in the 18th Congressional District. In December of 2010, more than 550,000 Harris County residents relied on the Supplemental Nutrition Access Program to buy food.

Hunger and food insecurity have grave impacts on children. Students do not have the opportunity to succeed if they are hungry. The People's Garden School Pilot program will develop and run gardens at high poverty schools. Teaching students about health and nutrition and increasing access to healthy foods are invaluable benefits at schools where more than 50 percent of the student body qualifies for free or reduced cost lunches.

Community food project grants and other initiatives such as the People's Garden Project represent practical and long term solutions to ending food insecurity in America. We must be committed to funding programs that encourage self-sufficient food sources, highlight the importance of nutrition, and reach children at an early age.

The number of Americans who suffer from poverty and hunger is unacceptable. Reducing or redirecting funding meant to increase food security and nutrition is simply not an option. We must continue to fund programs like the community food project grants and the People's Garden.

It is the responsibility of each and every Member in this chamber to work for the well-being of our constituents and to ensure that the basic needs of constituents are met. I urge my colleagues to think of those who are affected by hunger in their districts and support this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. JACKSON LEE of Texas. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT OFFERED BY MR. SCALISE

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to implement the Departmental Regulation of the Department of Agriculture entitled ''Policy Statement on Climate Change Adaptation'' (Departmental Regulation 1070–001 (June 3, 2011)).

The Acting CHAIR. The gentleman from Louisiana is recognized for 5 minutes.

Mr. SCALISE. Mr. Chairman, this amendment prevents any taxpayer funds from being used to implement the Department of Agriculture's new rule and regulation titled Policy Statement on Climate Change Adaptation.

Mr. Chairman, we've had this debate on cap-and-trade in the last Congress. In fact, there was a bipartisan coalition of Members that voted and ultimately defeated the cap-and-trade proposal by President Obama brought in the last Congress. And yet here we now have a new regulation that was just issued by the Department of Agriculture less than 2 weeks ago to implement, in essence, a back-door attempt to put a cap-and-trade program in place in the Department of Agriculture.

And if you'll look at some of the details laid out in this policy statement, this is a regulation that was just implemented by the Department of Agriculture. It gives new powers to the Department to go into areas where right now we, as a Congress, have said we don't want the administration to be going.

In fact, if you'll look at what agencies like the EPA are doing in trying to implement other forms of cap-and-trade, global warming, carbon emission-type programs, we've been rolling those agencies back. We've been having hearings that have showed how this is not only bad policy but this will kill jobs in America.

And so if you look at some of the provisions in this, the policy establishes a USDA-wide directive to integrate climate change adaptation planning into USDA programs, policies, and operations.

Mr. Chairman, it further goes on, it actually gives new powers to the agency. It says every single office shall identify for USDA's Office of the General Counsel areas where legal analysis is needed to carry out actions identified under this Department regulation.

Now, what does that mean? Well, if you just look at what these types of policies and regulations are being used to do at EPA, what it does is give the authority for USDA lawyers to go and issue findings that can then be used against our farmers, findings that will cost our farmers jobs, increase the price of food.

And don't just look at what this policy does. Look at what's happening in some of the other agencies where they're already trying to carry this out, and Congress has been trying to roll them back.

And so at a time when we're broke—42 cents of every dollar we spend is borrowed money—this new regulation creates and references all of these new offices, the Climate Change Program Office. It says they've got to develop a USDA climate change adaptation plan. It references the USDA's global change task force.

In fact, if you look, after they released this new regulation, they issued $7.4 million to implement a bunch of new grants that are being used to do things like study carbon credits.

Well, again, that was all brought up in cap-and-trade and rejected by Congress. And yet here they come with a de facto, back-door attempt at another cap-and-trade-type of program.

We've got to stop this attack on our job creators. We've got to stop, in this case, the attack that's being proposed on our farmers. They actually are now spending millions of dollars, the USDA is, to study how farmers can grow crops in 2050, based on what they think the climate will be under these new regulations.

Look, our local weatherman can't tell us what the weather's going to be this Saturday, within a 50 percent margin of error. And yet the Department's spending millions of dollars to tell us what the climate's going to be in 39 years to determine how our farmers should be growing crops. This is ludicrous. We rejected it here in Congress. We shouldn't be allowing these kinds of regulations to be implemented. And hopefully this amendment will get adopted.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. SCALISE).

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

Mr. FARR. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 28 OFFERED BY MS. JACKSON LEE OF TEXAS

Ms. JACKSON LEE of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 80, after line 2, insert the following:

SEC. _____. None of the funds made available by this Act may be used in contravention of section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(e)).

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. JACKSON LEE of Texas. As I discuss my amendment, I want to indicate to my friends on the other side of the aisle, for the life of me, I can't understand why you would oppose an amendment that costs no funds and only emphasizes the importance of urban gardening. There lies the ludicrousness of

the lack of collaboration and understanding when there are amendments that would help all of us. So I do express my great disappointment that you didn't understand the amendment and, rather than ask what the amendment meant, you voted loudly ''no.'' That's unfortunate for the American people. We do that all the time.

But I rise today to emphasize the importance of making sure that we implement the judgment that has already previously been discussed that helps the unfortunate farmers that experienced proven discrimination at the Department of Agriculture and to credit Members on both sides of the aisle for recognizing it and recognizing the importance of not infringing upon a judicial decision, a settlement that could help a number of farmers in all categories that were acknowledged by many Members of this body.

I thank a number of my colleagues who worked on these issues for a number of years. They worked on it with great sincerity and, as well, they recognized that it is important for us to continue to produce food, but, as well, we need to ensure that all farmers, small farmers and certainly minority farmers, have the opportunity to engage in their trade.

My amendment would ensure that the agricultural appropriations are effectively and promptly made available as necessary through this process and, as well, to work with cooperatives supporting small socially disadvantaged producers.

The amendment would make the allocation of funds to cooperatives supporting the work of minority and socially disadvantaged farmers as provided in section 310(b)(e) of the Consolidated Farm and Rural Development Act a priority.

Again, this particular amendment requires no money. It just indicates that we should follow through on the provisions. However, this funding is vital to support the many farmers and their families that work tirelessly to make sure that other hardworking families have food to eat. It would be hard to deny the vital role that American farmers play in our society.

It is also important that this significant group of American farmers not be overlooked, not be marginalized. And I would, frankly, say that we support their continued existence. They have a long history, and I believe it is important to do so.

As a senior member of the House Judiciary Committee, I remember the long journey we took in order to ensure that African American, Latino and Native American farmers would not be shortchanged of grants, loans, and programs. This amendment simply seeks to reinforce that.

Finally, I would make the point that I hope that we would have the opportunity to find the necessary collaboration again to settle claims of discrimination from those farmers who had not yet come under the particular recent settlement. The President had requested some $40 million to provide settlements for discrimination claims filed under the Equal Credit Opportunity Act.

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It is unfortunate that those resources apparently were not able to be included.

The USDA anticipates that 600 claims will need to be settled under this action. The estimate of funding needed to settle these 600 cases is based on the average settlement cost for claimants under other civil rights class action law suits, most notably the already settled Pigford discrimination lawsuit.

This request was only of $20 million. It is not in this bill. This amendment does not address the fact that it's not in this bill; it simply says we are fair when we understand the issue. I hope that we will have the opportunity to understand the issue. The more farmers we can have producing the good food that has made America great—the bread basket of America—is the better way to go.

So I hope my colleagues will support this amendment that simply reinforces the importance of creating equal access to resources so that we can produce the food necessary for the American people. I showed just a moment ago that of a healthy child and a military family. We need to make sure that all Americans have access to food, and we should extinguish the concept of food insecurity. We can do that by helping the many different farmers and small farmers that rely upon these very important programs to help them produce the food for America.

Mr. Chairman, I ask my colleagues to support this amendment.

I yield back the balance of my time.

Mr. Chair, I rise before you and my colleagues today to take the opportunity to explain my amendment to H.R. 2112, "Making Appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Programs for the fiscal year ending September 30, 2012, and for other purposes." My amendment would ensure that agricultural appropriations are effectively and promptly made available to minority farmers and cooperatives supporting small, socially disadvantaged producers.

This amendment would make the allocation of funds to cooperatives supporting the work of minority and socially disadvantaged farmers as provided in Section 310B(e) of the Consolidated Farm and Rural Development Act a priority. I believe by considering cooperative development grants for farmers for the fiscal year 2012, we as a Congressional body have already taken a step in the right direction. This funding is vital to support the many farmers and their families that work tirelessly to make sure that other hardworking American families have food to eat. It would be hard to deny the vital role that American farmers play in our society. The benefits of their labors are immediately visible in our schools' cafeterias, our local grocery stores, and even on our dining room tables. American farmers and farming programs should be appreciated, supported, and funded.

However, in this significant group of American farmers, it is important that we not overlook the too often marginalized population of minority farmers. As many of you may know, the history of minority farmers and government programs is a long and tumultuous one. Minority farmers have faced years of institutionalized discrimination when applying for Federal Government funding. This is a fact that is discouraging for many minority farmers, and quite frankly embarrassing for many government institutions.

As a Senior Member of the House Judiciary Committee, I have been actively involved in the fight to ensure that minority farmers receive justice for the many discriminations that they have faced and a fair chance at achieving the American Dream. Too often African American, Latino, and Native American farmers have been shortchanged on agricultural grants, loans, and programs. This injustice has prevented minority farmers from being as successful as they could be. It has also prevented American society in general from reaping the benefits of their labor. It is with this very saddening fact in mind that I propose the immediate distribution of funding designated for cooperatives whose primary focus is to provide assistance to small, socially disadvantaged producers.

By accelerating the disbursement of this funding, minority farmers and cooperatives supporting minority farmers will have earlier access to the resources that they need and deserve. The results of this funding—technological advances and agricultural sector growth—will benefit not only farmers, but American society as a whole. The benefits will be evident on our local farms, in our neighborhood supermarkets, and in our national economy. If we want our agricultural sector to grow, thrive, and compete, we must consider this amendment to make the distribution of these funds urgent and effective.

The time has come for the United States to take a proactive role in upholding the standards of equality and fairness in the agricultural sector. I believe it is of the utmost importance that we make use of every available opportunity to acknowledge the work of all Americans whose labor contributes to the health and welfare of society. All agricultural workers, minority farmers in particular, should be provided the necessary assistance to ensure that the fruits of their labor can continue to fuel our daily work. This is not just because the government has historically done such a poor job providing equal and fair support to minority farmers, but because it is the right thing to do. With this in mind I urge the adaptation of my proposed amendment to H.R. 2112. Thank you for your time and consideration in this imperative matter.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. JACKSON LEE of Texas. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT OFFERED BY MS. HIRONO

Ms. HIRONO. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. For preventive measures authorized under the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001 et seq.) and the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590a et seq.), including research, engineering operations, methods of cultivation, the growing of vegetation, rehabilitation of existing structures, and changes in use of land, there is hereby appropriated, and the amount otherwise provided by this Act for ''Agricultural Programs—Agriculture Buildings and Facilities and Rental Payments'' is reduced by, $3,000,000, to remain available until expended.

The Acting CHAIR. The gentlewoman from Hawaii is recognized for 5 minutes.

Ms. HIRONO. Mr. Chairman, I rise to speak in support of my amendment to restore $3 million in funding for the Watershed and Flood Protection program. Funding for this program was eliminated in fiscal year 2011, and no funding is provided in this bill.

My amendment provides $3 million for this program, just 10 percent of the $30 million provided in fiscal year 2010. I am taking funding from the agriculture buildings and facilities and rental payments to offset the cost of my amendment. Under my amendment, the Natural Resources Conservation Service, NRCS, would make the determination on where to direct the funds.

The Watershed and Flood Control Program provides for cooperation between the Federal Government, States, and localities to prevent erosion, flood water, and sediment damage. This is also a vital program to further the development, utilization, and disposal of water. It also helps to further the conservation and utilization of land and authorized watersheds.

Watershed improvements under this program are cost-shared between the Federal Government and local governments. I think that's a good thing. The program is being zeroed out despite the fact that we have an unfunded Federal commitment of more than $1 billion for 297 cost-shared projects in 39 States, American Samoa, and the Commonwealth of the Northern Mariana Islands. These projects would help to reduce flood damage in 320 communities, improve agriculture water supply in 80 communities, and improve water quality in 132 streams.

Clearly, the national reach of this program is apparent from the numbers I just cited. In fact, I have a list of the 41 States and the Pacific islands that have been helped by this program, including Iowa, Kansas, Missouri, New Mexico, Oklahoma, Tennessee, Texas—the list goes on.

States and the local governments have worked together with NRCS, and they put up their own funds to construct flood control and water development projects. I don't think it is fair to leave these local governments holding the bag while the Federal Government just walks away from these commitments. Even shutting down projects of course costs money, and we can't leave them just halfway done on these projects. How can we just walk away from these projects before realizing the economic and environmental benefits they were designed to deliver?

I urge my colleagues to support funding for this important program. It affects 40 States plus Pacific islands.

I will submit for the RECORD a list of unfunded Federal commitments to authorized watershed projects in so many of our States.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Hawaii (Ms. HIRONO).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. HIRONO. Mr. Chairman, I demand a recorded vote.

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

Mr. KINGSTON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CONAWAY) having assumed the chair, Mr. DOLD, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2112) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes, had come to no resolution thereon.

## SETTING THE RECORD STRAIGHT

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

Ms. BROWN of Florida. Mr. Speaker, I listened with great interest last night on the debate pertaining to cutting funds for children and women with the Department of Agriculture. And I'm greatly disturbed by the assertion that we should do that and cut programs for senior citizens and the disabled because of the budgetary problems that we're having here in Washington.

Yes, we're having problems; but those problems did not start 18 months ago. Those problems have been going on for a very long time. And we're making decisions. And when we voted—not I—in December to give billionaires and millionaires $780 billion and then in June and April you say you don't have money for pension checks and you don't have money for senior citizens and you don't have money for children and babies, it's a mispriority.

And for people to get on this floor and constantly talk about the recovery and the number of jobs, well, I want to submit just for the record the number of jobs that were saved in Florida and Georgia and other places because of the Recovery Act.

## HOUR OF MEETING

Mr. KINGSTON. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. today.

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

There was no objection.

## ADJOURNMENT

Mr. KINGSTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 28 minutes a.m.), under its previous order, the House adjourned until today, Thursday, June 16, 2011, at 9 a.m.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1963. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Importation of Swine Hides and Skins, Bird Trophies, and Ruminant Hides and Skins; Technical Amendment [Docket No.: APHIS-2006-0113] (RIN: 0579-AC11) received May 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1964. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Brucellosis in Swine; Add Texas to List of Validated Brucellosis-Free States [Docket No.: APHIS-2011-0005] received May 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1965. A letter from the Under Secretary, Department of Defense, transmitting the Department's Annual Report for FY 2010 regarding the training, and its associated expenses, of U.S. Special Operations Forces (SOF) with friendly foreign forces, pursuant to 10 U.S.C. 2011; to the Committee on Armed Services.

1966. A letter from the Under Secretary, Department of Defense, transmitting the Department's Evaluation of the TRICARE Program for Fiscal Year 2011, pursuant to 10 U.S.C. 1073 note; to the Committee on Armed Services.

1967. A letter from the Secretary, Army, Department of Defense, transmitting a letter regarding a directed quantity reduction; to the Committee on Armed Services.

1968. A letter from the Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Donald C. Wurster, United States Air Force, and his advancement on the retired list in the grade of lieutenant general; to the Committee on Armed Services.

1969. A letter from the Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General John T. Sheridan, United States Air

Force, and his advancement on the retired list in the grade of lieutenant general; to the Committee on Armed Services.

1970. A letter from the Under Secretary, Department of Defense, transmitting a letter on the approved retirement Lieutenant General William G. Webster, Jr., United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

1971. A letter from the Secretary, Department of the Treasury, transmitting the annual report on the operations of the Exchange Stabilization Fund (ESF) for fiscal year 2010, pursuant to 31 U.S.C. 5302(c)(2); to the Committee on Financial Services.

1972. A letter from the Acting Director, SFHGLD, Department of Agriculture, transmitting the Department's final rule — Single Family Housing Guaranteed Loan Program (RIN: 0575-AC83) received May 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1973. A letter from the Associate General Counsel for Legislation and Regulation Divisions, Department of Housing and Urban Development, transmitting the Department's final rule — HUD Multifamily Rental Projects: Regulatory Revisions [Docket No.: FR-5393-F-02] (RIN: 2502-A195) received May 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1974. A letter from the President and Chairman, Export-Import Bank, transmitting a report involving U.S. exports to the People's Republic of China, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

1975. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Luxembourg pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

1976. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Federal Home Loan Bank Investments (RIN: 2590-AA32) received May 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1977. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Corporate Credit Unions (RIN: 3133-AD74) received May 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1978. A letter from the Director, Directorate of Standards and Guidance, Occupational Safety and Health Administration, transmitting the Administration's final rule — General Working Conditions in Shipyard Employment [Docket No.: OSHA-S049-2006-0675 (formerly Docket No. S-049)] (RIN: 1218-AB50) received May 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1979. A letter from the Secretary, Department of Health and Human Services, transmitting the 2010 report of Health, United States, compiled by the National Center for Health Statistics, and the Centers for Disease Control and Prevention, pursuant to 42 U.S.C. 242m(a)(1)(c); to the Committee on Energy and Commerce.

1980. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 11-22 pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

1981. A letter from the Director, International Cooperation, Department of Defense, transmitting pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 6-11 informing of an intent to sign a Memorandum of Understanding with the Czech Republic; to the Committee on Foreign Affairs.

1982. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Pursuant to section 702 of the Foreign Relations Authorization Act for FY 2003 (Pub. L. 107-228), a report on the 2010 U.S.-Vietnam Human Rights Dialogue Meetings; to the Committee on Foreign Affairs.

1983. A letter from the Acting Assistant Legal Advisor for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

1984. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a six-month periodic report on the national emergency with respect to the proliferation of weapons of mass destruction that was declared in Executive Order 12938 of November 14, 1994, and continued by the President each year, most recently on November 6, 2010; to the Committee on Foreign Affairs.

1985. A letter from the Secretary, Department of the Treasury, transmitting as required by section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12170 of November 14, 1979; to the Committee on Foreign Affairs.

1986. A letter from the Secretary, Department of the Interior, transmitting the Department's semiannual report from the office of the Inspector General for the period October 1, 2010 through March 31, 2011, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

1987. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting copy of the report entitled ''Comparative Analysis of Actual Cash Collections to the Revised Revenue Estimate Through the 4th Quarter of Fiscal Year 2010'', pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

1988. A letter from the Associate General Counsel for General Law, Department of Homeland Security, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1989. A letter from the Secretary, Department of Labor, transmitting the Department's semiannual report from the office of the Inspector General for the period October 1, 2010 through March 31, 2011, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

1990. A letter from the Secretary, Department of Veterans Affairs, transmitting the semiannual report on activities of the Inspector General for the period October 1, 2010, through March 31, 2011, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

1991. A letter from the Commissioner, Election Assistance Commission, transmitting Semiannual Report of the Inspector General for the period October 31, 2010 through March 1, 2011; to the Committee on Oversight and Government Reform.

1992. A letter from the Administrator, General Services Administration, transmitting the Administration's semiannual report from the Office of the Inspector General during the 6-month period ending March 31, 2011, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

1993. A letter from the Chairman, National Endowment for the Arts, transmitting the Semiannual Report of the Inspector General and the Semiannual Report on Final Action Resulting from Audit Reports, Inspection Reports, and Evaluation Reports for the period October 1, 2010 through March 31, 2011, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

1994. A letter from the Chairman, Railraod Retirement Board, transmitting the semiannual report on activities of the Office of Inspector General for the period October 1, 2010 through March 31, 2011; to the Committee on Oversight and Government Reform.

1995. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Alabama Regulatory Program [SATS No.: AL-076-FOR; Docket ID: OSM-2010-0020] received May 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1996. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Montana Regulatory Program [STAS No.: MT-030-FOR; Docket ID No. OSM-2009-0007] received May 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1997. A letter from the Assistant Secretary — Land and Materials Management, Department of the Interior, transmitting the Department's final rule — Renewable Energy Alternate Uses of Existing Facilities on the Outer Continental Shelf-Acquire a Lease Noncompetitively [Docket ID: BOEM-2010-0045] (RIN: 1010-AD71) received 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1998. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery; 2011 Sector Operations Plans and Contracts, and Allocation of Northeast Multispecies Annual Catch Entitlements [Docket No.: 110201085-1212-02] (RIN: 0648-XY55) received May 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1999. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast (NE) Multispecies Fishery; Framework Adjustment 45 [Docket No.: 100923469-1211-02] (RIN: 0648-BA27) received May 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2000. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area [Docket No.: 101126521-0640-02] (RIN: 0648-XA404) received May 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2001. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Bluefish

Fishery; 2011 Atlantic Bluefish Specifications; Regulatory Amendment [Docket No.: 101228634-1149-02] (RIN: 0648-BA26) received May 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2002. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area [Docket No.: 101126521-0640-02] (RIN: 0648-XA364) received May 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2003. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery of the South Atlantic; Reopening of the Commercial Sector for Vermilion Snapper in the South Atlantic [Docket No.: 040205043-4043-01] (RIN: 0648-XA360) received May 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2004. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer [Docket No.: 101029427-0609-02] (RIN: 0648-XA371) received May 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2005. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Gulf of Mexico Reef Fish Fishery; 2011 Accountability Measures for Greater Amberjack and Closure of the 2011 Gulf of Mexico Commercial Sector for Greater Amberjack [Docket Nos.: 100610255-0257-01 and 040205043-4043-01] (RIN: 0648-XA353) received May 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2006. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod in the Bering Sea and Aleutian Islands Management Area [Docket No.: 101126521-0640-02] (RIN: 0648-XA405) received May 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2007. A letter from the Management and Program Analyst, Department of Homeland Security, transmitting the Department's final rule — Requiring Residents Who Live Outside the United States To File Petitions According to Form Instructions [CIS No.: 2502-11, DHS Docket No. USCIS-2011-0002] (RIN: 1615-AB93) received May 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

2008. A letter from the Attorney General, Department of Justice, transmitting the Department's decision not to petition the Supreme court to review the decision of the U.S. Court of Appeals for the Sixth Circuit in the case United States v. Warshak, 631 F.3d 266 (6th Cir. 2010); to the Committee on the Judiciary.

2009. A letter from the Assistant Attorney General, Department of Justice, transmitting copy of the Office of Victims of Crime (OVC) International Terrorism Victim Expense Reimbursement (ITVERP) Report to Congress 2009; to the Committee on the Judiciary.

2010. A letter from the Administrator, Department of Transportation, transmitting the Federal Aviation Administration's Capital Investment Plan (CIP) for fiscal years 2012-2016, pursuant to 49 U.S.C. app. 2203(b)(1); to the Committee on Transportation and Infrastructure.

2011. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Hamilton Sundstrand Propellers Model 247F Propellers [Docket No.: FAA-2009-0113; Directorate Identifier 2008-NE-25-AD; Amendment 39-16602; AD 2011-04-02] (RIN: 2120-AA64) received May 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2012. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault-Aviation Model FALCON 7X Airplanes [Docket No.: FAA-2010-1207; Directorate Identifier 2010-NM-140-AD; Amendment 39-16680; AD 2011-09-18] (RIN: 2120-AA64) received May 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2013. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A340-200, -300, -500, and -600 Series Airplanes [Docket No.: FAA-2011-0386; Directorate Identifier 2010-NM-115-AD; Amendment 39-16679; AD 2011-09-17] (RIN: 2120-AA64) received May 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2014. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; DG Flugzeugbau GmbH Glaser-Dirks Model DG-808C Gliders [Docket No.: FAA-2010-0409; Directorate Identifier 2011-CE-011-AD; Amendment 39-16678; AD 2011-09-16] (RIN: 2120-AA64) received May 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2015. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A330-300, A340-200, and A340-300 Series Airplanes [Docket No.: FAA-2010-1309; Directorate Identifier 2010-NM-060-AD; Amendment 39-16662; AD 2011-08-12] (RIN: 2120-AA64) received May 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2016. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Model DC-9-14, DC-9-15, and DC-9-15F, Airplanes; and DC-9-20, DC-9-30, DC-9-40, and DC-9-50 Series Airplanes [Docket No.: FAA-2010-0958; Directorate Identifier 2010-NM-188-AD; Amendment 39-16641; AD 2011-07-04] (RIN: 2120-AA64) received May 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2017. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Model CL-600-2B19 (Regional Jet Series 100 & 400) Airplanes [Docket No.: FAA-2010-0436; Directorate Identifier 2009-NM-230-AD; Amendment 39-16643; AD 2011-07-06] (RIN: 2120-AA64) received May 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2018. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Reims Aviation S.A. Model F406 Airplanes [Docket No.: FAA-2011-0058; Directorate Identifier 2010-CE-071-AD; Amendment 39-16640; AD 2011-07-03] (RIN: 2120-AA64) received May 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2019. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Sicma Aero Seat 9140, 9166, 9173, 9174, 9184, 9188, 9196, 91B7, 91B8, 91C0, 91C2, 91C4, 91C5,and 9301 Series Passenger Seat Assemblies; and Sicma Aero Seat 9501311-05, 9501301-06, 9501311-15, 9501301-16, 9501441-30, 9501441-33, 9501311-55, 9501301-56, 9501441-83, 9501441-95, 9501311-97, and 9501301-98 Passenger Seat Assemblies; Installed on Various Transport Category Airplanes [Docket No.: FAA-2010-0027; Directorate Identifier 2008-NM-204-AD; Amendment 39-16642; AD 2011-07-05] (RIN: 2120-AA64) received May 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2020. A letter from the Commissioner, Social Security Administration, transmitting the Administration's Fifteenth 2011 Annual Report of the Supplemental Security Income Program, pursuant to Public Law 104-193, section 231 (110 Stat. 2197); to the Committee on Ways and Means.

2021. A letter from the Assistant Secretary, Department of Defense, transmitting additional legislative proposals that the Department requests be enacted during the first session of the 112th Congress; jointly to the Committees on Armed Services and Foreign Affairs.

2022. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Department of Justice, transmitting the Department's final rule — Self-Certification and Employee Training of Mail-Order Distributors of Scheduled Listed Chemical Products [Docket No.: DEA-347I] (RIN: 1117-AB30) received May 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and the Judiciary.

2023. A letter from the Assistant Secretary, Department of Defense, transmitting additional legislative proposals that the Department requests be enacted during the first session of the 112th Congress; jointly to the Committees on Foreign Affairs and Armed Services.

## 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. GINGREY of Georgia (for himself, Mr. GENE GREEN of Texas, Mr. WHITFIELD, Ms. DEGETTE, Mr. ROGERS of Michigan, Ms. ESHOO, and Mr. SHIMKUS):

H.R. 2182. A bill to provide incentives for the development of qualified infectious disease products; to the Committee on Energy and Commerce.

By Ms. ROS-LEHTINEN (for herself, Mr. RIVERA, Ms. BROWN of Florida, Mr. DIAZ-BALART, Ms. WILSON of Florida, and Ms. WASSERMAN SCHULTZ):

H.R. 2183. A bill to increase the portion of community development block grants that may be used to provide public services, and for other purposes; to the Committee on Financial Services.

By Mr. COFFMAN of Colorado:

H.R. 2184. A bill to establish the Rare Earth Policy Task Force, to direct the Secretary of the Interior to develop a plan to ensure the long-term supply of rare earth materials, and for other purposes; to the Committee on Natural Resources, and in addition

to the Committee on Science, Space, and Technology, 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 Ms. ZOE LOFGREN of California (for herself and Mr. CONYERS):

H.R. 2185. A bill to amend the Immigration and Nationality Act to reaffirm the United States' historic commitment to protecting refugees who are fleeing persecution or torture; to the Committee on the Judiciary, and in addition to the Committees on Ways and Means, and the Budget, 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. CUMMINGS:

H.R. 2186. A bill to amend title 10, United States Code, to enhance the security of the United States and the readiness of the Armed Forces by increasing diversity within the leadership ranks of the Armed Forces; to the Committee on Armed Services, and in addition to the Committee on Transportation and Infrastructure, 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 Ms. SCHAKOWSKY (for herself, Mr. STARK, Mr. ELLISON, Ms. LEE of California, Ms. DELAURO, Ms. BALDWIN, Mr. RANGEL, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RYAN of Ohio, Mr. LYNCH, Ms. NORTON, and Mr. SHERMAN):

H.R. 2187. A bill to amend the Public Health Service Act to establish direct care registered nurse-to-patient staffing ratio requirements in hospitals, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LATHAM (for himself and Mr. BURGESS):

H.R. 2188. A bill to require government-wide application of continuous process improvement methods to reduce waste and improve the effectiveness of the Federal Government, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. SCOTT of Virginia:

H.R. 2189. A bill to encourage States to report to the Attorney General certain information regarding the deaths of individuals in the custody of law enforcement agencies, and for other purposes; to the Committee on the Judiciary.

By Mr. WAXMAN (for himself, Mr. LEVIN, Mr. STARK, Mr. DINGELL, Mr. GEORGE MILLER of California, and Mr. ANDREWS):

H.R. 2190. A bill to amend title XVIII of the Social Security Act to require drug manufacturers to provide drug rebates for drugs dispensed to low-income individuals under the Medicare prescription drug benefit program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CLAY (for himself, Mr. LYNCH, Mr. CONNOLLY of Virginia, Mr. DAVIS of Illinois, Mr. BRALEY of Iowa, Mr. CLARKE of Michigan, Ms. JACKSON LEE of Texas, Mr. THOMPSON of Mississippi, Mr. RICHMOND, Mr. CARSON of Indiana, Ms. BASS of California, Mr. PAYNE, Mr. FATTAH, Mr. RUSH, Mr. HASTINGS of Florida, Mr. CLEAVER, Mr. BUTTERFIELD, Ms. LEE of California, and Ms. WILSON of Florida):

H.R. 2191. A bill to require that any home inspection conducted in connection with a purchase of residential real property that involves a federally related mortgage loan be conducted by a State-licensed or State-certified home inspector to determine the existence of structural, mechanical, and electrical safety defects, and to require inclusion in the standard settlement statement of information regarding any home inspection conducted in connection with settlement; to the Committee on Financial Services.

By Mr. COHEN (for himself, Mr. FORBES, Mr. ROHRABACHER, Ms. SCHAKOWSKY, and Mr. NADLER):

H.R. 2192. A bill to exempt for an additional 4-year period, from the application of the means-test presumption of abuse under chapter 7, qualifying members of reserve components of the Armed Forces and members of the National Guard who, after September 11, 2001, are called to active duty or to perform a homeland defense activity for not less than 90 days; to the Committee on the Judiciary.

By Mr. DAVIS of Illinois (for himself, Ms. JACKSON LEE of Texas, Mr. RANGEL, Mr. TOWNS, Mrs. CHRISTENSEN, Mr. BRADY of Pennsylvania, Mr. CONYERS, Mr. CLAY, and Mr. RUSH):

H.R. 2193. A bill to amend title IV of the Social Security Act to ensure funding for grants to promote responsible fatherhood and strengthen low-income families, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, Energy and Commerce, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENGEL (for himself, Mr. BURGESS, Mr. ACKERMAN, Mr. RANGEL, Mr. GONZALEZ, Ms. LEE of California, and Mr. KING of New York):

H.R. 2194. A bill to provide grants to better understand and reduce gestational diabetes, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ENGEL (for himself, Mr. MURPHY of Pennsylvania, and Ms. BALDWIN):

H.R. 2195. A bill to amend title XVIII of the Social Security Act to provide for the coverage of home infusion therapy under the Medicare Program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MARKEY:

H.R. 2196. A bill to direct President, utilizing the Western Area Power Administration, to acquire renewable energy in amounts sufficient to ensure that, of the total amount of electric energy the Federal Government consumes during any fiscal year, certain minimum amounts shall be renewable energy, and for other purposes; to the Committee on Oversight and Government Reform, 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. NADLER (for himself, Mr. GRIJALVA, Mr. HASTINGS of Florida, Ms. LEE of California, Ms. NORTON, Ms. SCHAKOWSKY, Mr. STARK, and Mr. TOWNS):

H.R. 2197. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide incentives to States and units of local government under the Edward Byrne Memorial Justice Assistance Grant Program for providing certain services to victims of sexual assault or rape, and for other purposes; to the Committee on the Judiciary.

By Mr. PAULSEN (for himself, Mr. SCHOCK, and Mr. DONNELLY of Indiana):

H.R. 2198. A bill to amend the Internal Revenue Code of 1986 to increase the alternative tax liability limitation for small property and casualty insurance companies; to the Committee on Ways and Means.

By Mr. POE of Texas (for himself, Mr. MARCHANT, Mr. WESTMORELAND, Mrs. ELLMERS, Mr. PITTS, Mr. FRANKS of Arizona, Mr. PENCE, Mr. FLORES, Mr. KING of Iowa, Mr. ROONEY, and Mr. GINGREY of Georgia):

H.R. 2199. A bill to prohibit the issuance of certain visas to nationals of a country that denies or unreasonably delays the repatriation of a national ordered removed from the United States to such country, and for other purposes; to the Committee on the Judiciary.

By Mr. ROHRABACHER:

H.R. 2200. A bill to limit assistance to Honduras unless the President certifies to Congress that the Government of Honduras has settled all outstanding expropriation claims brought by United States companies against the Government of Honduras; to the Committee on Foreign Affairs.

By Mr. SMITH of Washington (for himself, Mr. DICKS, Mr. LARSEN of Washington, and Mr. MCDERMOTT):

H.R. 2201. A bill to amend title XVIII of the Social Security Act to improve the provision of items and services provided to Medicare beneficiaries residing in rural areas; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TIERNEY:

H.R. 2202. A bill to reauthorize the Essex National Heritage Area; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 2203. A bill to establish a pilot program under which veterans in the State of Alaska may receive health care benefits from the Department of Veterans Affairs at non-Department medical facilities, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ROYCE (for himself, Mr. BERMAN, Ms. ROS-LEHTINEN, Mr. SCHIFF, Mr. COSTA, Ms. ESHOO, Mr. PALLONE, Mr. MCGOVERN, Mr. FRANK of Massachusetts, Mr. BACA, Mr. CICILLINE, Mrs. NAPOLITANO, Mr. SARBANES, Mr. ACKERMAN, Mr. CROWLEY, Mr. NUNES, Ms. CHU, Mrs. MALONEY, Mr. ENGEL, Mr. SHERMAN, Mr. BRALEY of Iowa, Mr. WOLF, Mr. ROTHMAN of New Jersey, Mr. BILIRAKIS, Ms. SPEIER, Mr. MCCOTTER, Mr. DANIEL E. LUNGREN of California, Mr. LANGEVIN, Mr. GALLEGLY, Mr. LAMBORN, Mr. DENHAM, Mr. CARDOZA, and Mr. DOLD):

H. Res. 306. A resolution urging the Republic of Turkey to safeguard its Christian heritage and to return confiscated church properties; to the Committee on Foreign Affairs.

By Mr. BASS of New Hampshire:

H. Res. 307. A resolution amending the Rules of the House of Representatives to establish a Committee on the Reduction of

Nonessential Federal Expenditures; to the Committee on Rules.

By Mr. MEEKS (for himself and Mr. SESSIONS):

H. Res. 308. A resolution recognizing the achievements of America's high school valedictorians of the graduating class of 2011, promoting the importance of encouraging intellectual growth, and rewarding academic excellence of all American high school students; to the Committee on Education and the Workforce.

## 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. GINGREY of Georgia:

H.R. 2182.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this legislation is based is found in article I, section 8, clause 18 granting Congress the power ''to make all Laws which shall be necessary and proper for carrying into Execution foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.''

By Ms. ROS-LEHTINEN:

H.R. 2183.

Congress has the power to enact this legislation pursuant to the following:

Article I—The Legislative Branch.

Section 1: The Legislature:

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

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; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Clause 18. The Congress shall have Power To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. COFFMAN of Colorado:

H.R. 2184.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authorities on which this bill rests is:

The power of Congress to make law regarding the needful rules and regulations respecting the property of the United States, as enumerated in Article IV, Section 3, Clause 2 of the United States Constitution.

By Ms. ZOE LOFGREN of California:

H.R. 2185.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4 of the Constitution.

By Mr. CUMMINGS:

H.R. 2186.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 12, 13, 14 and 18.

By Ms. SCHAKOWSKY:

H.R. 2187.

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 (Clause 1), which grants Congress the power to provide for the ''general Welfare of the United States.''

By Mr. LATHAM:

H.R. 2188.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 18 of the United States Constitution, under which Congress has the power ''to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.''

By Mr. SCOTT of Virginia:

H.R. 2189.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, U.S. Constitution.

By Mr. WAXMAN:

H.R. 2190.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clauses 3 and 18 of the United States Constitution.

By Mr. CLAY:

H.R. 2191.

Congress has the power to enact this legislation pursuant to the following:

The Commerce Clause (Art. I & 8, cl. 3) of the United States Constitution provide that the Congress shall have the power to regulate interstate and foreign commerce.

By Mr. COHEN:

H.R. 2192.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 4 of the United States Constitution.

By Mr. DAVIS of Illinois:

H.R. 2193.

Congress has the power to enact this legislation pursuant to the following:

Spending Authorization Article I, 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 Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. ENGEL:

H.R. 2194.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article 1 of the Constitution

By Mr. ENGEL:

H.R. 2195.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article 1 of the Constitution

By Mr. MARKEY:

H.R. 2196.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8.

By Mr. NADLER:

H.R. 2197.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8, clauses 1 and 18.

By Mr. PAULSEN:

H.R. 2198.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 clause 1.

By Mr. POE of Texas:

H.R. 2199.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 Clause 4, which states that Congress has the power to establish a uniform Rule of Naturalization and Clause I of Section 8 or Article I which states that Congress has the power to provide for the common Defense and general Welfare of the United States.

By Mr. ROHRABACHER:

H.R. 2200.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9: No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law.

By Mr. SMITH of Washington:

H.R. 2201.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 and Clause 14.

By Mr. TIERNEY:

H.R. 2202.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution.

By Mr. YOUNG of Alaska:

H.R. 2203.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 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. 10: Mrs. NOEM.

H.R. 91: Mr. WOLF, Mr. STIVERS, Mr. ROKITA, Mr. MCKINLEY, and Mr. BENISHEK.

H.R. 136: Mr. FILNER.

H.R. 177: Mr. ROKITA and Mr. GALLEGLY.

H.R. 178: Mr. LUJÁN, Mr. GRIJALVA, and Mr. GENE GREEN of Texas.

H.R. 198: Mr. ALTMIRE.

H.R. 303: Mr. GENE GREEN of Texas.

H.R. 374: Mr. HULTGREN.

H.R. 440: Mr. CARTER.

H.R. 452: Mr. REHBERG.

H.R. 457: Mr. LANDRY.

H.R. 469: Mr. ELLISON, Mr. NEAL, Mr. CARSON of Indiana, and Mr. MORAN.

H.R. 494: Ms. CASTOR of Florida.

H.R. 498: Mr. GRIFFITH of Virginia.

H.R. 529: Mr. LYNCH.

H.R. 583: Mr. DOYLE, Mr. NADLER, Ms. BALDWIN, Mr. FILNER, Ms. MATSUI, Ms. ROYBAL-ALLARD, Mrs. MALONEY, Mr. HASTINGS of Florida, Mr. GRIJALVA, Ms. Bordallo, Mr. TOWNS, Ms. LINDA T. SÁNCHEZ of California, Mr. DEUTCH, Mr. PIERLUISI, Mrs. MCCARTHY of New York, Mr. HINCHEY, Mrs. LOWEY, Mr. GENE GREEN of Texas, Mr. GEORGE MILLER of California, Mr. SIRES, Mr. PASCRELL, Mr. KUCINICH, Mr. LEWIS of Georgia, Mr. BOSWELL, Ms. LORETTA SANCHEZ of California, Mr. ROTHMAN of New Jersey, Mr. PAYNE, Ms. LEE of California, Mr. WEINER, and Mr. LANGEVIN.

H.R. 605: Mr. YOUNG of Florida, Mr. SMITH of New Jersey, Mr. HURT, Mr. TIPTON, Mr. GOSAR, and Mr. STUTZMAN.

H.R. 640: Mr. HONDA.

H.R. 674: Mr. LATTA, Ms. CASTOR of Florida, Mr. HASTINGS of Washington, Mr. BURGESS, Mrs. BLACKBURN, and Mr. FLORES.

H.R. 679: Mr. WOLF.

H.R. 708: Mr. BARLETTA.

H.R. 711: Mr. LEWIS of Georgia and Ms. VELÁZQUEZ.

H.R. 721: Mr. DENT, Mr. BARLETTA, Mr. LIPINSKI, Mr. KILDEE, and Ms. SEWELL.

H.R. 733: Mr. FILNER, Mr. STIVERS, Mr. ELLISON, Mr. GOODLATTE, Mr. CARTER, and Mr. RAHALL.

H.R. 735: Mrs. ROBY, Mr. HECK, Mr. HANNA, and Mr. FARENTHOLD.

H.R. 771: Ms. GRANGER, Mr. SESSIONS, Mr. BARTON of Texas, and Mr. POE of Texas.
H.R. 776: Mr. ELLISON.
H.R. 795: Mr. BISHOP of Utah.
H.R. 799: Mr. FILNER.
H.R. 816: Mr. BOUSTANY.
H.R. 822: Mr. MCKEON and Ms. BUERKLE.
H.R. 854: Mr. KISSELL.
H.R. 870: Mr. RUSH.
H.R. 886: Mr. ROONEY, Mr. FLORES, Mr. PENCE, Mrs. SCHMIDT, and Mr. PAULSEN.
H.R. 931: Mr. BENISHEK.
H.R. 942: Mr. MCDERMOTT.
H.R. 964: Mr. OLVER.
H.R. 972: Mr. HERGER and Mr. WEST.
H.R. 997: Mr. NUGENT, Mr. WOLF, Mr. MCINTYRE, and Mr. PALAZZO.
H.R. 999: Mr. HIGGINS.
H.R. 1006: Mr. CANSECO.
H.R. 1028: Mr. RYAN of Ohio.
H.R. 1047: Mr. BACHUS, Mrs. BLACKBURN, and Mr. GRIFFIN of Arkansas.
H.R. 1057: Mr. DOYLE.
H.R. 1063: Mr. TIERNEY.
H.R. 1075: Mr. GINGREY of Georgia, Mr. ROONEY, Mr. GOHMERT, Mr. PITTS, Mr. BARTLETT, and Mr. DUNCAN of South Carolina.
H.R. 1080: Mr. CAPUANO.
H.R. 1116: Mr. INSLEE and Mr. RYAN of Ohio.
H.R. 1166: Mr. HERGER, Mr. WESTMORELAND, and Mr. ROSS of Florida.
H.R. 1173: Mr. ALEXANDER and Mr. MANZULLO.
H.R. 1174: Mr. BERMAN.
H.R. 1188: Mr. GOODLATTE.
H.R. 1192: Mr. MCKEON.
H.R. 1195: Mr. LUJÁN and Mr. TIBERI.
H.R. 1200: Mr. GRIJALVA, Mr. ELLISON, and Ms. CHU.
H.R. 1208: Mr. JACKSON of Illinois.
H.R. 1234: Ms. MOORE.
H.R. 1236: Mr. QUIGLEY Mr. SMITH of New Jersey, Ms. BALDWIN, Ms. BROWN of Florida, Mr. HUIZENGA of Michigan, and Mr. ROGERS of Michigan.
H.R. 1242: Mr. TIERNEY.
H.R. 1259: Mr. AUSTIN SCOTT of Georgia and Mr. CAMPBELL.
H.R. 1265: Mr. YOUNG of Florida and Mr. MCKINLEY.
H.R. 1311: Mr. LEWIS of Georgia, Mr. SARBANES, and Mr. GUTIERREZ.
H.R. 1350: Mr. MCDERMOTT.
H.R. 1354: Mr. MICHAUD.
H.R. 1386: Mr. KISSELL, Mr. ENGEL, Mr. HOLDEN, Mrs. LOWEY, and Ms. BERKLEY.
H.R. 1391: Mrs. BACHMANN, Mr. ROKITA, and Mr. LANDRY.
H.R. 1397: Mr. RYAN of Ohio.
H.R. 1416: Mr. LONG and Mr. COURTNEY.
H.R. 1418: Mr. CONYERS, Mrs. ELLMERS, Mrs. NAPOLITANO, Mr. GRIJALVA, and Mr. TOWNS.
H.R. 1449: Mr. WELCH.
H.R. 1456: Mr. TIERNEY.
H.R. 1477: Ms. SLAUGHTER and Mr. STARK.
H.R. 1489: Mr. KUCINICH and Mr. VISCLOSKY.
H.R. 1509: Mr. BRADY of Texas.
H.R. 1515: Mr. COURTNEY and Ms. SEWELL.
H.R. 1545: Mr. BURGESS.
H.R. 1546: Ms. BROWN of Florida, Mr. RUNYAN, and Mr. BURGESS.
H.R. 1565: Mr. ROSS of Arkansas and Mr. WELCH.
H.R. 1571: Mr. ROONEY.
H.R. 1585: Mr. BOREN and Mr. SCHWEIKERT.
H.R. 1588: Mr. SCHILLING.
H.R. 1614: Mr. MCDERMOTT.
H.R. 1623: Mr. RUSH and Mr. ROTHMAN of New Jersey.
H.R. 1635: Mr. CASSIDY.
H.R. 1681: Mr. RYAN of Ohio.
H.R. 1703: Mr. KUCINICH.
H.R. 1723: Mr. GOODLATTE, Mr. WEST, and Mr. COFFMAN of Colorado.
H.R. 1735: Mrs. MYRICK, Mrs. CAPPS, and Mr. RUSH.
H.R. 1744: Mr. PAULSEN, Mr. BROUN of Georgia, Mr. ROONEY, and Mr. LONG.
H.R. 1755: Mr. MARINO and Mr. COSTELLO.
H.R. 1756: Mr. LOBIONDO, Mr. HIMES, and Mr. SMITH of New Jersey.
H.R. 1789: Mr. SHERMAN.
H.R. 1798: Mr. REED.
H.R. 1815: Ms. SCHWARTZ, Mr. POSEY, and Mr. RYAN of Ohio.
H.R. 1821: Ms. NORTON and Ms. MOORE.
H.R. 1833: Mr. POLIS.
H.R. 1842: Mr. ENGEL, Mr. WU, and Mr. ISRAEL.
H.R. 1848: Mr. COBLE.
H.R. 1856: Mr. FRANKS of Arizona, Mr. SHULER, Ms. ESHOO, and Mr. HONDA.
H.R. 1861: Mr. ALTMIRE.
H.R. 1885: Mr. PITTS, Mr. FRANKS of Arizona, Mr. GOHMERT, Mr. FLORES, Mr. ROONEY, Mr. GINGREY of Georgia, and Mr. BISHOP of Utah.
H.R. 1901: Mr. DINGELL.
H.R. 1912: Mr. DINGELL.
H.R. 1913: Mr. STARK.
H.R. 1932: Mr. WOODALL.
H.R. 1940: Mr. GARY G. MILLER of California, Mr. MORAN, Mrs. DAVIS of California, and Mr. LOBIONDO.
H.R. 1948: Mr. LATHAM.
H.R. 1955: Mrs. LOWEY.
H.R. 1968: Ms. CHU.
H.R. 1981: Mr. RUPPERSBERGER.
H.R. 1996: Mr. ROSS of Florida, Mr. SAM JOHNSON of Texas, Mr. SMITH of Nebraska, Mr. LABRADOR, Mrs. HARTZLER, Ms. FOXX, Mr. ROHRABACHER, Mr. GOSAR, Mr. LATTA, Mr. LUETKEMEYER, and Mr. MCKEON.
H.R. 2010: Mrs. BLACK, Mr. PETRI, and Mr. KLINE.
H.R. 2018: Mr. LONG and Mr. GRIFFITH of Virginia.
H.R. 2032: Mr. STARK, Mr. CARTER, Mrs. MALONEY, Mr. GUTHRIE, Mr. BOUSTANY, Mr. SCALISE, Mr. JACKSON of Illinois, Mr. KING of New York, and Mr. BURGESS.
H.R. 2054: Mr. MCKINLEY.
H.R. 2088: Ms. RICHARDSON, Ms. CASTOR of Florida, and Ms. BALDWIN.
H.R. 2099: Mr. MILLER of Florida.
H.R. 2102: Mr. MCNERNEY.
H.R. 2104: Ms. BALDWIN, Mr. ROGERS of Kentucky, and Mr. BURTON of Indiana.
H.R. 2107: Mr. FARR.
H.R. 2108: Mr. MARCHANT.
H.R. 2111: Mr. BERMAN, Mr. FARR, Ms. SPEIER, Ms. LEE of California, and Mr. MCNERNEY.
H.R. 2123: Mr. GERLACH.
H.R. 2152: Mr. KEATING, Mr. MATHESON, Mr. TOWNS, Mr. RANGEL, and Mr. STARK.
H.R. 2167: Mr. CAMPBELL and Mr. MCHENRY.
H.J. Res. 47: Mrs. MALONEY.
H. Con. Res. 56: Mr. GOHMERT.
H. Res. 60: Mr. SMITH of New Jersey and Mr. BRADY of Pennsylvania.
H. Res. 91: Mr. LIPINSKI.
H. Res. 137: Mr. SCHOCK.
H. Res. 227: Mr. KILDEE.
H. Res. 234: Mr. CLEAVER, Mr. COBLE, Mr. COFFMAN of Colorado, Mr. ELLISON, Mr. GENE GREEN of Texas, Mr. HEINRICH, Mr. ISRAEL, Mr. MICHAUD, Mr. ROTHMAN of New Jersey, Ms. LINDA T. SÁNCHEZ of California, Ms. SCHAKOWSKY, Ms. SUTTON, Mr. TIPTON, and Mr. WOLF.
H. Res. 268: Mr. BACA, Mr. ROYCE, Mr. FRANKS of Arizona, Mr. MARINO, Mr. AUSTIN SCOTT of Georgia, Mr. BURTON of Indiana, Mr. CHANDLER, Mr. ADERHOLT, Mr. CANSECO, Mr. CAMPBELL, Mr. MCCARTHY of California, Mr. ROHRABACHER, Mr. RYAN of Ohio, Mr. DUFFY, Mr. LEWIS of California, Mr. FILNER, and Mr. FLEISCHMANN.
H. Res. 277: Mrs. SCHMIDT, Mr. MCCOTTER, Ms. BERKLEY, and Mr. MANZULLO.
H. Res. 283: Ms. RICHARDSON.
H. Res. 289: Ms. BROWN of Florida, Mr. CLAY, Mr. FALEOMAVAEGA, Mr. PIERLUISI, and Ms. WATERS.
H. Res. 290: Ms. BORDALLO and Ms. DEGETTE.

## AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2112

OFFERED BY: MR. ENGEL

AMENDMENT NO. 34: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Department of Agriculture, the Food and Drug Administration, the Commodity Futures Trading Commission, or any other Federal Agency receiving funds under this Act to lease or purchase new light duty vehicles, for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

H.R. 2112

OFFERED BY: MR. GOSAR

AMENDMENT NO. 35: Page 49, line 23, after the dollar amount, insert ''(reduced by $100,000,000)''.

Page 80, line 2, after the dollar amount, insert ''(increased by $100,000,000)''.

H.R. 2112

OFFERED BY: MR. GOSAR

AMENDMENT NO. 36: Page 32, line 5, after the dollar amount, insert ''(increased by $100,000,000)''.

Page 35, line 13, after the dollar amount, insert ''(increased by $100,000,000)''.

Page 49, line 23, after the dollar amount, insert ''(reduced by $200,000,000)''.

H.R. 2112

OFFERED BY: MR. LANDRY

AMENDMENT NO. 37: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to pay the salary of an individual appointed during a recess of the Senate to fill a vacancy in an office required by law to be filled by and with the advice and consent of the Senate.

H.R. 2112

OFFERED BY: MR. HOLDEN

AMENDMENT NO. 38: At the end of the bill (before the short title), insert the following new section:

SEC. ____. Each amount made available by this Act (other than an amount required to be made available by a provision of law) is hereby reduced by 5.88 percent and may not be used to carry out the limitations contained in paragraphs (1) through (8) of section 728.

United States of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, FIRST SESSION

Vol. 157 WASHINGTON, WEDNESDAY, JUNE 15, 2011 No. 86

# Senate

The Senate met at 10 a.m. and was called to order by the Honorable RICHARD J. DURBIN, a Senator from the State of Illinois.

PRAYER

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

Let us pray.

Gracious God, from whom all blessings flow, we lift our hearts to You in prayer, not because we are perfect but because we are flawed human beings in need of You. Help us to find Your judging truth, Your cleansing pardon, and Your comforting promise.

Today, as the Members of this body listen, study, ponder, and discuss, give them special wisdom to sit and sort and filter the voices so that out of debate and decision may come truth, justice, and righteousness. Lord, use our Senators so that Your will may be done on Earth as it is in heaven. We pray in Your sacred Name. Amen.

## PLEDGE OF ALLEGIANCE

The Honorable RICHARD J. DURBIN 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 (Mr. TESTER). 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, June 15, 2011.*

*To the Senate:*

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JON TESTER, a Senator from the State of Montana, to perform the duties of the Chair.

DANIEL K. INOUYE,
*President pro tempore.*

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

## RECOGNITION OF THE MAJORITY LEADER

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

## SCHEDULE

Mr. REID. Mr. President, following any leader remarks, the Senate will be in morning business until 2 p.m. today. The first hour is equally divided and controlled, with the Republicans controlling the first half and the majority controlling the second half.

We continue to work through amendments on S. 782.

## MEDICARE

Mr. REID. Mr. President, Americans have been very clear about where they stand on the Republicans' budget proposal: They reject it soundly, and for many reasons. But the most glaring reason is the effort to change Medicare as we know it. No wonder. It ends a successful program that has saved seniors from illness and poverty for over four decades—millions of them.

Their so-called budget is nothing more than an ideological plan to shift the burden to seniors, who can least afford it, in an effort to put the insurance companies between senior patients and their doctors. With all due respect to the ranking member of the Budget Committee here in the Senate, pointing the finger at Democrats, as he has done, will not erase the fact they plan to end the Medicare Program as we know it and like it.

Democrats, Republicans, and Independents feel the same way, and no amount of political distortions or distractions will change that. Only when Republicans agree to take cuts to Medicare off the table can we have a serious discussion about how we can move forward in our battle to decrease the deficit.

Republicans claim only sacrifices from seniors will balance the budget. We disagree. Yet they protect tax breaks for millionaires and billionaires. They protect the billions of dollars in taxpayer-funded handouts to oil companies making record profits. The Republican plan will put insurance company bureaucrats between seniors and their doctors. It would force each senior, for example, to pay $6,400 more each year for health care.

Breaking our promise to seniors, while wealthy oil companies and billionaires get a pass, is simply too high a price to pay. We need to strengthen Medicare for the millions of seniors who count on it every day, and preserve it for our children and grandchildren, not cut seniors' benefits.

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

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

## RECOGNITION OF THE MINORITY LEADER

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

## THE ECONOMY

Mr. MCCONNELL. Mr. President, over the past few weeks, Americans have gotten what seems like a daily

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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dose of bad news about the state of the economy. Whether it is more joblessness, threats from ratings agencies, the price of gasoline, goods and housing, or a slowdown in manufacturing, people are finding very little reason for optimism, and they are getting little comfort from an administration that seems more interested in deflecting the bad news than facing up to it. Amidst the onslaught of bad news last week, President Obama's message was that we had hit some bumps in the road—we had hit some bumps in the road—and that people need to be patient in the face of what he called economic ''headwinds.'' He even joked about the wildly mistaken predictions he and others at the White House had made a few years back about the job-creating potential of the stimulus.

Well, I don't think the 14 million Americans who are looking for jobs right now find any of this very funny. I don't think the 23 percent of Americans who now owe more on their mortgages than their homes are worth are laughing about their predicament. I don't think recent college graduates, who are burdened with tens of thousands of dollars in student loan debt and who can't find a job, are amused that the stimulus turned out to be a failure.

In fact, I think Americans are deeply troubled by the fact that an administration which claims to be concerned about creating jobs has spent the better part of the past 2½ years—the better part of the last 2½ years—pushing policies that seem as though they were designed to destroy jobs instead. Indeed, I think there is a growing consensus out there that, far from improving the economy, the President has made it worse.

The facts speak for themselves. The day the President took office, 12 million Americans were out of work. Today, nearly 14 million Americans are out of work. That is a 17-percent increase in the unemployment rate under President Obama. So employment is clearly worse.

Gas prices have nearly doubled. When the President came into office, the average price of a gallon of gas in the country was $1.85. Today, it is $3.69. So gas prices have gotten worse.

The national debt has reached crisis levels. In the last 2 years, the debt has gone from $10.6 trillion to $14.3 trillion—a 35-percent increase from when the President was sworn into office. And his own budget projects it will only continue to grow. So the debt is far worse.

Health insurance premiums have gone up. For more than a year, the President devoted what seemed like every waking moment to a health care proposal that he said would lower health insurance premiums by as much as $2,500. Instead, health premiums for working families continue to rise, and the nonpartisan Congressional Budget Office says they will continue to grow by as much as $2,100 per year. So health insurance costs have gotten worse.

Home values continue to plummet too. In my State of Kentucky, home prices have fallen about 7 percent in the last year, while new home construction is down almost 15 percent. I have constituents with excellent credit telling me they can't get a mortgage because of new lending rules that have made it hard even for people who have worked for years and built a stellar credit rating to even get a loan. Nationally, home values have gone down 12 percent since Inauguration Day. So home values have gotten worse too, driving down the equity people have built over many years.

When it comes to policy, the President is fond of dividing the world into two camps. In his view, those who disagree with him are on the wrong side of history. Those who agree are on the right side. Well, at this point, I think most Americans agree if this is the right side of history, they are not interested; they would rather have their jobs back.

At this point, I think it is safe to say the patience of the American people has run out. Administration officials made a lot of promises of a brighter future. They have had their chance to deliver. Americans don't have infinite patience. They do not want to be told to wait a little longer when all the evidence shows that their circumstances and their prospects are only getting worse. They want a change in direction.

One of the liberal think tanks in town recently issued a press release that I think embodies the disconnect between Democrats in Washington and the experience of most people outside of Washington. In the face of all the bad economic news we have been getting, this particular think tank announced it had 10 charts which purported to show that, contrary to the claims of some, the United States is actually a low-tax country.

Never mind the fact that we have the second highest corporate tax rate in the world; never mind the fact that nearly 14 million Americans are out of work; never mind the fact that the time it takes out-of-work Americans to find a new job is now longer than it was during the Great Depression—and that since the housing crisis began, average home values have fallen more dramatically than they did even during the Great Depression. Never mind all that. These guys have 10 charts they want to show you that prove government should take more money out of the hands of taxpayers so they can spend it themselves.

I think this is all you need to know about the Democratic approach to the economy. It never seems to change. Take almost any major economic indicator you want, Americans are worse off than they were in 2009. It is time Democrats wake up to this fact. It is time they do something to solve these problems and help the people right in front of them.

Mr. President, 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 until 2 p.m., with Senators permitted to speak for up to 10 minutes each, with the first hour equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first 30 minutes and the majority controlling the next 30 minutes.

Mr. MCCONNELL. Mr. President, 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. THUNE. Mr. President, I ask unanimous consent that the quorum call be rescinded.

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

## BUDGET REFORM

Mr. THUNE. Mr. President, these past few weeks I have been coming to the floor to talk about the size and scope of our Nation's fiscal problems. It has been said often that this is the most predictable crisis we have ever faced, and I believe that is true.

I have talked about how the tremendous growth of government has limited the ability of small businesses to create jobs. I have noted the severe and dramatic cuts Medicare and Medicaid and Social Security will face if we do not act now to reform those programs. I have also pointed out how the Draconian cuts would need to be paired with painful, job-crushing tax hikes.

Simultaneously, the interest we pay on that debt will take up an ever-increasing share of our revenue. In fact, it has already been noted that in a few short years the interest on the debt alone would exceed the amount we spend on national security. In other words, we would spend more paying for the amount of money we borrow in the form of interest than we spend defending the country. At some point, bondholders are going to recognize that we don't have an ability to pay out these bonds, and they will demand increasingly higher interest rates. This in turn sends our interest rates even higher in a vicious spiral.

However, what I would like to focus on today is to talk about how none of this is necessary. So how do we prevent this from happening? I believe the solutions we need fall into three broad categories: We need reforms to our budget processes, and that includes, one, a balanced budget amendment to the Constitution; we need caps on overall and discretionary spending; and we need entitlement reform.

In the 1990s, the Senate was within just one vote of passing a balanced budget amendment to the Constitution. I can't help but think just how different our country's fiscal situation would be if that amendment had been approved.

We now have two different balanced budget amendment proposals put forward this year. I cosponsored both of them. I had the opportunity to lead a working group of my fellow Republican Senators to discuss these proposals and to help find the best parts of each. From those discussions and others, we were able to come together with the Hatch-Lee balanced budget amendment, of which every single member of the Republican conference is a cosponsor. This important amendment requires the budget to be balanced every year, except for when there is a declared war. A supermajority would be required to waive this provision. This amendment puts the emphasis on controlling spending, which is the real cause of our debt and deficits. It requires supermajorities to raise taxes, and it prevents spending from exceeding 18 percent of our GDP, 18 percent of our entire national output, which has been the historical level of taxation for our country.

Not only do we need to balance our budget but we need to ensure that every dollar is being spent in the most efficient way possible. We need to be honest about the cost of this spending and to create processes that will prevent wasteful, unnecessary, and excessive spending. In order to do this, we need a number of budget reforms in addition to the balanced budget amendment.

I have introduced the Deficit Reduction and Budget Reform Act, which has a number of reforms to the budget process we use today.

The bill reforms the pay-go rules to prevent the double-counting gimmicks that get used around here all too frequently, and it makes the Federal budget a binding joint resolution signed into law by the President—something that doesn't happen today with our budget.

It moves us into a biennial budget timeline, which leaves more time for oversight. As everybody knows, we are supposed to do a budget at least every year. We haven't done one now for 777 days. So the notion that we do a budget every year may be somewhat an antiquated one, but we are supposed to do a budget every single year. Because of that, we spend an awful lot of time going through the budget process, doing all the appropriations bills, and it doesn't allow very much time for oversight, which is a function that I think we have a responsibility to do. So if we went to a biennial budget—in other words, if we did a budget every other year—if we did the spending, the budget, and the appropriations bills in the odd-numbered years, then in the even-numbered years when people have to go home to run for reelection, we could actually focus on oversight. We could look for ways not to spend money but to save money.

I have been a big advocate of biennial budgeting—doing a budget every other year, 2-year budgeting—for some time. A number of States do it that way. I think it is important we make that reform so we have the appropriate time to do the level of oversight that is required and is so desperately missing around here today, which is why we end up having so many government agencies with so much duplication, so much redundancy, and so much overlap that leads to wasteful spending on behalf of the American taxpayers.

My budget reform would also create a legislative line-item veto. My Governor in South Dakota has that, and I believe the President should too. In fact, I think most Governors across this country have some sort of mechanism that allows them to veto extraneous spending measures. I believe the President ought to have that power, and it needs to be done in a way, of course, that is consistent with the Constitution, and a legislative line-item veto would meet that test. It prevents the abuse of emergency spending designations which have been used to pass hundreds of billions of dollars in deficit spending since the last time we passed a budget resolution.

It creates a new CLASS Act trigger to make sure that program is solvent over the 75-year timeframe.

I think most of my colleagues know that the CLASS Act is a new long-term care entitlement program that was enacted as part of the health care reform bill last year. It, similar to so many other government programs, relies upon premiums that will be paid in the early years, which actually show revenues coming into the Treasury which are then counted and used to pay for other things—in this case, the health care bill. But at some point in the future, when the demands come for those benefits that people have subscribed for, it becomes a liability because the funds, the revenues that have come into that program in the early years have already been spent. Again, it leads to more and more borrowing. That is what the Congressional Budget Office has said would happen with the CLASS Act.

To make sure that program is going to stay on the books—and, by the way, I have a piece of legislation to repeal it because I think it is very bad policy and I think it is going to put our country into an even deeper fiscal hole. But that being said, if it is going to stay on the books, we ought to have a mechanism to ensure the program is solvent over the 75-year timeframe. My legislation would do that.

Likewise, it modifies the Medicare cost containment trigger to have honest accounting with respect to revenues and savings in the new health care bill, and it updates the Credit Reform Act to score the purchases of debt, stock, equity, and capital using a discount rate that incorporates market risk. Whenever the Government gets into the business of acquiring debt, stock equity, those sorts of things—and that hasn't happened, as you know, in the last few years—it needs to be accounted for honestly by using real discount rates that make market risk part of that calculation. Today, that is not necessarily the case when those calculations are made.

It also creates a new standing joint committee of Congress for budget deficit reduction. It might interest my colleagues to know—sometimes we forget about this around here—we have 26 committees and subcommittees in Congress that spend tax dollars. We do not have one that focuses on saving tax dollars. We need a committee that is exclusively committed to reducing the cost of spending, to saving tax dollars as opposed to spending them. With 26 committees and subcommittees around here that spend money, it is time we had one to save money.

The joint committee would be responsible to produce a bill to cut the deficit by at least 10 percent every budget cycle and to do it without raising taxes. It would be a standing committee that would continue to fight government spending, would even issue recommendations to cut spending by at least 10 percent, even in years when the budget is balanced. It has been a long time since we have seen that around here. That probably is not going to happen in the foreseeable future. I certainly hope it does. But in any case, my legislation would require, even in years when the budget is balanced, that we be looking for ways to cut spending.

Importantly, these recommendations would be assured of an up-or-down vote in Congress. This committee would make its recommendation each year, and my legislation would require expedited consideration on the Senate floor; in other words, to ensure it gets an up-or-down vote and doesn't languish somewhere similar to so many reports that come out of various committees. This committee would actually have the authority to put a product out on the floor of the Senate and to ensure it gets a vote.

Finally, what my bill would do is freeze and cap spending, the third action we need to take in order to get spending under control. This bill would institute a 10-year spending freeze at 2008 levels adjusted for inflation. After all, between 2008 and 2010, nondefense discretionary spending increased by 24 percent while inflation in the overall economy was just over 2 percent. The Federal Government, in the last couple years, between 2008 and 2010, was spending literally over 10 times the rate of inflation. How can you go to the American taxpayer with a straight face and explain that? We need to go back to those 2008 levels and freeze it there, cap it there, and then allow for adjustments for inflation. But let's go back and negate this 24-percent increase we have seen just in the last couple years.

The recent continuing resolution that was passed by Congress started to put downward pressure on these accounts, but more needs to be done. My colleagues, Senators CORKER and MCCASKILL, have introduced what they call the CAP Act, which would put our spending on a downward glidepath so we do not spend more than our historical average of 20.6 percent of GDP. For the last 40 years, spending on the Federal Government has averaged 10.6 percent of our total economy. That represents all Federal spending. It doesn't represent State and local government spending, but Federal spending, percentagewise, on average, for the past 40 years has equaled 20.6 percent of our entire economic output.

This year we are in the 24- to 25-percent range. Now we have gone from spending one-fifth of our entire economy on the Federal Government to spending about one-quarter of our entire economy on the Government. That, to me, is something that needs to be reined in. There has been a huge ramp-up of spending in terms of our economy.

What that means is, the private economy, as a percentage of our entire economy, is getting smaller and the government component of that is getting larger. We need to get that back on a more historical and what should be a realistic course.

There are at least three different possible proposals to cap spending: the 18 percent included in the constitutional amendment, the CAP Act, which I just mentioned, and my own proposal to cap discretionary spending. These caps are necessary to signal to the markets we are serious about cutting spending.

Finally, we need entitlement reform. The CAP Act and the 18-percent cap would both force us to deal with entitlements. I am heartened by the budget working group that is being led by Vice President BIDEN, in that they are considering some entitlement reforms. I hope they can produce a product that actually will tackle entitlements. We need, at the end of the day, to have the President leading. As I said, I hope this group that has been put together will produce a result that will take us down a path toward tackling runaway entitlement programs.

At the end of the day, for any of this to be signed or get enacted, we have to have the President stepping in and providing leadership. So far we have not seen that. The President, in his budget he submitted to Congress and a subsequent budget speech he made, has done little, if anything, to deal with the issue of entitlement reform.

Frankly, you cannot deal with the fiscal problems this country faces, the challenges we face or the deep hole we are in when it comes to getting on a more sustainable course for the future without taking on entitlement reform. The President needs to be explaining to Americans the need for entitlement reform and showing us what his plan is to save Social Security, Medicare and Medicaid, not simply getting out and demagoguing Chairman RYAN's budget and kicking the can further down the road.

We know these entitlements already represent $61.6 trillion in unfunded liabilities. There is no more road. We have kicked the can as far as possible. It is now time for us to face the reality that we have to deal with this and we cannot afford the luxury of waiting any longer.

It is clear that action needs to be taken. If the President were to step to the plate, I think we would have a real chance to enact substantial entitlement reforms that could preserve the important role these programs play.

Enacting these three different prongs or these three different approaches—one dealing with budget reforms that includes a balanced budget amendment being the first component, spending caps being the second component on both discretionary and overall spending, and entitlement reform—are not going to be easy to do. We have been on autopilot around here for a long time. What that has gotten us is deeper and deeper into the fiscal hole, to the point today we are at $14 trillion in debt—meaning we are going to have to raise the debt limit in the very near future—and growing by the day. The amount it grows by the day, interestingly, is $4 billion. Between this time and 10:40 tomorrow, we will borrow another $4 billion that we will add to the debt of our children. That represents more than we spend in my home State of South Dakota for an entire year; $4 billion, the amount we borrow every single day at the Federal level exceeds the amount the State of South Dakota spends in an entire year. That is the dimension of the problem we were dealing with.

There are three very important numbers people need to focus on to remind ourselves how critical it is that we act. One is forty-two. That is the cents out of every $1 we borrow. Forty-two cents out of every $1 this government spends today is borrowed. That is a staggering statistic. The other number is 93. Ninety-three is the number now that represents the percentage of our entire economic output that is represented by our gross debt. In other words, our debt to GDP, our debt to total economic output ratio is 93 percent. That is the danger zone. Historical research has demonstrated, when you get a debt-to-GDP ratio that exceeds 90 percent, you are losing 1 percentage point of economic growth every single year. One percentage point of economic growth translates into 1 million lost jobs. So every year we continue on this path of sustaining this level of debt as a percentage of our entire economic output, we are bleeding 1 million jobs in our economy, costing us 1 percentage point of economic growth. That is a very real and immediate impact from the amount of spending and the amount of debt we have.

The final number I think is important for people to understand too, a number I mentioned earlier, is the 777 number. That is the number of days that have passed since Congress passed a budget. I know it is very hard around here, particularly in the present circumstances, to find consensus on a path forward to pass a budget. But we have a responsibility to the American taxpayers, when we are spending literally $3.7 to $3.8 trillion every single year, to at least let them know how we are going to spend their money. We have not done a budget in 777 days.

I serve on the Budget Committee. We have not had a markup. There is no indication we will have a markup. There is no indication we are going to do a budget. We have already blown past all the deadlines the law requires when it comes to doing a budget. We didn't do a budget in the last Congress. I think what that does is it makes it even more complicated to address these issues. If you do not have an overall framework, if you do not have a construct or understanding of what it is going to take to get our books back in order, then it is going to be very difficult.

Sometimes around here we do not have enough teeth in the laws we pass when it comes to budgeting. We do not have enough enforcement mechanisms. I am proposing provisions in the budget reforms to add enforcement mechanisms to cure that. But even with that, you at least have to have a plan. You at least have to have a blueprint, a path for how you are going to spend $3.7 trillion of the American taxpayers' money.

I urge my colleagues, the majority, to put forward a budget. At least let's debate it. Let's talk about priorities. Let's have a debate, debate amendments, but let's do a budget or reform the budget process along the lines I suggested so we get a process in place that enables us to make some headway, to make some progress toward dealing with this runaway debt and these runaway deficits that are going to not only crush our economy in the near term but put an unfair burden on future generations of Americans.

Right now, the things most Americans are worried about are spending, debt, jobs, the economy, and they are all connected. The level of spending and debt is something that needs to be gotten under control to get the economy growing and prospering again, so you don't have the Federal Government out there competing with the private economy when it comes to capital. Small businesses need capital to invest to create jobs. When the government is crowding that out, it makes it more difficult. There are so many adverse economic implications from the debt levels we are sustaining today that are going to make it increasingly difficult, the longer we stay deeper and deeper in the red, for this economy to recover and grow. That is fundamental to all this.

When it comes to jobs and the economy, we also have to have policies that

encourage economic growth. I know the President talks a lot about jobs and the economy. He certainly is rhetorically, at least I believe, saying the right things out there. But you have to have actions that are consistent with the rhetoric. If you look at the President's record, we have not seen that. The reason we have not seen that is because the policies are all adverse to economic growth and job creation, whether it is regulations coming out of agencies, whether it is the new mandates imposed by the health care reform bill, whether it is the out-of-control spending and debt and no attempt to address the long-term challenges we face there, particularly entitlement reform, whether it is the new taxes that have been imposed through the legislation that has been enacted since this President has come into office. But if you look at the economic record, if you look at unemployed Americans since this President took office, we have almost 2 million more unemployed Americans. The unemployment rate has gone up 17 percent. Fuel prices, which impact everybody's pocketbook in this country, since this President took office, have gone up by over 100 percent, over a 100-percent increase in the price per gallon of gasoline since this President took office. The debt has gone up 35 percent. The debt per person in this country has gone up $11,000 per person. That is the amount the debt has increased since this President took office. Food stamp recipients are up 39 percent. Health insurance premiums—despite the promises of what health care reform would do to lower insurance premiums—health insurance premiums have gone up 19 percent since this President took office. The only thing that has gone down since he took office is home values. Home values are down 12 percent. That is the economic record. That is the composite record. Of course, we can all say things, but we have to be judged by what we do. We cannot judge people by what they say. We have to judge them by what they do.

I hope the President will decide it is time for him and for his administration and for his leadership to focus on policies that will be conducive to economic growth, that will enable that, rather than make it more expensive and more difficult to create jobs, which are the policies that are being employed by this administration. That applies to so many areas. It is developing domestic energy resources, so we can get more American supply of energy and start driving that price down. So many areas are off-limits. Even more have gone off-limits since this President took office. It means getting trade bills enacted. We have heard now for several years the President talk about how we need to pass the Colombia, Panama, and South Korea Free Trade Agreements. Yet they languish. They have not been submitted to us. We are ready to act. We have said repeatedly these are important to our economy.

I have used this example on the floor before, but just one brief data point for agriculture. I represent an agricultural State, so we are always looking for opportunities to export. In wheat, corn, and soybeans exports, we had an 81-percent share of the Colombia market in 2008. In 2010, that had dropped to 27 percent. We have literally been locked out of that market because this free-trade agreement has languished in Congress and, as a consequence, other countries have stepped in to fill the void. Now you have the Canadians, the Europeans, the Australians stepping in and picking up the slack and we continue to lose more and more market share, which means more and more lost jobs in the American economy. So it is about trade policies, tax policies, energy policies, regulatory policies and spending and debt. Those are the things, in my view, that will get this economy back on track, start creating jobs, create a better and brighter and more prosperous future for future generations of Americans. Unfortunately, the policies being employed by this administration are making it worse, and at least according to this economic record, much worse. We can do better. We should do better by the American people, and I hope we will find the political will to do that.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

## MEDICARE REFORM

Mr. LIEBERMAN. Mr. President, I rise to speak about the fiscal crisis facing our country and specifically the dire financial situation of Medicare, which is a program that matters so much to tens of millions of senior Americans but also adds so much to our national debt. I wish to talk about some ideas I have about how we might effectively deal with this problem in Medicare, particularly, without doing away with the Medicare Program because I believe in it.

If I can start on a broader level, briefly. It is hard to find anybody in Congress in any party who does not acknowledge that our Federal Government is hurtling toward the edge of a financial cliff. We are now running deficits in this year of over $1 trillion. That means we are spending $1 trillion more than we are taking in so we have to borrow that money, and at some point we are going to reach a level of borrowing that is unsustainable. It will send our economy hurtling down, will bring us into another great recession, will compromise our ability to provide the security and services to the people of our country that it is our responsibility to provide. To avoid that horrific result, we have to show some responsibility and work across party lines to get some things done. None of this is easy.

Almost everybody will say we have a terrible financial problem in the Government, debt, deficit, but when you get to the solutions, there has been an outbreak of what I call Federal Government NIMBYism. Everybody talks about NIMBY at the State and local level—Not In My Back Yard; this is a great program, but I do not want it in my neighborhood. The Federal Government budget crisis we are in, NIMBYism seems to be not my program or not my favorite tax credit. You can cut other stuff but not what I am in favor of.

We have one group saying no tax increases whatsoever, even indirect through the elimination of tax credits, which is spending money, and tax credits can be as wasteful an expenditure of the taxpayers' money as a wasteful spending program can be. On the other side, we have people saying: Not my program. You cannot touch it. You cannot even try to make it more efficient. It is just too good or it is too politically popular or whatever. If we keep going down that road, we are not going to get anything done.

The main hope of our result in the next couple months is the small bipartisan, bicameral leadership group that is being presided over by Vice President BIDEN. I think anytime any of us comes out and says: No, we cannot do this, we cannot have a tax increase of any kind, we cannot even eliminate wasteful tax credits, and on the other side people say, we cannot touch Medicare, for instance, it, one, shackles the hands of Vice President BIDEN as he tries to solve this problem, and it also means, more generally, that we are not fulfilling our responsibility. That is the case with Medicare. The fact is, those who say you cannot do anything with Medicare, just will not support it, are not doing a favor to the Medicare Program.

Congressman PAUL RYAN, in the House, put forth his own budget, including a Medicare reform program. I said when he did it, I want to look at it in more detail, but I gave him credit to put something so comprehensive out because it is going to take that kind of guts by all of us to save our great country from going over the edge of the cliff, from going into permanent decline, from making it impossible for our children and grandchildren and beyond to have the opportunities we have had.

When I looked at the Ryan plan, particularly on Medicare, I decided I was not for it. When it came to the Senate, I voted against it. That was the case, generally, when it came up in the Senate and the vote on the Ryan budget. But one cannot just stop there and say no, which is a popular vote on a Medicare reform proposal. I think any of us responsibly have to then come forward with our own ideas. That is why, last week, I indicated in a newspaper op-ed column that I would be putting some proposals forward that will save Medicare, that will protect Medicare as a Government program of health insurance for senior Americans but will change the program. Anybody who

tells you PAUL RYAN is going to kill Medicare as we know it, there is another way to kill Medicare as we know it, which is to do nothing to try to save it.

We cannot save Medicare as it exists today. There are a couple of statistics. In 2010, the Medicare Program cost $523 billion. The estimates I have seen are consensus, not extreme estimates, that within the next 10 years that number will double to over $1 trillion for Medicare. Where are we going to get the money to pay for that? That is going to add to the national deficit and the national debt. Part of what is happening is the baby boomers are coming of age and Medicare eligibility—15 million in the coming years coming into this program.

I will give you another general statistic. All the studies I have seen show—most people do not appreciate this, if I can say, the average Medicare participant over their lifetime will actually cost the system in benefits three times what we put in through premiums, withdrawals, et cetera. So this program is on an unsustainable course. I think if you want to save Medicare, you have to be willing to change it. You cannot say do not touch Medicare. I must say I am disappointed when I hear people say that.

Here are some of the ideas I am working on legislation to propose. The plan I outlined last week, and I am putting into legislation, I think will extend the solvency of the Medicare Part A, a big program for hospital care. It will lower the Federal Government's financial commitments to the Part B Program for doctor services and, most importantly, it will keep the Medicare Program alive and serving America's senior citizens for at least 20 years and when we get it estimated, probably by a lot more.

A lot of the proposals I made—and I have five key parts of it—are similar to ones that have been made earlier and the Congressional Budget Office has made estimates on. My guess, applying existing CBO estimates to the ideas I put forward, is they will save $250 billion in the first 10 years and extend the life of the program by at least 20 years, which is 20 more years in which American seniors can depend on Medicare to help them pay their health care bills in their senior years.

Here is some of what I am proposing. It is controversial. They are all controversial. We cannot save Medicare without doing some things that make people unhappy. I am proposing to raise the eligibility age of Medicare from 65 to 67, beginning in 2014, by 2 months every year until it reaches 67 years in 2025. That would put it on the same course Social Security is on now, to go up to 67, which means if you turn 65 in 2014, you are going to have to wait an additional 60 days before you become eligible for Medicare. In my opinion, that is a small price to pay for the guarantee that you are going to have Medicare to take care of your health costs for the rest of your senior years.

The reason for this change being necessary is factual. When the Medicare Program began in the mid-1960s, the average lifespan of an American was a little less than 70 years. Today, the average lifespan is 78. Thank God. That means people are obviously living longer. Part of why they are living longer is they are getting better health care, but that wonderful fact explains why the average recipient takes three times as much out of the Medicare system as they put in.

I will give you another number that says this in a different way. In 1965, there were about 4.6 active workers for every Medicare enrollee in the program as a senior. In 2005, that went down to 3.8 active workers. The Medicare actuaries tell us, by 2050, that will drop to 2.2 workers for everybody on Medicare at that time, and that means the burden on those 2.2 workers is going to be too high. The current math, therefore, is unsustainable, and it is why we have to change the eligibility age.

According to the Congressional Budget Office, doing so, 65 to 67, will save $125 billion over 10 years. That is a substantial savings, which will contribute to keeping the program viable and paying bills for seniors.

The other thing to say is that for those who fear what will happen to those seniors between 65 and 67 as they wait—some will have their own health insurance—but we did pass health care reform, and that is going to be there to cover those people through the health care exchanges.

Second, I am proposing that we reform the complex Medicare benefit structure, which is wasteful, misunderstood, particularly by the beneficiaries and a lot of the providers, and prone to overutilization and fraud. That is, prescribing more health services because someone doesn't pay for it, Medicare does—but we all pay for it. The Medicare benefit structure is so confusing and so maligned with various deductibles, copays, cost sharing, caps, fees, forms, and limits that one would be hard-pressed to find a Medicare enrollee who really understands how their insurance coverage works. As a result, there is enormous waste and excess utilization, with services being paid for by the Medicare Program that are really not needed for the health of the individual. That, again, means more costs for the taxpayers.

I think we can fix these problems by implementing a single, combined Part A and B deductible requiring a copay on all Medicare services and, if we choose, we can also do something new, which is create a maximum, out-of-pocket benefit that will give seniors peace of mind. In other words, they would only be required to pay up to a certain amount out of their pockets every year. So it guarantees them that if they have a serious illness requiring long-term hospitalization, they are not going to be forced into poverty or bankruptcy. This proposal was part of the Bowles-Simpson report, and it is a good one.

Third, I think it is time to reform the premium structure. When Medicare was implemented, the premiums paid by the beneficiaries supported 50 percent of the cost of the program. In fact, when President Johnson signed Medicare into law, he noted that this equal contribution—50 percent from government, 50 percent from the insured—was a critical part of the program. He said:

> And under a separate plan, when you are 65 you may be covered for medical and surgical fees whether you are in or out of the hospital. You will pay $3 per month after you are 65 and your government will contribute an equal amount.

Fifty-fifty.

Unfortunately, today, as a result of acts of Congress of various kinds—well-intentioned—Medicare enrollee premiums support only 25 percent of the cost of the program—half of what they were intended to when President Johnson signed this extraordinarily progressive and beneficial law into effect. We make up the difference from funds taken out of our Federal budget—general revenues. That is part of why Medicare contributes to the exploding national deficits and long-term debt.

So I am going to propose that we raise premiums for all new enrollees in Part B, which is the part that covers doctor expenses, starting in 2014, so they pay for 35 percent of the program costs instead of 25 percent. That will result in around a $40 increase in premiums. The fact is there is some indexing based on income in the Part B and Part D Programs, and, therefore, under the current law, the increase from 25 percent to 35 percent will be paid by more people of higher income. I know asking anybody to pay more money for anything is not popular, but it is needed if we are to address the stranglehold Medicare puts on our annual budget and if we are to avoid something even more unpopular, which is the demise of the Medicare Program as we know it.

Fourth, I think we need to reform the way Medigap policies work. Medigap policies are insurance policies that cover the gaps in a senior's Medicare coverage. They are designed to pay an enrollee's copays and deductibles so he or she would not be liable for a big hospital bill if they ever get sick. But study after study has found that the Medicare enrollees who have a comprehensive Medigap plan that pays all of the deductible and all of the copays, so the individual doesn't pay anything, use as much as 25 percent more services than those with the traditional Medicare Program, and that is because they don't have any impact on themselves for the utilization of services. Again, who pays for that extra utilization of services? Not the individual Medicare enrollee, the taxpayer, and it is not fair.

Fifth, I think we have to increase revenues into the Medicare Program. We just can't save it by adjusting benefits and making changes in the premium structure. So I am going to propose that higher income Americans—in

this case defining it as people making over $250,000 a year—contribute an additional 1 percent of every dollar of income over $250,000 to save Medicare as we know it.

That is the outline of my plan. I wanted to come and describe it to my colleagues: We raise the eligibility age; charge a more financially sound premium; address overutilization and waste and fraud; and develop a more reliable funding stream so we can save Medicare, which is a great program, and which we would not save unless we make some tough decisions.

I said earlier I think this proposal will save at least $250 billion in the first decade and keep the program alive for 20 years. I was encouraged that the very respected Committee for a Responsible Federal Budget said, after I disclosed this plan last week, that they believed it would save as much as $325 billion over the next decade and reduce spending even more in the following decades.

I offer these ideas as a starting point in a discussion we have to have about how we can both extend the solvency and life of Medicare for the seniors who depend on it and reduce our national deficit and debt, which we will not do unless we reduce the drain on our National Treasury that the Medicare Program now represents. I am going to be drafting this as legislation, and I will circulate it to my colleagues. I hope it is of some assistance to Vice President BIDEN and the leadership group that is working with him as they prepare proposals to get America's ship of state back into fiscal balance.

I know all of these are full of political risk, but the refusal of different parties of Congress to either cut spending on the one hand or raise taxes on the other is exactly why we are in the fiscal mess we are in now, and the more we wait to deal with it the harder it is going to be. At some point, there is going to be such a disaster that we are going to have to both impose Draconian cuts in spending and tax increases, and none of us want to do that. The way to avoid that moment is to do it now in a methodical and sequenced, longer term way.

The fact is, unless we take risks together, the great losers—and those risks have to be across party lines. This has to be a moment when we say to each other across party lines: These are tough votes. I can demagogue this vote, I can go after you in the next election based on this vote, but I am pleading with you to cast this vote, and I will cast one that is risky, too, politically, so we can do something good for the country because, if we don't turn away from partisanship and turn toward shared responsibility, the big losers are going to be our great country and the wonderful people who elected us and sent us here to lead. I thank the Chair.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

(The remarks of Mr. SANDERS pertaining to the introduction of S. 1200 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

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

The PRESIDING OFFICER (Mr. FRANKEN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

## TRIBUTE TO GERRY COUNIHAN

Mr. HARKIN. Mr. President, when Gerry Counihan leaves the Senate employment in the next couple of days, we will lose one of the most respected and beloved members of our Senate family. During his nearly two decades of service with the Senate, he has epitomized the professionalism, dedication, loyalty, and the incredible work ethic of the best staff members on Capitol Hill. So we are saying farewell not just to a wonderful Senate employee but also to a very good friend.

Mr. President, Gerry Counihan first came to Capitol Hill in 1991 as a member of JOHN MCCAIN's staff. He later left the Senate for a brief time, but returned in 1997 as a tour guide in the Capitol Building, where he truly excelled. In fact, Gerry made a bit of history himself. He gave the first public tour following the fatal shooting of two Capitol police officers in 1998. When the Capitol reopened to visitors following the attacks of September 11, 2001, Gerry again led the first tour of the Capitol.

Four years ago, sadly, Gerry was the victim of a violent crime and sustained very grave injuries. He spent over 4 weeks at the National Rehabilitation Hospital. It was a long and courageous struggle to learn to walk and speak again. But he persevered and succeeded.

Unfortunately, Gerry was not able to return to his job as a tour guide because of his injuries, but he was hired by the Sergeant at Arms to work as one of our elevator operators. That is where I and so many other Senators have had the pleasure of meeting him and enjoying his company in recent years.

I can't tell you how many times during late night sessions he has brightened our lives with a kind word or bright smile. I can't tell you how many times he has shepherded us into the sanctuary of his elevator while fending off intrusive reporters or lobbyists. We have always been grateful to him for that.

No question about it, Gerry Counihan has been one of those very special people who make the Senate a great place to work.

Gerry is moving on to a new career with new responsibilities and new opportunities at the Department of Health and Human Services out in Rockville, MD. With his departure, we are saying goodbye to a standout Senate staffer, a great friend, and someone who always brightens our day. We will miss him very much.

There are not many things that Republicans and Democrats agree on in this body these days, but our love for Gerry Counihan is bipartisan and—indeed, I can say this without any fear of contradiction—unanimous. The Senate family joins together in wishing Gerry happiness and success in his new career.

With that, 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. FRANKEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. KLOBUCHAR). Without objection, it is so ordered.

The Senator from Minnesota.

Mr. FRANKEN. I thank the Chair.

Madam President, I rise today to discuss what I think is one of the clearest threats to Americans' digital privacy and to discuss legislation I think will go a long way toward addressing this problem.

Americans have valued and sought to protect their right to privacy for a long time, and so have the representatives they have elected to be a part of this Chamber. But in the past few decades, there has been a fundamental shift in the nature of our right to privacy and the privacy threats we face. Because when I was young, when people talked about their right to privacy, they talked about protecting themselves from the government—from government intrusion. They asked: Is the government keeping tabs on my political beliefs? Is it staying out of my family business?

Today, we still need to worry about protecting our privacy from the government, but we also need to protect our privacy from private entities—from corporations that are obtaining and aggregating increasingly large amounts of our personal information. Nowhere is that need clearer and more urgent than on the Internet. Within the Internet ecosystem, I would argue that some of the most sensitive information out there comes from our phones.

Smartphones are the future of the Internet and can actually be more powerful than desktop computers from a decade ago. There will be more smartphones sold in 2012 than laptops and desktops combined. There is a reason for that. These are incredible devices. Using a smartphone, a mother or

father can see his or her child, wish him or her goodnight, even if that child is half a world away. A smartphone can give a driver directions and can tell that driver where the nearest gas station is. Smartphones also enable emergency responders to find and respond to an accident in a matter of seconds.

But the same technology that allows these wonderful benefits also raises very clear privacy concerns. Our smartphones know where we are all the time. Unfortunately, the last 6 months has shown that our legal framework hasn't kept up with technology and isn't protecting our privacy when we use these devices.

Last December, an investigation by the Wall Street Journal revealed that of 101 top applications for Apple iPhones and Google Android devices, 47 disclosed information about a user's location to third parties, without asking consent from the user.

In April, security researchers discovered that for almost a year, Apple iPhone devices have been creating a detailed log of the different places a user had visited—and stored that log on both the phone and on every computer a user synched his or her device to in an unencrypted manner. That same month, Americans learned that both iPhones and Androids were automatically transmitting location information back to Apple and Google. In the case of the iPhones, the user had no clear way of knowing this was happening. In many cases, they actually had no way to stop it.

In February, I became chairman of the Judiciary Committee's new Subcommittee on Privacy, Technology, and the Law. I decided to use my new role to dig down and find out more about smartphone privacy. When I learned of the events in April, I wrote Apple about what was going on, and in May, I held our first subcommittee hearing on the issue. We took testimony from the Department of Justice, the Federal Trade Commission, privacy advocates, technologists, representatives from app developers, and we took testimony from Apple and from Google. I will tell you, the more I learned about this problem, the more I became worried for consumers.

I learned that an app on your phone can access an incredible amount of information on you. It can monitor your Web browsing habits. It can access and read your address book. And, of course, it can access your location. But in most cases, a user has no way of knowing that all of this information can be freely sent to third parties that the user has never heard of. A recent study of the top 340 free applications found that only 19 percent provide users with a link to a privacy policy. That is less than one in five apps.

I also learned that our Federal laws on this subject are a confusing hodgepodge full of gaps and loopholes, and that in many cases our current Federal laws explicitly allow wireless companies and companies such as Apple and Google to disclose our location information to whomever they want.

Let me give you an example. If I use my smartphone to make a phone call, my wireless company cannot go out and give my location to third parties without getting my express consent. But if I use that same smartphone to search the Internet, my wireless company can disclose my information to almost anyone they want.

Here is another example. If I use a mapping application on my smartphone to find out where I am or to find the nearest supermarket, Apple and Google would have to ask my consent before telling third parties where I am. But if my same phone automatically transmits my location to one of these companies without my knowing it, then, arguably, under current Federal law, again, these companies would likely be free to disclose my information to almost anyone they want.

You do not have to take my word for it. Over the past several months, I have asked privacy experts and officials from the Department of Justice and the Department of Commerce about these issues, and they have confirmed that this is, in fact, the case. This does not make sense. In fact, it is kind of a problem.

But the most alarming thing I heard is that there are real-life consequences when we do not do enough to protect location information on our smartphones. The very first group that contacted me after I wrote my letter to Apple in April was the Minnesota Battered Women's Coalition. They told me they have seen time and time again how smartphone location technology can be abused by batterers and stalkers.

I asked the Minnesota Battered Women's Coalition to submit testimony for my hearing. Two stories from their testimony jumped out at me. One was of a woman from St. Louis County, MN. The Presiding Officer knows St. Louis County very well. It extends from Duluth all the way up to the Canadian border. It is a huge county, actually.

Recently, this woman had gone to a domestic violence program located in a county building. Within 5 minutes of entering the building, her abuser sent her a text message and asked her: Why are you in the county building? Soon after that, an advocate helped her get an order of protection against her abuser. To get that, she needed to go to the local courthouse. Soon after she filed the order of protection, the abuser texted her again. This time he asked: Why did you go the courthouse? Did you file for an order of protection against me? The advocates later concluded that this woman's abuser was tracking her via a location tracking service on her phone.

Another woman in Minnesota had a similar experience when she secretly entered a domestic violence shelter and her abuser started sending her text messages asking her: Why are you at a shelter? In fact, he started calling taxicabs to wait for her outside the shelter at all hours of the day. Again, in this case, advocates realized that this woman's abuser was tracking her through an app on her phone.

My goal with the Privacy Subcommittee is to try to find a balance between the wonderful benefits of modern technology and our need to protect our privacy. Right now, when it comes to smartphone location technology, we have an imbalance, because we are getting all the wonderful benefits, but we are not keeping our privacy. I think we can get both.

This problem is not going to fix itself. Let me tell you why I say that. After the hearing with Apple and Google, I asked representatives from each of those companies a simple question: Will you require that the apps you sell have privacy policies? In fact, I also asked them this: Even if you do not require that all the apps you sell have privacy policies, will you at least require privacy policies for just the apps that can get your location?

Well, by last week, both companies had answered my questions. Let me summarize their answers: No.

I think Congress needs to act. That is why today I am introducing the Location Privacy Protection Act of 2011. This piece of legislation is founded on a simple principle: that consumers have a right to know what information is being collected about them and how it is being used, and that they have a right to decide who will get that information, and with whom they can share it.

This bill will fill gaps and loopholes in current Federal law to give consumers four simple protections.

First, the bill says that anytime your wireless company or a company such as Google or Apple or an app developer wants to get your location from your smartphone, they need to get your permission first.

Second, if they want to give your information to a third party, they also need to get your permission. This does not mean that our smartphones are going to be clogged with permission screens. No. This can be done with one simple screen. My bill does not require a new permission screen from every subsequent company that gets your location. That would be impractical. It would not be smart.

The third thing it does is require companies that collect and aggregate the location information from thousands of consumers to take reasonable measures to protect that information from foreseeable threats.

Finally, if a consumer writes one of these companies and asks: Hey, do you have my location information, that company has to answer that user yes or no. And if the user asks for his or her information to be deleted, the company has to honor that request.

When I wrote the bill, I looked at the way other current digital privacy laws were being enforced. Most of them have

what is called a private right of action that allows a consumer to get their day in court if their rights are violated. I know that many entrepreneurs find these burdensome, so I wrote the private right of action clause such that it would only kick in if no Federal or State authority decides to act.

I also included exceptions in the bill to make it easier for parents to keep track of their children, for companies to protect against fraud and use location information that is anonymous, and for emergency responders to get to the scene of an accident without any redtape.

In fact, this bill does not cover law enforcement at all. It governs only what private companies do with our information, and what companies they share it with.

I am proud to have worked on this bill with my friend from Connecticut, Senator BLUMENTHAL. I am equally proud the bill has the support of the Center for Democracy and Technology, Consumers Union, Consumer Action, the National Association of Consumer Advocates, the National Consumers League, the National Women's Law Center, the National Center for Victims of Crime, the National Network to End Domestic Violence, and the Minnesota Public Interest Research Group.

This bill will bring us back to a better balance between the benefits of smartphone technology—and they are wonderful—and our right to privacy, which is basic. It was written with input from consumer advocates and industry alike. But even after today, I will continue to work with these groups to make sure our bill is getting that balance right. I look forward to those conversations.

Mr. FRANKEN. Madam President, I yield the floor.

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.

Ms. LANDRIEU. 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

Ms. LANDRIEU. Madam President, I ask unanimous consent that the period of morning business be extended until 3:30 p.m., with Senators permitted to speak therein for up to 10 minutes each.

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

## FEMA

Ms. LANDRIEU. Madam President, I rise to bring to the Senate's and the Congress's attention a great challenge that we have before us relative to the budget of the Department of Homeland Security and, frankly, it is a challenge facing the entire budget of the United States. That challenge is to make sure we have enough funding in the disaster emergency account to cover the multitude of disasters that have taken place this year since January, as well as those we are still recovering from in the past.

I will put up a chart to show, in dramatic fashion, that this is an unprecedented situation we are facing. Since January of this year, 36 States have had disasters declared. This may be the largest number of States in the shortest period of time, at least in recent memory, and potentially in history. This is a challenge to the budget because, as you know, under our law the Federal Government is by law—it attempts to be every day—a reliable and trustworthy partner for cities, towns, and States that have been devastated by tornadoes, wildfires, hurricanes, et cetera.

Most recently, our minds, our eyes, and our hearts have been focused on Missouri, with the terrible devastation to several of their cities—most notably Joplin. But we remember a few weeks ago the tornadoes that ripped through the southern part of the United States—in Alabama particularly, in Georgia, and in some parts of Arkansas; and there was flooding in other parts of the country as well.

This is what Mother Nature has brought to us. We cannot control that. But what we can control is how we respond to it. That is what I want to speak to today. I want to begin with a quote from David Maxwell from the Arkansas Department of Emergency Management. He said this in the Washington Post on April 30:

> Anything that we've asked for, they've gotten us.

He was referring to FEMA.

Gregg Flynn, a spokesman with the Mississippi Emergency Management Agency, said Fugate and FEMA ''are unbelievably proactive towards the states. They don't wait for things to happen. By the time the storm is out of the way, they want to know what we need.''

This is very good testimony, because many of us, including the occupant of the chair, have worked hard to make a better, stronger, more proactive FEMA. In large measure, we have accomplished that, although there are still challenges for that agency. The biggest challenge right now is that unless the Senate, the House, and the President do something differently, we are not going to have the money we need to take care of these disasters.

So for people on the ground, like David Maxwell in Arkansas, and Gregg Flynn in Mississippi, and whether it is Paul Rainwater, a CEO from my State who is still struggling in the aftermath of Katrina and Rita 6 years ago, we are going to literally run out of money in the disaster emergency relief fund in January of this year.

Let me put up a chart to show the challenge that is before us. The President requested $1.8 billion, which is a reasonable request based on past averages of disasters, which we are prepared to budget in the base budget of Homeland Security. Unfortunately, the estimate of the low end of these disasters—again, there were 36 since January 1, and disasters happen in all 50 States—the estimate is that we need $3.8 billion at the low end, and at the high end it is $6.6 billion. So between $3.5 billion and $6.5 billion is required. But we have budgeted only $1.8 billion in the base of Homeland Security.

As chair of this committee, I can tell you that our committee cannot absorb in its base the entire weight and cost of these disasters. The Homeland Security budget has never in its history absorbed 100 percent. We do a rough and good-faith estimate of what it might be, but these are exceeding even our expectations of what the disasters would be. Of course, no one is in a position to be able to foretell the future. Our Secretary of Homeland Security brought a great deal of skill and expertise as a former Governor, an excellent manager, and all the prerequisite academic credentials, but she didn't show up on this job with a magic wand and a fortune teller's globe. She doesn't have those tools available to her to be able to see into the future every disaster and what kinds of disasters are going to happen to the country. All we can come forward with is a good-faith estimate, which we did, at $1.8 billion.

The reason I come here today is to say there is a gap that must be filled. I am strongly recommending that this Congress fund this off budget in an emergency line item, which is what we have done 95 percent of the time in the last 40 years. Since 1992, $110 billion of the $130 billion appropriated to the DRF has been emergency spending. These events are unpredictable. You cannot plan for it. We must respond by law. If we don't, then projects all over this country will shut down.

I remind everyone that they are projects that create jobs—not only do they restore hope and rebuild communities, but the projects create jobs. To list a few of them, there are the repairs for two very important roads in Hawaii, which could potentially be stopped; sewer line repairs at a pump station replacement in Gary, IN; the townhall in the village of Gulfport, which hasn't been rebuilt since the storm, for 6 years, which is under construction—that could be halted. That is a dozen or more jobs in that small town of Gulfport. Those are not big numbers nationally, but that is important to that city. There is an elementary safe room being built in Kansas now. That is a few jobs there, but it is important to the couple of hundred schoolchildren who were terrorized by tornadoes sweeping through that area. I can go on and on. In Missouri, the Polk County bridge collapsed, which is very inconvenient for people having to cross that every day. I am not personally familiar with it, but I can imagine

the difficulty families are going through who were used to having access to the river.

I can list hundreds of projects that literally stop in their tracks if we don't figure this out. My strong recommendation is that we do what we have always done, which is appropriate and fund real emergencies. It is not appropriate to do off budget things you should have budgeted for but failed to do it. That is not an emergency; that is bad planning.

I think I am a pretty good chairman of this committee. I know Secretary Napolitano is an excellent Administrator of Homeland Security. There is nothing we can give her to make it humanly possible to predict disasters and the magnitude of their destruction. That is impossible. Again, we have to figure out a way to budget for this that is responsible and, I say, put a good-faith effort, or average in your budget, and then anything that occurs, do it in addition to that off budget, in an emergency.

Another reasonable suggestion that has met with resistance—and I can understand why—would be to take a percentage decrease against all the budgets of the Federal Government and say we wanted to spend this money but we had these disasters and we absorb it governmentwide.

I can promise you that the last and worst thing—and one that can happen because I will oppose it vigorously, and so will many others—is taking the entire amount of the DRF, the disaster relief fund, out of the Homeland Security budget, because then you put the country in a position where you are underfunding planning for the future, lowering your defenses against real terrorist attacks that could potentially happen to the country, because you are funding for disaster levels that we were unable to plan for—for obvious reasons.

We cannot undermine the security of our Nation or weaken the entire Homeland Security Department budget because of an unusual natural occurrence over which we have no control and no foreknowledge of. There may be other solutions that I haven't thought of.

Another would be very helpful if the President himself, knowing these numbers—they come from his own executive agencies, which are tabulating these numbers—were to send us an emergency supplemental. I have sent him several letters requesting that he send to the Congress an emergency supplemental to cover this gap. If he doesn't do that, Congress has the power to act, and I will be making a recommendation in the Appropriations Committee to fill this gap.

What is not acceptable is to try to absorb this entire gap in the Homeland Security budget, which will leave our country in a very weakened position in terms of preparing for future disasters and potential terrorist attacks.

Might I remind everyone that hurricane season just started on June 1. It is now June 15. We are 15 days into the hurricane season. We don't know what the season will bring.

There may be other alternatives to closing this gap, but it is very, very important. I am going to start work on this vigorously with my ranking member, Senator COATS, to see what we can recommend, potentially jointly, I would hope.

Again, I would like to put up this chart because this reflects just about every Senator's State, from Washington to Texas, to Nebraska, to North Carolina, to Florida, to Georgia, Arizona. Montana will be green shortly, and so will Vermont because there are disasters underway. So put your thinking caps on. We need to come up with a way to fund these disasters, and it is going to be a big challenge as we start our appropriations process.

I am going to submit more technical information for the RECORD, but, again, we don't have magic wands and crystal balls in the Department of Homeland Security. We have a lot of tools there to protect our country and to build after disasters, but magic wands and crystal balls are not available. So we have to come up with a way to close this gap that makes sense. I trust that over the next couple of weeks and months we will be able to do that.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CARDIN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. I ask that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, the Senator is recognized.

## UNEMPLOYMENT

Mr. DURBIN. Mr. President, 2 weeks ago there was an economic disclosure about the number of people gaining jobs in America. The good news is it was on the positive side of the ledger, more jobs being created. The bad news is it was not nearly enough and not fast enough. Even though these jobs are being created in the private sector, we still know too many Americans are out of work.

There are 13.9 million Americans unemployed. That is a little over 9 percent of all Americans actively seeking work. Worse, nearly 25 million Americans are underemployed. People working part time when they want to work full time are taking a job that pays a fraction of what they earned in previous employment. That is 15.8 percent of all Americans who would like to work full time but cannot do it. That is not a problem for these families, it is a crisis, and every minute we ignore it is a minute not spent well by this body.

A year ago it became increasingly clear there was little appetite in Washington moving toward job creation. When the President was elected, he was greeted on the day he was sworn in by news that that month—and the following month—we had lost some 700,000 jobs in America. What we had had 8 years before, a surplus and booming economy, had hit the skids and people were losing jobs, businesses were failing, and people felt it in their savings accounts and IRAs all across America. The President tackled that, and I joined him, with many others, to try to infuse in this economy the kind of spending that would build things, create jobs, and turn this economy around.

We believe it was successful but only partially successful. Then at the end of last year, the President joined on a bipartisan basis with Members of Congress to extend the tax cuts in an effort to try to infuse that money into the economy so people would have more to spend.

Now, many of us took exception with the menu of tax cuts because they included tax cuts for the wealthiest people in America at a time when we are facing record deficits. It is hard to understand, let alone justify, a tax cut for a wealthy person as necessary for economic growth. Most of the people who receive those tax cuts would not turn around and spend them on goods and services. They might invest or bank them—invest overseas, for that matter. But that was the recipe. We went through spending and economic stimulus. Then, last year, we went into tax cuts as a stimulus and, still, we are not moving forward as quickly or as wholesomely as we would like.

### THE DEFICIT

I spent the past year focusing on one aspect of this; that is, our Nation's deficit. I was appointed to the President's commission—the Bowles-Simpson commission—which took a look at this deficit, and for 10 months we studied it. It is a daunting challenge. It reflects patterns of spending and taxing which now have us in a terrible state, with a lot of red ink. Roughly 14 percent of our gross domestic product is generated each year at the Federal level in revenue—taxes. We spend 24 percent of the gross domestic product of our country in Federal spending. That difference—14 percent of revenue, 24 percent of spending, a 10-percent difference—represents the annual deficit we face in the United States of America.

The Commission sat down and said there is only one way to tackle this—and I agree with the premise. We need to do it together, Democrats and Republicans, which reflects the political reality of the Congress, but we need to do something that isn't altogether politically popular. We need to put everything on the table. So we did.

The Bowles-Simpson commission suggested every aspect of government spending be brought to the table. That is a much more balanced approach than the debate we went through a few months ago over the continuing resolution—that short-term spending bill. That debate focused on 12 percent of our budget. There is only so far we can

take that conversation. We can't balance our budget with a tiny slice of it. We have to take a look at the entire budget. The Bowles-Simpson commission did that. It brought to the table all domestic discretionary spending on both the defense and nondefense side and, I might add, entitlement programs.

That is an area where a lot of people get nervous because we are talking about Social Security, Medicare, and Medicaid, to mention the major elements of entitlement programs. The reason why many Americans have concerns over this debate is that many of them are very vulnerable. They know they have worked hard, and if they still have a job, they realize that even working hard, they are falling behind; wages aren't keeping up with the cost of living. So even hard-working families look at their bank accounts and their future and say: No matter how hard we work, it doesn't seem as though we are able to keep up with the increased cost of living. They realize their vulnerabilities. We all do. When it comes to health insurance, if you don't have good health insurance, you could be one diagnosis or one accident away from having all your savings wiped out or being denied the quality care every one of us wants for ourselves and members of our family, particularly our seniors. Those who are retiring before Medicare and those even on Medicare want to make sure they have adequate health care coverage. So when politicians in Washington start talking about the future of Medicare, many people get nervous. They wonder if it is going to be there when they need it.

The House Republican budget proposed by Congressman PAUL RYAN a few weeks back tackled the Medicare issue. I respect PAUL RYAN, but I respectfully disagree with PAUL RYAN when it comes to his conclusion. At the end of the day, the House Republican budget would have doubled the out-of-pocket expenditures of senior citizens for Medicare. Currently, that is estimated to be in the range of $500 a month. What the Ryan budget proposed was to double that: an additional $6,000 in premiums individuals would have to pay once qualifying for Medicare. These are people, by and large, who are retired. To have an additional $6,000 in out-of-pocket expenditures naturally raises an alarm. They are alarmed at the prospect that they would not have the money to pay for Medicare. He also took the program from where it has been for the last almost 50 years and turned it into a basic private insurance program. I think most people in America who are honest will tell us that putting our health fate in the hands of the tender mercies of health insurance companies doesn't give people a lot of confidence.

So the House Republican budget proposal met with an icy, if not angry, reception across America.

That is not to say we can ignore Medicare. Medicare, if not attended to, will not meet its obligations indefinitely. We have to look to ways to make it fiscally solvent. I think we can. I think we can do it without endangering the basic promise of Medicare, without increasing the costs beyond the reach of seniors. That is what we need to do.

The same thing holds true for Social Security. Many people are skeptical about Social Security, but here is the fact. Untouched, without Congress doing a thing, Social Security will make every payment that has been promised, with a cost of living adjustment every single year, for the next 25 years. We can't say that about many Federal programs. We can say it about Social Security. But the reality is, in the 26th year, it falls off the cliff. We would have to cut benefits by over 20 percent if we don't do something between now and then. I believe, and the Bowles-Simpson commission believed, the changes we make today, 25 years in front—small changes—can play out to buy longer solvency for Social Security.

Haven't we all been forewarned by what has happened over the last decade; that we shouldn't privatize Social Security, we shouldn't jeopardize Social Security? In the end, we don't know if that pension we worked our lives for in a corporation is going to be there or whether the corporation is going to be there. We don't know if our savings will be of the same value that they are today when we want to retire. Social Security is the one constant. It is hardly enough to live on, but a good, solid bedrock for many people to build their retirement. So we owe it to Social Security to make sure it is solvent for years to come.

So here we stand in a situation where we are facing a crisis and the crisis is one with a deadline and the deadline is August 2. Here is what it is: Each year, as the deficit on our budget increases, we need to borrow more money as a nation. In other words, the mortgage of the United States goes up by the amount of the deficit. So each year we have to negotiate a new mortgage. We call it extending the debt ceiling of the United States. We need to do it this year. The Treasury Secretary said we have to do it by August 2. That is the deadline. Failing to do that, we will be in a default position. In other words, the full faith and credit of the United States, which has never been questioned, will be questioned. People will say, if the United States is not borrowing the money it needs to meet its current expenditures, then we can't trust them to make payments in the future.

So what is likely to occur? If the Congress fails to extend the debt ceiling before August 2—if we get into a political debate and that becomes the major element of debate and discussion—if we fail to extend it, what will happen instantly is that interest rates will start going up. Interest rates that affect families, individuals, and businesses across America will start to go up. In the midst of a recession, that is exactly the wrong thing. Interest rates going up at that moment in time will discourage people from buying cars and homes and businesses from borrowing so they can expand their payrolls and put more people to work. So it would be reckless for us not to extend the debt ceiling.

I know it is a political football. People like to say—and I probably have made these speeches in my own political career—this debt ceiling is a reflection that the United States doesn't have its act together. We are not dealing with the deficit honestly. There is truth to that. But at the end of the day, we have a responsibility to extend this debt ceiling. If we end up watching interest rates going up and this recession getting worse, let me tell my colleagues, there are no political winners in the House or Senate if that occurs.

What we need to do—clearly, what we need to do—is to extend the debt ceiling as well as have an honest, comprehensive approach to deal with our deficit. It will involve spending cuts, make no mistake. That has to be done. It will also involve taking a look at entitlement programs and making sure we have found all the health care savings we can so we don't have these programs going bankrupt, and it will include revenue. There are people who can afford to pay—people who are well off in America, blessed to live in this country who have done quite well. Asking sacrifice from them at this moment in time is not unfair. I think it is the right thing to do. Bringing those together, we can come up with a bipartisan agreement and I hope we can do it and do it soon.

Let's not make the mistake of defaulting on America's debt. Let's not make the mistake of jeopardizing the full faith and credit of this country. Let's not run up interest rates at a time when we need to recover from this recession and put Americans back to work. Let's not create a new burden on small businesses when they try to borrow to continue expanding their operations and employment. Let's make sure we are doing the responsible thing here in Washington. I think we can.

I have been meeting with a group that was originally a group of six, and then it became a group of five. Then it kind of expanded to 10 and 15 and 20 and 25. It is kind of a moving card game. But I will tell my colleagues that I am encouraged by the people who come into the room, Democrats and Republicans on the Senate side, who listened to the basic outline of what we have been talking about. Although they may not agree with it and its particulars, they certainly agree with this premise: What we need to do must be bipartisan. What we need to do must include everything—meaning putting everything on the table—and what we must do is come up with a credible, honest plan that will reduce our deficit by more than $4 trillion over the next

10 years. That amount doesn't solve our problem. We will still have a national debt, but it will finally turn the corner. It will finally bring that cost curve down, and it will show to the world, at a time when people are skeptical about the economies of Greece and Portugal and Ireland and other countries, that the United States can stand and work together in a responsible fashion to deal with the deficit. I think it is time to move forward in this bipartisan manner. I hope my colleagues in the Senate who are aware of this effort, who feel this is the right thing to do, will join in putting together something. It is going to be tough. It will not be easy, and there will be compromise needed on both sides. But if that compromise is forthcoming, we can meet our obligation. I don't know who will win politically if we do this. I don't think most people in America care who wins politically. They do care about having a job tomorrow, making enough money so they can have a nice home and a future for their children, and the belief that America's best days are still ahead. We can do that. It is going to be hard politically, but it is something that is absolutely essential.

## EXTENSION OF MORNING BUSINESS

Mr. DURBIN. Mr. President, I ask unanimous consent that the period for morning business be extended until 5 p.m., with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER (Mr. MERKLEY). Is there objection?

Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

## FISCAL DISCIPLINE

Mr. CORKER. Mr. President, I am actually glad to have come to the floor after my colleague from Illinois has just spoken. I was in Illinois this week talking with a number of people there in the business community as part of what I do on the Banking Committee. I wish to say that in talking to many of the great civic and business leaders who exist in Illinois, one of the biggest concerns they have is, in fact, this debt ceiling issue and the reduction of debt. I appreciate the work of the Senator from Illinois in trying to reach a compromise. As a matter of fact, I salute anybody who is trying to work to solve this problem.

I wish to say, from my standpoint, I know the debt ceiling is a major issue, and for me to be able to support it, we need to have dramatic changes in the way spending is taking place in this country. I think there are numbers of people on both sides of the aisle who feel that way. I have offered the only, to my knowledge, concrete proposal that has bipartisan support in both the Senate and in the House. I wish to mention there are a number of discussions about the Medicare proposal PAUL RYAN has put forth, and certainly it is not perfect.

I would love to see a proposal made from the other side since everyone knows Medicare is going to be insolvent in the year 2024. The worst thing we can do, of course, is not pay attention. I hope at some point in the near future we will actually hear a concrete proposal from the other side of the aisle regarding Medicare.

But let me go back to the State of Illinois and the state of our country and certainly the people in Tennessee. There is tremendous uncertainty out there in the business community. As a matter of fact, in talking to one of our leading economists last night, corporate balance sheets today are flush with cash, but companies are unwilling to invest that cash in long-term assets because they are concerned about what we are going to do here in Washington. They are concerned about whether we as a country are going to actually deal with our debt ceiling, deal with our indebtedness in a way that makes progress. So there is tremendous uncertainty.

That is, in my opinion, one of the leading causes of the economic issues we are dealing with, the high unemployment. It has been 777 days since this body even passed a budget. If you can imagine having a country such as ours with 535 people in the House and Senate spending money without a budget for that long, obviously it is a display of an incredible lack of discipline and certainly sends the wrong signal to the business community.

So I do think our country is suffering, suffering economically. Every person I talk to is concerned about the uncertainty of whether we as a country are going to be able to deal with our indebtedness, the tremendous amount of debt this country is piling up because we are spending money we do not have.

I do look at this August 2 deadline as a line in the sand for us as a country. There is plenty of time for us between now—June 15—and August 2 to actually come to an agreement on these big issues. One of the things I hope will be a part of anything we do is something like the fiscal straitjacket that the CAP Act outlines. I do not think there is anybody in this body who disagrees with the fact that we as a country are spending money we do not have and more money than we should. As a country, we have spent about 20.6 percent of our country's gross domestic product for the last 40 years. That is the post-entitlement period. Today as a country we are spending almost 25 percent of our country's economic output on the Federal Government, and that number is rising geometrically.

So we put forth a bill. It is called the CAP Act. Again, it has bipartisan support in the Senate, bipartisan support in the House, that would take us, over a 10-year period, down to the 40-year average and save our country about $7.6 trillion over what is called the alternative fiscal scenario as printed by CBO.

There is no doubt in my mind—I do not think there is anybody in this body who would disagree with this—that the signals we are sending to the country and the world about our inability to come to a conclusion about our spending is affecting the economy. I cannot imagine there is anybody who would disagree with that. We have had people come in, economists telling us what will happen if we do not raise the debt ceiling, what will happen if we do and we do not do those things that are necessary to lower the amount of spending that is taking place here in Washington.

Again, I have offered something that is practical. People on both sides of the aisle have joined. I know there are discussions that are taking place. They are called the Blair House negotiations between the Vice President and Members of this body, and I am understanding that a fiscal straitjacket is part of that discussion; in other words, making sure that over the next 10 years whatever costs we cut are actually locked in, and more cuts are gotten through the imposition, if you will, of a declining fiscal straitjacket, where we, in essence, get back to the norm as it relates to spending and our economy in this country.

I want to say I think one of the greatest things we can do to actually spur the economy—as much as people care about spending in this country today; and there are a lot of people who do—believe it or not, they care, as they should, even more right now about the economy and their own family's situation. I think these two are intertwined. I think if we as a body were to show fiscal discipline, show some certainty into the future, show the business community and the world community we have the ability to have discipline, to act responsibly, I believe it would unleash tremendous amounts of investment.

Again, a leading economist last night says he has never seen a situation where this much cash resides on corporate balance sheets, but corporations are unwilling to invest them in long-term assets. What that means, what that translates into is they are not building plants, they are not expanding because they are concerned about policies in Washington, one of which is: Can we control our spending?

So I do think that August 2 is a seminal moment in our country's history. There is nothing happening here in the Senate. Let's face it. We are voting on judges we do not even need to vote on. We could pass them out of here by unanimous consent. We have bills on the floor that mean nothing, that are never going to become law, just to fill up time. We know that. It has to be the most boring time in the world for a Presiding Officer. Nothing is happening. The oxygen is taken out of the

room over this debt issue, and we are debating things that are never going to happen. It is almost a farce in many ways.

So there is plenty of time—it is June 15—for us to negotiate something that is meaningful as it relates to cuts, and certainly plenty of time to act, to put something in place such as the CAP Act as part of the overall need to reform our entitlements and make sure they are here for future generations.

Let me state one more time that I feel as if, in many ways, what we are reading in the media about these negotiations is almost a walking down of expectations. In other words, most of us want to see something big happen for this country. We see this as a true seminal moment for our country. But from what I read of the various snippets that are coming out of these discussions, it is almost intended each day to tamp down what our expectations are.

I want to say to everybody in this body, unless I see dramatic changes in spending as a result of these negotiations, I absolutely will not vote for this debt ceiling increase. If we are going to have a calamity in this country—and there are economists who say we are going to have a calamity either way: in other words, if we do not act responsibly and pass a debt ceiling, we are going to send a signal to world markets that we do not have the ability to control spending; if we do not raise the debt ceiling, there are those who will say there is going to be a calamity.

Here is what I would say. I am 58 years old. I came to this body because I wanted to solve our county's problems or be a part of that working with others. I want to say—I want to go on the record—that I would rather us have a calamity this summer on my watch while I am here so I can deal with it than I would to pass a debt ceiling and not do something that dramatically alters our fiscal situation in this country and pass it along to someone else who may come behind me. I think there is a lot of sentiment in that regard. I hope there is a lot of sentiment in that regard: that all of us—all of us—would rather bear the brunt of irresponsibility while we are here than pass it on down the road.

So I am here to talk about a component of a solution which is the CAP Act. There may be some variation of this that makes more sense. Certainly, I have no monopoly on wisdom. But I hope something like this, if it is not exactly the CAP Act as written, is a component of the negotiations. I know during these negotiations this is actually being discussed: meaning, how we cap spending and actually put Congress in a fiscal straitjacket, for lack of a better word.

This is a seminal moment. I hope we will not water down expectations. I hope we will rise to the occasion and, as the Senator from Illinois mentioned, deal with this in a responsible way. I hope very soon we will actually have a debate on this floor about what it is that has actually been arrived at, what the deal is, so we can actually talk about it in a responsible way and do those things we all know are very important to our country, very important to our country's solvency, and certainly very important to all those Americans out there who are uncertain as to whether the heads of households, who provide such great opportunities for those people coming under them, have the opportunity for good-paying jobs.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

## JOBS

Mr. ENZI. Mr. President, I thank the Senator from Tennessee for his comments and for the way he delves into any issue we work on and comes up with some unique ideas from his past business experience. I hope people will look at his resume, the information in his biography, to see the fantastic things he has done that show he has the capability to solve problems such as this.

I particularly appreciate the solution the Senator has come up with. Some people say it does not go far enough. You could make it go further than that, but it is timing that is important and actually getting a debate that is important, and I appreciate the way the Senator put it out in a reasonable way where we ought to be able to do it. We need to do it right now so we do not keep passing this debt down, so we get in a responsible position.

I am going to talk about something very similar today. We are in a jobs crisis in this country. I come to the floor this afternoon to talk about jobs. There is not any more important issue for American families today than jobs.

For 3 long years, we have been waiting for the economy to get back in gear and start creating the jobs necessary to keep America strong. I am afraid that Congress and this administration have not done their part to foster the healthy job-creating economy we need. We have heard plenty of talk about job creation, but the rhetoric simply does not match up with any action. So today I will speak about the headwinds we face, as well as some of the simple solutions to help spur job creation.

This week the President's Council on Jobs and Competitiveness presented President Obama with five steps to create job growth. I agree with most of the suggestions. Some of them are steps I have been urging for some time, such as streamlining job training programs and speeding up the government permitting processes. But, unfortunately, for the most part, these are just baby steps. The truth is, the most significant step the Federal Government could take to allow greater job growth is even easier than a baby step. Washington government just needs to get out of the way. Washington keeps putting up roadblocks.

Last month's dismal job numbers paint a very clear picture. Unemployment rose to 9.1 percent—far above the 8 percent level promised by the administration at the time of the passage of the stimulus bill. Nearly 14 million Americans remain unemployed and actively looking for work, and more than half of them are long-term unemployed. With only 54,000 jobs created last month, and 3 million job openings, the problem is clear.

These numbers also reveal some solutions that could go into effect if government would step out of the way. For example, 7,000 of the jobs created last month were in the mining industry. Those of us from mining States know that the mining and domestic energy production industries offer good jobs with good pay and good benefits. Yet the administration has made it incredibly difficult for this industry to continue creating jobs. It has slowed the permitting process for existing mine plans, let alone new mining and drilling activities. Let me say that again. It has slowed the permitting process to a crawl and directed EPA to regulate greenhouse gases under the Clean Air Act.

Simply stated, the President's policies are making things worse. How bad is this permitting process? Fourteen different mines have asked for an extension so their mine plans could continue in a logical way. There was a big announcement 6 weeks ago: The administration is going to allow 758 million tons of coal to come up for bid. That is 4 of 14 applications: 758 million tons. In my county alone, there are a million tons of coal shipped a day—a million tons a day. The amount permitted for bid is a 2-year supply, and it is going to take 6 years to permit it. And we cannot get the other 10 of them to be put out for bid and to go through that same delayed process. That is affecting jobs and it is also causing resources to be left in the ground that could be effectively used in our economy, which raises the costs.

The broadest result of this misguided energy policy will be increased prices for Americans. That will only dig our economic hole deeper. American families are already coping with the terrible job market and a struggling housing market. Increasing reliance on foreign energy sources and ignoring the sources we could harvest here at home makes no sense.

In certain regions of the country, the result of this misguided energy policy is lost jobs and bankrupted American companies. On the gulf coast, many of the thousands of jobs that were supported by the offshore drilling industry are simply gone due to the moratorium, permit, and bureaucratic delays on offshore drilling in the gulf. Also, when skilled people are out of a job, they go somewhere else to get a job. They go to other countries to get a job and it reduces the number of people

who can do the work here. It is another way of sending jobs overseas.

Some of the production has moved to Brazil and other countries that are not impeding their domestic energy production. And we are their customers. We are the ones buying it at extra-high prices.

Ironically, one of the largest discoveries of oil in the Gulf of Mexico was just announced last week. This discovery proves there are still massive amounts of domestic energy available to help alleviate the high prices if the government would simply get out of the way.

Unfortunately, the slowdown in exploratory drilling as a result of last year's moratorium is expected to lead to a 20-percent production decline next year. And things don't happen overnight. Permitting takes up to 6 years as well.

I do not know if the public is aware, but there is a Middle East cartel that helps set the price of oil. Years ago, they used to able to set prices much easier. They could cut back the supply and increase the cost or they could increase the supply and decrease the cost. Twice I watched them drop the price of a barrel of oil down to $8 and put the American oil industry out of business. They put it out of business long enough so that the people who were qualified to do the work got jobs in other countries. When they brought the price back up, it took years for us to bring the production back up.

Now, they have said Saudi Arabia has run out of energy, that they are just about to use up their supplies. Well, last week they announced they are going to have this huge increase in production. How did that happen? Well, there are new techniques. There are new technologies that are being used for drilling. It is helping to bring up more oil.

We ought to be doing that right here in the United States. We ought to be increasing our supply of oil. There are fields where only 20 percent of the oil was producible at the time it was drilled. New technologies, one of which is to put carbon dioxide, or $CO_2$, down the hole and force the oil up—that is good for another 10 or 20 percent of the oil, and it captures the carbon. Why aren't we talking about capturing carbon? We ought to be encouraging that, not discouraging that.

We also have a company in my state that would like to convert low-sulfur coal to low-sulfur diesel fuel. Low-sulfur diesel is one of the things we really want. With these fluctuations in prices we have seen over the years, they said: We have the money to build this $2 billion plant and get it operational. But what happens if Saudi Arabia and the Middle East cartels decide to drive the price down again? What if that price got down to a point where our production was unproductive, if they put us out of business, if they bankrupted us?

Well, several years ago, Congress said: We can take care of that. We are going to pass loan guarantees. We will provide loan guarantees for you. We are not going to give you the money, but if that price were to drop dramatically, then we would have some responsibility in the situation.

Of course, the chances of it ever dropping to that point are pretty negligible.

We allocated I think about $8 billion for loan guarantees for these types of projects—that is no cost to the Federal Government—out there for this company to go ahead and make low-sulfur diesel and even jet fuel. Our military needs jet fuel. But out of that $8 billion, none of it has been allocated—none of it. At the same time, we did programs for solar and wind in the amount of $20 billion. Which do you think can produce the most energy? But it is OK with me that we have the solar and the wind. I think it is a good idea, and we are developing a lot of that in Wyoming too. But how come we can't turn a loan guarantee loose so that we can change coal into diesel with carbon sequestration? It is because of this adverse opinion on coal that creates a lot of problems.

So it is not just a problem in that area, this slowing down of the process; this is also affecting things such as medical devices.

We are interested in the health care of the American people, and we have an agency that watches out for our safety and should watch out for our safety, and we help ensure that time after time. We did a food safety bill, which is a part of that FDA plan.

But in 2003 it was obvious to the companies that make the medical devices that the agency did not have enough people, enough resources to expedite, to get their evaluation done in a timely manner, and the industry agreed to put up money—not to have any benefit to their particular company but for the whole industry—to get things streamlined, with more people looking at it so they could get the approvals, so they could get these health devices out to people so that they could be used.

Well, since 2003 when they put in the first amount of money, the resources for the FDA have doubled, the fees have tripled, and the production has been cut in half. It is taking too long.

Now, how do I gauge what is too long? Well, Europe does the safety process too. Europe approves these medical devices 2 years before we do. Two years before people in the United States are able to use these things, they are using them in Europe. And you are not hearing about any calamities with the medical devices in Europe. They are doing an adequate job of checking the safety and making sure what they are putting out produces the desired result. But not in the United States. We are slowing that process down—putting more money in, but slowing the process down.

There are things out there that people could really use. Before I came to the Senate, I had a heart valve tear. At that time, they had to do open heart surgery and go in and stitch it up, put a special ring in there, which fortunately for me has held very well. It repaired my heart, and it is in as good or better shape than it was before that time.

But there is a medical device, and now they can come in just like they go in with a stent and put that into that part on the heart, pop this little umbrella open, and I would be fixed. I wouldn't have to have that invasive heart surgery. That has already been available in Europe for 2 years. It still hasn't been approved in this country.

That is a process which is bogged down, which is costing jobs. So what do the companies do about it? They said: Well, let's see, why don't we build our stuff over in Europe? Now, if you build a plant, you are probably looking at 10, 20, 30 years of production before you are in a position to move that plant somewhere else, like back to the United States should we cure our problems. So we have to cure that problem now before we drive all of that overseas and all of those jobs overseas. The people who do the manufacturing on those rings get good pay, they have skilled jobs, but they do them in the country where the plant is, they don't do them in the United States. That is just one more example.

Well, I have another one. Right now, they are in the process of doing a rule and regulation about how long you can drive a truck, how long you can idle a truck, what kind of medical inspection the driver should have to have. One of the groups that brought that to my attention is the owner-operators of trucking companies, and they say the people who are drafting this rule have never driven a truck.

That is one of the problems with a lot of these rules and regulations: the people who are making the rules have never owned a business. And there is this tendency in government to be afraid that at some point something might go wrong, and it might come back. They have never had anybody come back on them for saying no or for slowing something down. Well, actually, they have never had anybody come back on them for saying yes. I wish they would realize that. The outfit with the liability in this is the company, not the one who approve the rule. They just need a good process they can move through and we can have a lot more jobs in this country.

Another way we can assist the jobs, as I have been saying, is by simply getting out of the way and by reducing the regulatory burden the Federal Government places on employers.

The first step here would be to repeal the health care law that is already driving up costs and paralyzing employers who are uncertain of their future obligations. Unfortunately, the President and his supporters in Congress are fighting this effort every step of the way. Although the President issued an Executive Order on January

18 of this year directing agencies to reevaluate the regulatory requirements they impose to be sure they are tailored to impose the least burden, less prescriptive, and justified cost-benefit analysis, we have yet to see any regulatory relief from any agency.

Speeches will not save America, action will. The President can say he wants to get things done, and if nobody does them, we are in worse shape than we were before, not better shape.

I had hoped the entire administration would take this directive on looking at all of the regulations seriously, particularly because regulatory burden falls most heavily on small businesses whose hiring will pull us out of this ongoing recession. Small businesses represent 99.7 of all employer firms. They employ over half of all private sector employees. They pay 44 percent of the U.S. private payroll. They generated 64 percent of the net new jobs in this country over the past 15 years.

I owned and operated a small business. I can tell you that if I had thousands of pages of regulations from a health care law hanging over my head, I would hesitate before creating any new position that increased my exposure. The key is to stay under 50 employees. There is less regulation under 50. I know of some companies that already were at 52, 54, 56. They said: Do you know what we are going to do? We are going to reorganize so that we are under 50 employees.

Although reorganization is always good—we should take a little dose of that here in the Federal Government, but we don't. Everything is based on what we had before plus inflation—no reinventing, no doing things differently. I am seeing that in Wyoming as they are trying to close down some of the small post offices without any new ideas for them, without even covering the costs. But that is another story, and I will cover that later.

As the Senator from Tennessee said earlier, we are here and we are not getting anything done. I think that is part of the strategy. There was no budget—647 days with no budget and bills left undone. We get to this process here where, to keep us from doing amendments on this side, we just keep the floor open like this for days. Then we have a cloture vote, and because we have not had an opportunity to put any of our amendments in, we vote against cloture, and that keeps cloture from happening, and the leader then pulls the bill, and that ends the process. We go to another bill on which we are also going to do the same thing. Some of these are good ideas and ought to be passed, but we don't make it to that point. I am sure that is for the next election, saying: Those darn Republicans just held up everything. That is not how we ought to be operating.

Reducing the regulatory burden that is imposed by the Federal Government would be an important step, but we also need to make sure the administration's independent boards and agencies get the message. So far, it is clear they have not.

An extraordinary effort is underway at the National Labor Relations Board to deter Boeing from expanding into a right-to-work State, where it would create work for over 1,000 employees. Those thousand employees have already rejected a union, but they have the right to do that. Now, this would be 1,000 more people employed in a billion-dollar-investment facility.

So what has happened in Washington State that might have the people there upset? Well, I am not sure. Boeing has also hired 2,000 additional employees out there, so it obviously has not hurt their employment. There will be seven of the planes built in Washington State and three of them built in South Carolina per month. But the case has drawn a great deal of attention not because Boeing is a big company but because the agency's fact-twisting and publicity-seeking reveals a strongly biased agenda. Our economy cannot recover when this administration's policies result in exporting jobs rather than airplanes.

The wisdom of the National Labor Relations Act is to defend the right of employees to collectively bargain when they choose to do so, not stepping in to limit employees' ability to exercise their right not to form or join a union.

At the National Mediation Board, we have seen rulemaking to change the way election results are counted in order to favor organized labor.

When that did not work and the majority of employees still voted against the union, the agency launched multiple investigations trying to smear the employer. These government-sponsored efforts to increase union density have done nothing to create jobs. In some cases, the Federal Government has been counterproductive to that goal and should get out of the way.

Pending before the Senate and being held hostage under political pressure are three free-trade agreements—South Korea, Colombia, and Panama. These pacts have been negotiated for years, and they will open markets to our producers. Yet this administration has failed to submit these agreements to Congress and is refusing to consider a reasonable compromise. That is wrong and it is hurting over $1 billion worth of U.S. beef exports to Korea which would help ranchers all across the United States, including my home state of Wyoming. The Korea agreement not only helps grow U.S. agricultural exports but would also open the door for future trade with China which is an even larger market for U.S. farm products. And that is just one industry. The Korea agreement, as well as the Columbia and Panama deals would also help our service manufacturing and finance industries just to name a few.

In the committee on which I now serve as ranking member, the majority scheduled three hearings on the middle class and job growth. I am concerned about the middle class. The first hearing asked the question of whether the American dream is slipping out of reach. I made the point then that I am repeating today. The American dream starts with a job. The focus on pay, benefits, and organizing does nothing to create a job. We are going to have another one of those hearings next week. I am not sure where it is going. We have not proposed any legislation yet to deal with these issues. We are just getting press. That doesn't get jobs. Stalling the growth of the domestic energy production industry or increasing the regulatory burden on American businesses doesn't increase jobs either and neither does blocking free-trade agreements with our partners around the globe. An unelected, unconfirmed general counsel at a small agency is getting in the way of business management decisions that create jobs.

The American dream is not out of reach, but it is suffering from needless hand-slapping threats. Those should be changed to hand-clapping progress. But this administration has to stop getting in the way of job creation so Americans can have jobs.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas is recognized.

## MEDICARE

Mr. CORNYN. Mr. President, last month, the Medicare trustees warned that Medicare will go bankrupt in 13 years, which is 5 years earlier than they had previously calculated. You heard me right. One of the most important programs that the government actually runs—the Medicare Program—designed to provide health care to seniors, is going to run out of money in 13 years, 5 years earlier than projected just last year.

The Medicare trustees noted that Medicare's unfunded liabilities—that is the number it is responsible for—are more than $24 trillion, but that is also growing. Stated another way, this is a $24 trillion gap between Medicare's future benefit costs and the future taxes of premiums that are expected to be collected to pay for it.

Today, I am, along with nearly all my Republican colleagues, sending a letter to the President of the United States, insisting he comply with the law. What law would that be? Well, the law that was passed in 2003 that, under these circumstances, requires the President to propose a plan to deal with this funding crisis for Medicare. President Obama has said he is willing to make some tough decisions. Yet he refuses to provide concrete, constructive, and meaningful proposals to deal with this impending insolvency of one of our most important government programs.

The Medicare trustees have issued a Medicare funding warning in their annual report every year since 2006. They are required to do so under the Medicare Prescription Drug, Improvement,

and Modernization Act of 2003. In response to this warning, as I said, the President is required by Federal law to submit to Congress proposed legislation that would address this funding crisis. President Bush, in 2008, in response to the 2007 Medicare trustees' warning, did exactly what the law requires. He submitted legislation to address this funding crisis. Both the House and the Senate, in compliance with the law, introduced legislation, but, unfortunately, it never went anywhere—kicking the can down the road once again.

The Medicare trustees have, in fact, issued a funding warning every year since 2006, as I mentioned, including all 3 years President Obama has been in office. However, for 3 years now, President Obama and his administration have failed to comply with the mandatory requirement of the law. Congress has never received a proposal from President Obama's administration to address this funding crisis. This failure I wish I could tell you was the result of an oversight but apparently not.

On Tuesday, in an e-mail to The Hill newspaper, on behalf of the administration, they said they believed this law was ''advisory and not binding.''

The law itself states—passed by both Houses of Congress, signed into law—that the President ''shall'' submit legislation to Congress, not that he ''might,'' or ''if it is convenient,'' or ''if he finds time,'' or ''if it advances his political posture leading up to the next election.'' It says he ''shall'' submit legislation.

Thank goodness we live in a country where no one is above the law. We are a nation of laws, where the law applies to the President of the United States and it applies to the most humble members of our society.

Medicare is going bankrupt. Unfortunately, the voices of reform—people are stepping forward to try to solve this problem and make meaningful suggestions so we can actually do what we are supposed to do in Congress, which is debate ideas and come up with solutions, where we can have a vote and we can send legislation to the President and he can sign it or not. That is the way the process is designed to work, but so far the voices missing from the reform debate are those of our friends on the other side of the aisle.

There is no House Democratic plan to save Medicare. There is no Senate Democratic plan to save Medicare. There is no plan for President Obama to save Medicare. Unfortunately, their plan appears to be not to step up and do what the law requires, to offer a proposal to save Medicare but, rather, to try to take a cynical political advantage leading up to the next election by attacking the very people who are making constructive proposals.

No one suggests that any single proposal is perfect. The Ryan plan is not perfect. The Domenici-Rivlin plan offers a different approach. The President's own fiscal commission's report is entitled ''Moment of Truth.'' They reported back in December 2010. It was a bipartisan commission appointed by the President himself. It makes constructive suggestions on how to solve our spending crisis and to address the unsustainability of our entitlement program. But it appears that rather than embrace any of these constructive ideas, rather than do his duty, as the law requires, the President seems content to scare seniors into opposing responsible reforms, while watching the program go bankrupt over the next few years.

By refusing to propose needed reforms to this important program, President Obama is not only abdicating his responsibility to lead as a President of the United States, he is violating Federal law.

Mr. President, I ask unanimous consent that a copy of the letter I referred to earlier be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
*Washington, DC, June 15, 2011.*

President BARACK H. OBAMA,
*The White House,*
*Washington, DC.*

DEAR PRESIDENT OBAMA: We write to urge you to submit a legislative proposal to Congress in response to the Medicare funding warning issued in the 2010 Medicare Trustees' Report. Such a proposal would help prevent the bankruptcy of this vital program for America's seniors and keep the federal government from going further into debt. Furthermore, such a proposal would put your Administration back in compliance with federal law.

Your Administration is currently in violation of section 802 of P.L. 108–173, the Medicare Prescription Drug, Improvement and Modernization Act of 2003 (MMA). The MMA required the Medicare Trustees to include in their annual report an estimate of whether general fund revenues will finance more than 45 percent of total Medicare expenditures in any of the following six years. If the Trustees estimate in two consecutive years that the 45-percent limit will be breached within a seven year timeframe, the Administration is then required to submit a legislative proposal that would address the funding crisis within 15 days of submitting its annual budget proposal to Congress.

The Medicare Trustees have complied with federal law and have issued funding warnings every year since 2007. In 2008, the Bush Administration, in compliance with Section 802 of the MMA, submitted a legislative proposal to Congress, which was never acted upon. Your Administration, however, has failed to submit such a proposal for the last three years.

This not only defies federal law but also abdicates your Administration's responsibility to lead. As you know, mandatory spending is currently projected to grow at an average of 5.4 percent per year over the next 10 years, growing from $2 trillion in 2012 to $3.3 trillion by 2021. The largest claim on the budget over the next 75 years is Medicare, estimated at $35 trillion.

We ask you to comply with the law and submit to Congress the Administration's legislative proposal addressing the Medicare funding warning included in the 2010 Annual Report of the Boards of Trustees of the Federal Hospital Insurance and Federal Supplementary Medical Insurance Trust Funds.

Sincerely,

John Cornyn; Mark Kirk; John Thune; Lindsey Graham; John Barrasso; Roy Blunt; Lisa Murkowski; Mitch McConnell; Daniel Coats; Lamar Alexander; Kelly Ayotte; Michael B. Enzi; Richard Burr; James Inhofe; Pat Roberts; Jerry Moran; Rob Portman; Marco Rubio; Ron Johnson; Rand Paul; Saxby Chambliss.

Mike Crapo; Bob Corker; Tom Coburn; Chuck Grassley; Johnny Isakson; John Hoeven; Jeff Sessions; Michael E. Enzi; Patrick J. Toomey; James E. Risch; Kay Bailey Hutchison; Mike Johanns; Jim DeMint; John McCain; Orrin Hatch; Jon Kyl; Dean Hellers; Richard C. Shelby; Thad Cochran; Richard G. Lugar; Roger F. Wicker.

The PRESIDING OFFICER. The Senator from Georgia.

## THE ECONOMY

Mr. ISAKSON. Mr. President, last night, between 6 and 7 o'clock, I did a telephone townhall meeting in Georgia. We had a little over 3,000 people on the call, and I was able to handle 16 questions. As I listened to the answers I was giving to the questions, I was struck by what a real problem we have in Washington. Washington is making things worse. Georgians are frightened for their jobs, the value of their homes, and the education of their children. They are uncertain about everything. As you give answers about what is happening in Washington, you realize Washington is making it worse.

I wish to give a couple of examples based on my experience. First of all, let's talk about legislation for a second. We have high unemployment—9.1 percent. We have people without jobs or underemployed. We have a law called the Workforce Investment Act or WIA. I am on the subcommittee that overseas it and the Education Committee. We have basically had an agreement on expansion of the reauthorization for the Workforce Investment Act for months, but it still languishes in committee because there are arguments over labor provisions that some want to be added to it.

Here we are, a nation in trouble, and we cannot pass the Workforce Investment Act, which is intended to help the very problem we have.

Secondly, I am on the Health, Education, Labor, and Pension Committee, which does the reauthorization of the Elementary and Secondary Education Act—the fundamental foundation of training and improving our kids for the jobs of the 21st century. It has gone 4 years without reauthorization, and it languishes in committee because of a lack of willingness to bring it forward. Our children remain educated and taught and motivated under a law now expired for 5 years. That is not right, when we should be educating our children and training workers.

We in Washington are doing nothing. On the Commerce Committee, on which I serve, we are over the FAA

committee and reauthorization of the Federal Aviation Administration, which is critical to economic development. That conference committee continues to languish. What are the arguments? They are about changes in labor law.

We need to get the job done in Washington and go to work. We need to understand that the American people are in trouble and are hurting. Our job is to provide answers, not to make it worse.

I wish to talk about a second feature—about regulation for a second—or strangulation, if you will. I have told this story before on the Senator floor, and I will tell it again. On January 3 of this year, I was in a cafe for breakfast and to meet with some businessmen. I walked in the front door and Steve Hennessy of Hennessy Cadillac and Land Rover in Atlanta called to me and came running across the floor. I thought he was going to give me a bear hug, but he said: JOHNNY, yesterday, I fired a salesman and hired two compliance officers. This financial regulation in the Dodd-Frank bill is strangling my productivity and raising my cost of doing business.

We have to recognize that regulation has consequences. It is not our job to eliminate risk in the marketplace. It is our job to mitigate risk so people will take risks, in terms of seeking rewards, which is what the capitalistic system is based on.

I will talk about a few other regulations that are causing significant problems in our recovery. The qualified residential mortgage rule that is being promulgated now by the six regulators will, if it goes into effect on August 1—and they have put the effective date off now—probably constrict the real estate market, which is already suppressed by 70 percent, by another 40 percent. It is going to take capital and risk capital and credit away from the Americans who are, in fact, buying homes today. In fact, in order to mitigate risk and try to eliminate it, it requires lenders to hold a 5-percent risk retention until the loan matures. It says you cannot loan anybody less than 80 percent—more than 80 percent, and if you have anything more than that, you cannot even have a private mortgage insurance policy to guarantee the money. So you are going to flood every buyer left to where? Through FHA, which is exempt from the Dodd-Frank bill, or Fannie Mae and Freddie Mac, which are going out of business, which means you will shift more of the burden of mortgage financing on people who are already overstressed.

Regulatory intent should not do that. My dairy farmers in Georgia are looking at a rule where milk is being categorized where it is going to have to be contained in tanks and reservoirs that now meet the standards of petroleum. That is higher investment and no additional profit for the country. That is protracted. Water—the EPA wants to take ''navigable'' from in front of the word ''water,'' in terms of the Clean Water Act, so the government doesn't regulate just navigable waters but every water.

Credit. Credit is becoming nonexistent for Main Street. I am a small business guy. I was in a small business in Georgia for 33 years. A lot of small businesspeople use their credit cards to manage their cash flow over time. Because of the credit bill passed a couple years ago, they don't have the flexibility to do that anymore. Bank credit is suspended primarily because banks are being run by the FDIC under cease and desist orders or, if they are extending credit alone, they are extending it to the extent that a borrower can put that much money in the bank. When you constrict credit, you suppress small business. When you suppress small business, you suppress 72 percent of the employment in the United States.

I commend Senator CORKER for his remarks about an hour ago on the floor of the Senate because he focused on the big problem we have; that is, debt and deficits. It is kind of disappointing to me we have spent more time on the SBA act, which has been pulled now—it was on the floor the beginning of last month—than we have spent on all the appropriations bills in the last 3 years of this Congress. We debated amendments, we protracted the debate but still nothing happened. We ought to be talking about debt reduction, about deficit reduction, and a long-term plan, over time, to amortize the debt of this country to a reasonable level.

We have a debt ceiling vote that is confronting us, and I have heard the political statements made by people in both parties that there is a game of chicken being played right now, with some saying we are going to push it right up to August 2 and force a vote. If we don't get it, we will run the risk of America's credit going up in cost and uncertainty happening. Others are saying we are not going to do anything on a debt ceiling increase period until we have to at the last minute.

That is not the way to run a business. That is not the way to expand credit. That is not the way to run a country. We ought to be sitting down at the kitchen table of Washington, DC, in the Senate reprioritizing the way we spend money to begin to rein in our expenditures, lower our deficit and lower our debt.

I bet in the last couple of years every family in America, as every family in Georgia, has had to sit around their kitchen table and reprioritize their expenditures. Things have changed. Their nest egg may have shrunk. Their equity may be suppressed. Their job may be in trouble. We have all had to do it. I have had to do it. Almost everybody in America has had to do that. Why doesn't the government do it? At a crisis moment of $14 trillion in debt, with no ceiling above it; with a deficit of $1.5 trillion, $300 billion more than discretionary spending, why aren't we sitting around that kitchen table?

The questions I heard last night during my tele-townhall meeting made it clear to me Washington is making things worse. The American people want to be confident that we will address the debt and the deficit problem; that we are working on it and not that we are putting it off to a drop-dead date and then play chicken politics in the Senate.

People don't mind regulation that is fair, but they do mind regulation that is suppressive and that suppresses jobs. They don't mind having legislation debated in Washington on the floor of the Senate, one way or another depending on your position, but to leave it languishing in committees and not even bringing it up is not right. So my challenge—for me and for every Member of the Senate, and for this administration and for the President—is for us to lead.

We have a clock winding down on a debt ceiling increase that will be important for this country. But without substantial reform of the way we do our business and a game plan for a downpayment on our debt and deficit, and without an indication we are going to work together and have shared sacrifice, there is nothing at all we can do in this government except cause things to be worse. I don't want to be a part of that.

My last comment is this: I was 39 years old in 1983. A report was put out by the board of the Social Security Administration saying it was going broke in 2004. President Reagan and Tip O'Neill got together and said: We can't let that happen.

President Reagan said: I don't want it to go broke, but I am not going to raise the tax.

Tip O'Neill said: I don't want it to go broke, but I am not going to cut the benefit.

They went to the actuaries and said: What do we do?

The actuaries said: Put out the eligibility.

So they changed the law and said if you are an American born after 1943 you can't get Social Security at 65; you have to wait until you are 66. I am 66. They put my Social Security off a year. I didn't miss it. They also made Social Security actuarially sound until 2050. Only in the last 2 years has that date come down, and it has come down because of unemployed Americans at age 62 taking discounted early Social Security and putting more pressure on the system.

We could fix Social Security tomorrow just like they did in 1983 and not take a penny away from anybody. We could move the eligibility out to be more reflective of life expectancy. I know Medicare is the big political football and everyone wants to say the Republicans are trying to kill Medicare, and the Democrats love to say they are trying to protect it. Heck, I want to protect it. I have nine grandchildren. The rest of my life is about those grandchildren. I want to see to it they have a country that is as free, as productive, and safe, and that the benefits

are there for them that have been there for me. It is important we save Medicare, but we can't save it by looking the other way or by taking it off the table. We can't demonize a Democrat or a Republican for making a constructive decision to save Medicare.

Instead of trying to make it the political issue of the 2012 election, we should make it the personal issue of each Senator. We should sit around that kitchen table, work together, and try to find a meaningful solution to a problem that saves Medicare for future generations, and also doesn't cause an escalation in our debt and deficit. We are capable of doing it, but we have not demonstrated a will to do it.

I challenge my colleagues to do the same thing, and I challenge my colleagues to do one other thing—to hold a tele-townhall in the next couple of weeks. Talk to 3,500 of the citizens in your State and listen to the questions they are asking. They are scared, they are worried, and they feel threatened, and Washington is making it worse.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. HAGAN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. HUTCHISON. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

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

## NATO

Mrs. HUTCHISON. Madam President, I rise today to voice concern about the current state of the North Atlantic Treaty Organization. In 1949, more than 60 years ago, the United States joined with 11 other nations to create the North Atlantic Treaty Organization, NATO, in order to ensure the mutual security of the member nations. From the beginning, the United States has served as NATO's backbone and provided a major share of the cost in manpower and resources. We have consistently answered the call of our NATO allies when they needed us, even when there was no clear United States interest involved.

For example, in 1993 the U.S. military answered the call to participate in the NATO air action to enforce a U.N. ban on all unauthorized military flights over Bosnia and Herzegovina. After the Dayton Peace Accords in 1995, the United States stationed over 10,000 personnel in support of peacekeeping missions in Bosnia. For the following 9 years we continued to retain a large number of forces there.

In 1999 the United States again stepped up and provided a major share of the military resources for operations in Kosovo. At that time I argued that we were assuming too many commitments in areas of the world where our own interests were vague. When President Clinton announced that he intended to send 4,000 U.S. troops for peacekeeping in Kosovo, I said:

> If we think the United States has the responsibility to go into all these civil conflicts, we are going to dissipate our resources and we're going to place a heavy burden on our taxpayers.

Today, after years of involvement with NATO-led operations in the Balkans, our forces are still a major component of the NATO Kosovo force, and we are still contributing approximately 800 troops to that effort.

In fact, of the 22 nations now in NATO contributing troops in Kosovo, the United States military makes up approximately 13 percent of the total force. As far as cost is concerned, the U.S. taxpayer is still footing a very large bill for our presence in Kosovo. In fiscal year 2010, the President asked for $252 million to pay for operations in Kosovo. In fiscal year 2011 it was $312 million. Now as part of the fiscal year 2012 Overseas Contingency Operations Transfer Fund, the President is asking for $254 million.

With this example in mind, I am now deeply concerned that we appear to be in the same position again, this time with NATO in Libya. On March 31, NATO assumed command and control of operation Unified Protector, and was thereafter responsible for enforcing the no-fly zone over Libya. With this transfer of authority and responsibility from the United States to NATO, there was also an implicit understanding that all of NATO member states would be expected to dedicate the necessary resources to adequately enforce U.N. Resolutions 1970 and 1973. However, almost immediately after taking command, NATO requested a 48-hour extension of support from American fighter aircraft. This request for continued support from American air assets seemed to be at odds with the President's statement that coalition forces would be able to keep up the pressure on Qadhafi's forces. So, once again, our Nation is called upon to provide a large share of the resources and funding for another NATO mission that is not in the vital security interests of the United States.

Indeed, Secretary of Defense Roberts Gates stated on April 21 at a DOD press conference that ''while it is not a vital interest for us, our allies considered it is a vital interest. And just as they have helped us in Afghanistan, we thought it important, the President thought it was important, to help them in Libya.''

We are now on track to spend more than $800 million of U.S. taxpayer money this fiscal year on operations involving Libya. I ask, with significant concern, how are these operations going to be paid for? Where is DOD planning to get the extra almost $1 billion to spend on this operation? What programs will need to be cut to fund this third operation in which we are now involved: Iraq, Afghanistan, and Libya? Will the President be submitting a supplemental appropriations bill on Libya?

With the example of Libya in our minds, let us be clear as to exactly what our allies are contributing to the efforts in Afghanistan. As part of the International Security Assistance Force, which is the command in charge of operations in Afghanistan, the United States is contributing 70 percent of the total force, with 46 nations contributing the remaining 30 percent.

As we review the landscape of American military commitments overseas, let me emphasize that with U.S. forces deployed in Iraq and Afghanistan we should not also be participating in such a major way in an open-ended conflict in Libya, where we have no clear, vital national security interests. Moreover, I believe our NATO allies who do have a vital interest in Libya should be willing to play a lead role in terms of funding as well as military resources. The fact is, NATO and the Arab League should be shouldering the brunt of the military and financial burdens associated with Operation Unified Protector, just as we are doing in Afghanistan, and have been doing in Iraq.

If we had all members of NATO contributing proportionately to the mission in Libya and also had the Arab League providing comparable financial and military assistance, the overwhelming commitment of our own U.S. forces would be lessened to a manageable degree. I am frustrated that our NATO allies continue to contribute such a small amount of resources for operations that are in the vital interest of many NATO member states. In Libya, I believe if the U.S. military were to stop providing to our allies our unique military capabilities, NATO operations for both the no-fly zone as well as the civilian protection mission would be seriously degraded and could terminate.

How have we arrived at this unfortunate state of affairs? Why is it that NATO nations are unwilling and unable to effectively operate against a weak and isolated nation such as Libya without significant military contributions from the United States? One reason we are in this position is because many NATO members are not contributing enough of their gross domestic product to defense. Instead, many NATO members simply look to the United States and the American taxpayer to pay for any gaps in defense capabilities. Because many NATO nations do not invest strategically in their military capabilities, they are heavily dependent on the United States to pay for advanced equipment such as intelligence, reconnaissance, and surveillance platforms to support their NATO operations.

I agree with Secretary Gates' recent assessment, that NATO is turning into a two-tiered alliance in which very few members except for the United States take on the hard power combat assignments. Instead, the majority of the NATO partners limit themselves to soft power work such as delivering humanitarian aid. Indeed, of the 28 NATO members, only 5—the United States, the United Kingdom, France, Greece,

and Albania—exceed the agreed-upon ratio of 2 percent of gross domestic product to be spent on defense.

Two decades after the collapse of the Berlin Wall, the U.S. share of NATO defense spending has now risen astoundingly to more than 75 percent. Secretary Gates put all of our efforts under NATO alliance operations together at 75 percent. We are all aware that the United States is facing very hard and real serious fiscal constraints. Hence it is clear that we can no longer continue to pay for the vast majority of NATO operations that are not in the vital security interests of our Nation. It is time for the United States to ask our allies to step up and keep the agreement they made when they became part of NATO, or for the United States to consider reducing our spending level that we now provide to NATO and also move to redeploy a large portion of our military presence in Europe back to the United States.

I have spoken on the floor many times about my concerns for maintaining such a large military presence in Europe and I will continue to fight for spending cuts to a largely unnecessary and expensive U.S. military presence on the European continent. It was decided in the last administration to cut back to two brigade combat teams in Europe, in Germany. We have now had the two be expanded to four. The other two are now in limbo. So there are now four brigade combat teams in Europe. Two were supposed to move back to the United States and the military construction to house at least one of those has been done at a cost of over 400 million taxpayer dollars. So we have the capability to bring home troops, taxpayers have spent $400 million in pursuit of that, the barracks sit empty, and we still have four brigade combat teams in Europe, in Germany.

Unfortunately, here is the message we are sending to our European allies by that military presence, and by our operations in support of NATO, that American taxpayers are willing and able to shoulder the burden for their defense, and that there are apparently no consequences if the Europeans fail to do their fair share.

We need to change that message. We need to make our Nation's current financial difficulties a priority. Our message should be that NATO has been a valuable alliance for 60 years, and it can be in the future, with a concerted effort by our allies to share the burden. That means truly sharing. The United States should lead when and where our capabilities are essential. We do have vast capabilities. When they are essential we have shown we will always be there. But others can lead where they have the capability to do so, and they need to do it with personnel and with the appropriate level of funding.

The complacency of our allies is increasingly a threat to our national security for we are shouldering more and more of the burden, even where our involvement is not in the vital interests of the United States. The American taxpayer can no longer afford to write endless checks for NATO operations. It is time for our allies to shoulder their responsibilities and reduce their dependence on U.S. military forces.

We want to maintain our military strength. We have the greatest military in the world. There is no doubt about that. But to keep our military strong, we cannot over-deploy our forces. I have talked to people who have been to Afghanistan six times on rotations—six times. Most of our people who have gone to Afghanistan have gone more than once, and that is following all of the time they have been to Iraq as well. We must keep our military strong by not overburdening them because our allies are not doing their share and supplying the troops they agreed to provide when they became members of NATO. For us to keep the strength we have, or to handle the big operations where we have the unique capabilities, we must be smarter about allocating and sharing the responsibilities. We can continue to lead and take the biggest share, but not 75 percent of the share and continue to remain strong, especially with the financial constraints we have today.

We are in the midst of negotiating how we can lower our deficit so we don't hit that $14 trillion debt ceiling without a plan for bringing down the deficit so we will never have to lift that debt ceiling again. So it is in everyone's interests for our allies to step up to the plate. They made agreements. It used to be a 3-percent gross domestic product commitment that was required for NATO. Now we are talking 2 percent, and only five countries—only five countries—meet that test. That is not a sustainable alliance. If we allow them to drag down their strongest member, it will not be in the interests of anyone if something big happens that requires an immediate and robust response.

So I appreciate that Secretary Gates, in his final days in office has talked very straight to our NATO allies. I hope they are listening, and I hope they are prepared to act. Yes, they have financial constraints too; we understand that. But it is time the burden be shared. It is time we have a real alliance in which we remain strong so we maintain the strength to respond to the big emergencies when we are called. Being dragged down by smaller contingencies that can be handled by others, whether it is Kosovo or Libya—and, certainly, we also are concerned about the situation in Syria and Yemen—we can let others be in the lead in those areas so that when the big things happen—such as Afghanistan which will continue to require our commitment—those major efforts can be led by the United States with our unique capabilities and our commitment.

Our military remains the best in the world. Our equipment is the best in the world. Our training is the best in the world. We need to maintain that strength with an alliance that accepts its responsibility for burden sharing. Where we are required to lead and are uniquely capable we will do so but we cannot allow ourselves to be continually placed in the position where these contingencies drag down our capabilities for the future.

So I applaud Secretary Gates for starting this dialogue in earnest. We have talked about it for a long time—for years, actually. We have talked to our NATO allies about stepping up to the plate. Even in good financial times that didn't happen but for a few. I will say that Great Britain has always been there, and we have had other strong alliances, including Australia—not in NATO but certainly a strong ally. Canada is also a strong ally, but it is time for us to reassess our contributions in NATO to preserve our strength so that we are there and prepared for major operations, which is in all of our interests.

Thank you, 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.

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

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

## EXTENSION OF MORNING BUSINESS

Mrs. HAGAN. Mr. President, I ask unanimous consent that the period for morning business be extended until 6 p.m., with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mrs. HAGAN. 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. 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.

## UNANIMOUS CONSENT REQUEST—S. 782

Mr. INHOFE. Mr. President, I am going to wait until the Senator from Illinois arrives before making a motion, but I wish to explain what I am going to do. I am going to make a motion when he does arrive.

I have an amendment. First of all, being the ranking member of the Environment and Public Works Committee, I have more than just a passive interest in this EDA bill. But one of the things I have been trying to do is get people to understand we have all these

amendments, and a lot of these amendments have nothing to do with the Economic Development Administration. They have to do with everything else that is out there. In fact, I am guilty of the same thing. I have, I think, five unrelated amendments. They are all good stuff, things I wish to get through, and that seems to be what this bill is all about.

But under all these amendments there is a bill and there is a reason for introducing it. It is a foregone conclusion—I think we all understand if we were to pass the EDA bill out of here in any form similar to the way it was introduced, it would never pass the House, and that would be a done deal.

What I am going to attempt to do is—I am going to attempt today and tomorrow and however long it takes—to get an amendment in there that is going to provide oversight authority by the GAO. Through the audits and assessments, the GAO can ensure that the EDA grants are distributed, and put some spending discipline in there, such as through a competitive award process—it is all drafted in the amendment; by the way, the amendment is No. 459—and in accordance with the EDA criteria and requirements.

Additionally, the GAO would submit a report every year to the Senate Environment and Public Works Committee and the House T&I Committee, Transportation and Infrastructure Committee, to have efficiency assured.

What we are doing here is, instead of having a jump ball and saying we are going to do any kind of an EDA program that we can sell through the administration, we will actually have discipline in there so it will have to be, first of all, gone over with the Government Accountability Office. Then, after that, it is not over because it has to come back to both committees in the House and the Senate. And, of course, I am the ranking member, and by the time that gets started, I may end up being the chairman, if it is after the next election. But you never know those things. So we would be able to look at it again.

The purpose of the amendment is to make certain that grant recipients are determined based on competitive procedures and to create more accountability for the EDA. Overall, I think Washington bureaucrats should not be picking winners and losers but, instead, rely on a formula and strict rules to determine where agency dollars flow.

I know we are not on the bill now. We are still in morning business. I understand we are going to go back on the bill at 6 o'clock this evening. But I have to get a request in that my amendment be—at that time, I am going to ask that the pending amendment be set aside for consideration of amendment No. 459, which I have just described.

I think the chief complaint about some of the EDA process—by the way, I have to say about the EDA process, it has done so well in my State of Oklahoma. We had one project in Elgin, OK—a very small community adjacent to the live range at Fort Sill—for a $2.25 million EDA grant. They ended up planning to construct a 150,000-square foot building that would employ—the numbers were almost the entire population of Elgin, OK. It is something that would revive that part of the State. The southern part of the State of Oklahoma and the south central part have historically been an area that is somewhat impoverished, and through these EDA grants we have done a good job.

The good thing about EDA grants is they require a lot of local participation. Generally, it is through the city funds, the State funds, and the county funds, and then an equal amount or a greater amount from the private sector.

In my State of Oklahoma, the grants are usually about one to nine in terms of public participation. So the program is good. I am the first one to admit, however, it may not work the same way in every State. I can only say what our experience has been in Oklahoma.

What I am going to suggest with this amendment is something we are doing anyway in Oklahoma. We are going through a competitive award process. That is a process that everyone understands. It is one that is all outlined in our rules. We know what they have to go through for competition. Then it is in accordance with the criteria.

The criteria is very important. One of these days we are going to get around to a transportation reauthorization bill that will come out of my same committee. The last one we had was in 2005. Since then, that has run out, and we are going kind of month to month. We have a dire need for infrastructure in America with the roads, highways, and bridges. It is something we have fallen behind on, and we are going to be getting to that.

The reason our 2005 bill was so successful in infrastructure for transportation in the reauthorization bill is because we had a formula. The formula took into consideration money to be spent on bridges and roads and highways, State by State, with such factors as to the fatalities in that State, the number of road lanes, miles, and all this criteria. When we got through establishing the criteria in 2005, it must have been good because nobody liked it. If it was something that upset everyone, then, obviously, it was one that was pretty good, and we passed it. That was a $284.6 billion reauthorization bill. We should be able to do something comparable now.

You might say, everyone is goosey about spending money nowadays. And that is understandable with the deficits. President Obama's three budgets have suggested and have put into effect $5 trillion of deficit—not debt but deficit.

This last budget was around a little over $2.5 trillion. And I can remember back in 1995, back when President Clinton was in office, going down to the floor and complaining because he had a budget to run the entire country of $1.5 trillion. Well, the deficit alone in the last budget we have had here, as prescribed by the President, has exceeded the amount it took to run the country during that period of time.

I see the Senator from Illinois is here. I would say to my good friend from Illinois, what I am doing here is I am going to attempt now—and it will be objected to, and I understand that because we are not on the bill yet—I am going to continue to attempt to have an accountability amendment that takes the EDA process and subjects it to a competitive award process, along with oversight by the GAO and by our committee and by the T&I Committee in the House of Representatives. I think it is something that would make—frankly, if we do not do it, in my opinion, there would be no way in the world that the House of Representatives would pass it. This offers discipline to it. I will go so far as to say that if we are not able to pass this amendment, to have accountability, I will probably end up voting against the bill if it comes up for a vote.

So with that in mind, I ask unanimous consent that it be in order to resume consideration of S. 782 so that I can call up my amendment No. 459 which is at the desk.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, reserving the right to object, what I am about to say is no reflection on the Senator from Oklahoma nor the merits of his amendment. We have almost 100 amendments filed and 17 pending, and the majority leader has asked that we at least reflect on those filed and set our schedule accordingly. I am not saying this will not be considered, but at the moment we are going to object to the offering of additional amendments. So I do object.

The PRESIDING OFFICER. Objection is heard.

Mr. INHOFE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

## TRADE AGREEMENTS

Mr. BROWN of Ohio. Mr. President, while it is important to address the Federal budget deficit, too many Washington politicians have turned a blind eye to the U.S. trade deficit. Working families in Ohio and our Nation's manufacturers haven't forgotten about the devastating effects of our ballooning trade deficit.

How much bigger does our trade deficit need to get before Washington

wakes up and realizes we need a very different direction in trade? Let's put American workers and American businesses first for a change. Let's focus on enforcing existing trade laws and helping workers retrain for new jobs. Let's not pursue more of the same style of trade agreements that have wreaked havoc on our economy. That is really what the debate over the Korea trade agreement and the Panama and the Colombia Free Trade Agreements is all about.

Two weeks ago, Senator CASEY and I wrote a letter to the President, which 43 other Senators signed—in fact, it was signed by the Presiding Officer, the Senator from Rhode Island—affirming his decision to pass trade adjustment assistance for workers before proceeding to the trade agreements with Colombia, Panama, and South Korea. Our position on TAA has been consistent since we asked unanimous consent to pass TAA in late 2010. We need a long-term reauthorization regardless of what we do on these free-trade agreements.

Senator CASEY and I stood on this floor time after time, starting in December and into January and February, asking all of our colleagues to reauthorize, to extend trade adjustment assistance to those workers who lose their jobs through no fault of their own; they lose their jobs because of trade agreements this Congress passes and because of a trade policy this administration and Congress has followed. We are likely facing a situation in which TAA, unfortunately, is being linked with the free-trade agreements.

If and when a deal is reached, we will examine both its contents and the process in moving it forward. But when it comes to American workers, we want at least a 5-year reauthorization of TAA, one that includes the 2009 reforms and provides for an 80 percent health coverage tax credit.

Time and time again a Republican Member stood up and objected to our moving forward in helping American workers. I just don't understand, how people here want to pass these trade agreements knowing that workers will be dislocated, that plants will close down, people will lose jobs, and communities will be devastated because of the actions of this body in passing trade agreements. Yet they say, no, they don't want to do anything to help those workers.

That is why we believe TAA should be separate from the free-trade agreements. I ask my colleagues—especially those who call the free-trade agreements with Korea and Panama and Colombia, the same people who called NAFTA and CAFTA and PNTR with China job creators—if that is the case, what sort of message does it send about these trade agreements if they must be linked to assistance for displaced workers? They are saying the only way they want to do TAA is to connect it to Korea or connect it to Colombia or connect it to Panama. They are acknowledging, then, that when we pass these trade agreements, it is costing us jobs. Why would we do that?

Because of that, Senator CASEY and I want a clean vote on TAA and a trade enforcement package, and we want to work with our colleagues to shape this package.

For the Korea Free Trade Agreement, I have two concerns. The first is jobs—always jobs in these trade agreements. Ever since I have been in either the House or the Senate, every time there is a trade agreement—whether it is the North American Free Trade Agreement in 1993, PNTR with China—although not a trade agreement but allowing China into the World Trade Organization—or 2004 or 2005, if I remember right, when the Central American Free Trade Agreement passed the Congress, and now with Korea—the people behind these trade agreements have talked about all the jobs they will create. They tell us: Well, we are going to close our trade deficit because of these trade agreements. Never does that happen.

When we passed NAFTA, we had a trade surplus with Mexico. Today, as Senator CASEY pointed out, we have a $90 billion trade deficit with Mexico. When PNTR passed, my recollection from 12 years ago was that we had about a $10 billion or $12 billion trade deficit with China. Now our annual trade deficit with China is $273 billion—last year. This year, in 1 month it was $21 billion.

So, it is pretty clear the promises made with regard to these trade agreements and the reality that exists are different things. They do not create jobs, they do not close our trade deficit, yet the promises continue. So my first problem with the Korea Free Trade Agreement is jobs.

The ITC—the International Trade Commission—projects the Korea FTA will increase the trade deficit, especially in auto parts, transportation equipment, metal and iron, and textiles and apparel. The economy is still facing extreme challenges. Since President Obama took office—when we were losing 700,000 jobs a month in January and February of 2009—we have seen some job growth. In the last 14 months, we have seen manufacturing job growth for the first time since 1998. So things are starting to turn around. But the last thing we do when the economy is facing extreme challenges—the last thing we should do—is pass a trade agreement of this magnitude with its short-term and long-term effects on jobs.

Finally, we have an administration that is being a little more truthful when it comes to promises about these trade agreements. As I said, during the NAFTA timeframe, we had President George H.W. Bush, and then President Clinton, who said it would provide all these jobs—200,000 jobs, I think one of them said. But this time, at least, the administration is not saying they expect this is going to create jobs. They say: This agreement is expected to support—whatever that means—70,000 jobs.

But let's do the math. The Congressional Budget Office said the cost of this trade agreement—yes, this trade agreement costs money because we lose a lot of money in tariffs—is $7 billion over 10 years. That means if we are going to support—not create but support—70,000 jobs, and spend $7 billion to do it, the agreement costs about $100,000 for every job supported—again, not created but every job supported.

This trade pact has unusually low rules of origin, allowing goods from Korea that are made with up to 65 percent of their parts from China or other countries. When the European Union negotiated their Korea Free Trade Agreement, they had domestic content rules of 55 percent, meaning that 55 percent of the components in a product had to come from South Korea.

The Obama administration improved this over the Bush agreement, but only marginally, by saying only 35 percent has to come from Korea. That means 65 percent or two-thirds of the added value of the components of these products shipped from Korea, with basically no tariffs coming to the United States, can come from China or can come from a low-wage country with low or weak environmental laws and low worker standards and all of that. So it allows a back door for countries such as China to gain even more access to the American market.

We all recognize that we live in a world with global supply chains. But this low domestic content threshold of 35 percent will clearly hurt American manufacturers over the long term. So let's be clear. This is not just a Korea Free Trade Agreement, it is effectively a global free-trade agreement.

Second, the Korea FTA causes me concern because it includes what is called the ''investor-state'' enforcement in which a corporation is empowered to directly challenge laws as violations of a trade pact. Before the North American Free Trade Agreement, there was no such thing as investor-state relations. That meant that a company could not sue another foreign government. For instance, if the Canadians were unhappy with some U.S. law, the Canadian Government could sue the U.S. Government, but a Canadian company couldn't sue the U.S. Government. So what these investor-state provisions do is to undermine sovereignty. It undermines what we have done in this body.

We fight in this body for strong clean air laws and strong environmental rules and strong pure food laws and strong consumer protections. Under the investor-state relations, a company in Korea could sue the U.S. Government for those kinds of strong environmental workforce safety or food safety laws. We don't want to give a company in another country the standing to undermine our sovereignty on laws that were democratically attained in this country.

This mechanism is not necessary for a pact between two countries with well-established rules of law. We didn't do that in the U.S.-Australia Free Trade Agreement. It did not include these investor-state provisions. Why would we do it now with Korea, which is also a country that operates under a rule of law?

One more reason this Korea Free Trade Agreement undermines our sovereignty, weakens our environmental laws, weakens our food safety laws, and dilutes what we stand for in the American values we hold so dear is about jobs, and it is about these investor-state provisions which undermine our sovereignty.

Before pursuing more of the same style of trade agreements that caused our trade deficit to balloon to more than $600 billion, why not focus on enforcing existing trade laws? We know some things we ought to be doing before we look at passing new trade agreements. We need to better enforce trade laws. We have done that.

President Obama, to his credit—and again, I don't agree with him on these trade agreements. I think he is wrong. But to his credit, more than any President I think in at least 25 years, President Obama has begun to enforce some trade rules. He enforced on oil country tubular steel. His decision created hundreds of jobs in Youngstown and Lorain, OH. His decision on Chinese tires created hundreds of jobs in Findlay, OH, and other places around the State in tire-building. His and the Commerce Department's decision on the Chinese gaming the system on coated paper, an industry that still exists in this country—not what it used to be, but it meant jobs in southwest Ohio and all over my State and all over States where paper is still manufactured in this country.

Another thing we should do before a new trade agreement is we should consider reintroducing Super 301 so that we have the tools to fight back when countries such as China game the system.

I am working with the Republican Senator from Ohio, the Republican Senator from Missouri, the Democratic Senator from Missouri, and the Democratic Senator from Oregon, Chairman WYDEN of the Finance Committee's subcommittee, to begin to enforce customs duties and make sure companies in countries that evade these customs duties can no longer evade them. That will make a huge difference in job creation.

Those are the kinds of things we should be doing.

Paul Krugman, who has been a free-trader most of his life, a columnist for the New York Times, back in December said:

> If you want a trade policy that helps employment, it has to be a policy that induces other countries to run bigger deficits or smaller surpluses. A countervailing duty of Chinese exporting would be job creating here; a deal with South Korea, not.

This comes from a Nobel Prize-winning economist, somebody who has in the past been supportive of these free-trade agreements, believing that they have created jobs. He realizes Korea won't create jobs. Beginning to enforce our trade laws is the way to go.

I will close with this. Some years ago, President Bush said that for every billion-dollar trade surplus or every billion-dollar trade deficit a country has, it translates into 13,000 jobs. In other words, if we have a trade deficit with China of $1 billion, that would mean we are selling to them $1 billion less than we are buying from them, and the manufacture of those products we buy versus the ones we manufacture and sell is a net loss to the United States of 13,000 jobs. So for every $1 billion trade surplus or trade deficit, it translates into 13,000 jobs for that country.

The trade deficit with China last year was $273 billion. The trade deficit we have with the entire world, the so-called multilateral trade deficit, was $634 billion.

Mr. President, travel my State. Travel this country. See the kinds of manufacturing job loss we have had. We have lost manufacturing jobs from 1998, the last 2 years of the Clinton administration, all 8 years of the Bush administration, and the first year and a half of the Obama administration. We were losing manufacturing jobs through that whole process. Now we are starting to gain manufacturing jobs, but we can't continue to gain manufacturing jobs when we pass free-trade agreements that clearly cause more companies to shut down in our country and more of those companies to move abroad.

The Korea Free Trade Agreement is a bad idea. It is imperative that we do what the President has said we should do and what so many of my colleagues have asked us to do; that is, pass trade adjustment assistance with a health coverage tax credit for those workers who have already lost jobs from trade agreements and from trade policy. It is the right thing to do. It is good for our country, it is good for our economy, and it is especially good for workers.

## EXTENSION OF MORNING BUSINESS

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the period for morning business be extended until 6:30 p.m., with Senators permitted to speak for up to 10 minutes each.

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

## FOOD SAFETY ACCOUNTABILITY ACT

Mr. LEAHY. Mr. President, in April, the Senate unanimously passed the Food Safety Accountability Act. If enacted, this important bill will hold criminals who poison our food supply accountable for their crimes. Now more than ever, it is critical that the House pass this noncontroversial legislation.

A recent E. coli outbreak in Germany—identified by scientists as a new, deadly strain of the bacteria—has killed at least 35 people and spread to 10 countries. Thankfully, this particular outbreak has not yet hit the United States, but this tragedy, on the heels of several major outbreaks in the United States in recent years, highlights the importance of ensuring that we take every step to protect our food supply. The Food Safety Accountability Act promotes more accountability for food suppliers by increasing the sentences that prosecutors can seek for people who violate our food safety laws in those cases where there is conscious or reckless disregard of a risk of death or serious bodily injury.

Current statutes do not provide sufficient criminal sanctions for those who knowingly violate our food safety laws. Knowingly distributing adulterated food is already illegal, but it is in most cases merely a misdemeanor right now, and the Sentencing Commission has found that it generally does not result in jail time. The fines and recalls that usually result from criminal violations under current law fall short in protecting the public from harmful products. Too often, those who are willing to endanger our American citizens in pursuit of profits view such fines or recalls as merely the cost of doing business.

Last summer, a salmonella outbreak caused hundreds of people to fall ill and triggered a national egg recall. Salmonella poisoning is all too common and sometimes results from inexcusable, knowing conduct like that carefully targeted by the Food Safety Accountability Act. The company responsible for the eggs at the root of the last summer's salmonella crisis had a long history of environmental, immigration, labor, and food safety violations. It is clear that fines are not enough to protect the public and effectively deter this unacceptable conduct. We need to make sure that those who knowingly poison the food supply will go to jail. This bill will significantly increase the chances that those who commit serious food safety crimes will face jail time, rather than merely a slap on the wrist.

Food safety received considerable attention last year, and I was pleased that Congress finally passed comprehensive food safety reforms, but our work is not done. A provision almost identical to the Food Safety Accountability Act was passed by the House with strong, bipartisan support but failed to make it into the final legislation that ultimately passed because of Republican objections in the Senate. Now that the Senate has unanimously passed this bill, it is again time for the House to act.

The American people should be confident that the food they buy for their families is safe. The uncertainty and fear caused by the current E. coli outbreak in Europe only reinforces the

need to pass the common sense Food Safety Accountability Act to protect our own food supply. I urge the House to quickly pass the Senate bill and join us in taking this important step toward protecting our food supply.

## WORLD DAY AGAINST CHILD LABOR

Mr. HARKIN. Mr. President, I have come to the floor today to acknowledge and celebrate the World Day Against Child Labor, which was commemorated earlier this week.

An estimated 215 million children across the world are still trapped in the worst forms of child labor. A report issued by the International Labor Organization, ILO, in May 2010 offered some good news in the fight against child labor. There is a decline in the number of girls trapped in child labor. There are fewer children doing hazardous work. We are closer than ever to universal ratification of ILO Convention 182, which prohibits the worst forms of child labor. Mr. President, 173 out of 192 participating nations have ratified this convention.

However, due to the economic crisis, there also have been setbacks. Child labor has been increasing among boys and in young people between the ages of 15 and 17. Progress in reducing child labor in Sub-Saharan Africa has stalled. While some people may point to the global economic crisis as a cause of these setbacks, we cannot use this as an excuse for complacency.

One can look at the country of Uzbekistan to see the dire need for more action. According to School of Oriental and African Studies at the University of London, over 2 million children are forcibly pulled from school by government officials to work in cotton fields. Uzbek cotton is listed as a good produced by forced labor and child labor by the Department of Labor. It is listed on the Tier 2 Watch List in the State Department's Trafficking in Persons Report. Yet despite this clear, compelling, and thoroughly documented evidence of Uzbekistan's abject failure to live up to its international commitments under ILO Convention 182, business goes on as usual. Uzbekistan has received no sanction and continues to receive trade benefits from the United States under the Generalized System of Preference.

The work performed by these children, stooped over to pick cotton under a hot Sun, also falls under the category of hazardous work. Hazardous work is by its very nature likely to harm the health and safety of children. Hazardous work exposes children to physical, emotional, or even sexual abuse. It includes children working underground in mines, underwater, at dangerous heights, or in confined spaces. Children work with dangerous machinery, equipment, and tools. They may work in in unhealthy environments, exposed to hazardous substances like nicotine in tobacco fields or to extreme temperatures, noise levels, or vibrations that can damage growing bodies. Some children are even forced to work such long hours that they are up for entire nights or are not allowed to return to their own home at the end of the day.

The ILO estimates that 115 million children perform hazardous work. Forty-one million of these are girls and 74 million are boys. Sixty-two million are between the ages of 15 and 17, and 53 million are 14 years old or younger.

It is vitally important to get children out of the worst forms of child labor, including hazardous work, so they may attend school, do well in their studies, and gain the knowledge and skills necessary to build a decent life. To this end, the U.S. Government needs to approach the scourge of child labor in a holistic manner. We need to address the underlying poverty that forces so many children to forgo schooling in order to meet even their most basic needs.

Fortunately, through the Department of Labor, the United States has undertaken projects to do just that. In Ghana, DOL is working with the ILO and the Government of Ghana to implement a new, holistic program to reduce child labor in the cocoa sector by 70 percent by 2020. This effort has gone hand-in-hand with a renewed effort by the international cocoa industry, which has pledged $7 million in new funding to this fight. I have been personally involved in this effort with my good friend and colleague in the House of Representatives, Congressman ELIOT ENGEL of New York.

In fact, this unified effort of the U.S. Government, the Ghanaian Government, and the cocoa industry recently reviewed innovative programs proposed by the cocoa industry in support of its $7 million pledge. It is my hope that this approach, governments working hand-in-hand with industry and implementing partners, can become a model to combat the worst forms of child labor worldwide.

This is just one example of many Department of Labor programs that are in progress all over the world. Another such program, in Guatemala, takes at-risk children and provides them after-school activities that reinforce their education, giving them an opportunity for recreation and personal growth in stark contrast to the stunted prospects that follow from being forced to work long hours. Another program, in Lahore, Pakistan, has redesigned the looms people use to weave carpets, eliminating hazards such as back injuries and bone deformities that have plagued children. These and other Department of Labor projects form the backbone of U.S. efforts to combat the worst forms of child labor.

It is not enough to do this just at the Department of Labor though. In Afghanistan, a 2006 UNICEF report estimated that one in four children between the ages of 7 and 14 is subject to the worst forms of child labor. As the Department of Defense and other departments are spending huge amounts of U.S. taxpayer dollars in Afghanistan, it is vitally important to require child labor protections in our various programs and contracts in that country.

Starting this year, a Department of Defense contract to provide market access to Afghan carpet makers will work hand-in-hand with the proven GoodWeave certification system to assure that the carpets made under this taxpayer-funded program are not made with the worst forms of child labor.

So while there has been much progress made, and our efforts abroad are continuing to build success, we must remain vigilant, even here at home. Regrettably, there are some States here in the United States that are trying to undermine the fundamental protections we have afforded to children for generations. For example, the Republican-controlled legislature of Maine decided to pass a bill stripping State-level child labor protections. Maine's Republican Governor decided it would be better for his State to take a step backward because he personally went to work at age 11, and, as he put it, ''It's not a big deal. Work doesn't hurt anybody.''

Well, I would like to tell you how putting a job before children's education can set them back. At a time when it seems that most new jobs require high skill levels, great harm is done by denying these children a chance to acquire these skills. We need to be educating the next generation of doctors, engineers, and scientists. However, the OECD shows that the United States has slipped to the 23rd best country at science education and 31st at math.

We are not going to catch up to other countries if our children are spending too much time working at McDonald's or Burger King. I agree that having a part-time job after school or on weekends can be beneficial. However, studies have shown that teenagers working more than 20 hours a week have a greater tendency toward academic and behavioral problems, as well as higher dropout rates. The United States should aspire to being the country that outbuilds, outeducates and outinnovates. If we continue undermining our child labor laws and neglecting education, we will be the country that outgrills, outflips and outfries!

There are even some Members of the Senate who have questioned whether child labor laws are constitutional. Apparently the protection of our most vulnerable children from exploitation isn't part of protecting the general welfare. Apparently the Supreme Court was incorrect when it unanimously upheld the Fair Labor Standards Act 70 years ago.

It is for all of these reasons that I continue the fight against the worst forms of child labor. It is also why I have come to the floor today to salute

the World Day Against Child Labor. But 1 day is not enough. We should be focused on the needs of these children not only on June 12 each year but 365 days a year.

## SOUTHEASTERN DISASTER TAX RELIEF ACT

Mr. INHOFE. Mr. President, I rise today to express my support for Senator SHELBY's recently introduced bill, the Southeastern Disaster Tax Relief Act, of which I am an original cosponsor.

As an Oklahoma native, I have seen and experienced just how devastating severe weather can be. Since 1950, there have been approximately 3,300 tornadoes that have killed nearly 500 people in Oklahoma alone. Scores more have been injured. According to the National Oceanic and Atmospheric Administration, tornadoes cause $1.1 billion of damage on average per year, and this does not account for the unquantifiable cost of the loss of a loved one, a home, or a business.

You may recall the F5 tornado that swept through Oklahoma on May 3, 1999. This storm alone caused $1.9 billion in damages, killed 48 people, and destroyed the town of Moore, OK. Survivors of this storm described being trapped under the debris of their homes, the panicked rescue effort to find neighbors, and the overwhelming sadness accompanied by loss. When I visited Tushka, OK, on April 15 of this year, following its devastating storms, I witnessed firsthand the same type of devastation.

It is estimated that the damage caused by tornadoes in Oklahoma on May 24 of this year will cost between $200 and $300 million. In addition, the storms in Joplin, MO, may have caused an additional $3 billion in losses. Clearly, these areas are in need of assistance, particularly since insurance payments will not remove out-of-pocket expenses families and businesses will have to pay as they rebuild their lives.

Under the current Tax Code, there is some relief available to families and businesses that experience damage in hard hit areas. In addition to being able to deduct most losses from the disaster on their taxes, individuals who receive disaster mitigation assistance, such as a FEMA grant, do not have to report the assistance as income. Additionally, Congress has, in the past, passed a number of temporary provisions to provide additional relief to victims of severe natural disasters, such as the Heartland Relief Act, the Katrina Emergency Tax Relief Act, and the Gulf Opportunity Zone Act.

Senator SHELBY's Southeastern Disaster Tax Relief Act does the same thing and provides targeted, temporary tax relief to folks who have been hit by strong storms in recent months. The provisions of his bill have been selected from a number of the previous emergency tax relief acts enacted in past years. This is beneficial and worth mentioning because the IRS has already drafted guidance documents for all of the relief provisions, making it easier for taxpayers to take advantage of the relief. We also know the provisions in this bill will actually help people recover. The relief has worked in the past, and it will work again today.

Any individual or business located in a county that has been declared a major disaster area by the president is eligible for the relief provided by this bill if those counties are eligible for either ''individual'' or ''individual and public'' assistance through FEMA.

These assistance designations are allowed only to the hardest hit areas. In my State of Oklahoma, the qualifying counties include Canadian, Delaware, Grady, Kingfisher, Logan, McClain, and Atoka. These are the areas around Piedmont, Tushka, and Grove, Oklahoma. Public assistance funds are generally made available to States and localities to help pay for the removal of debris and to repair, replace, and restore disaster-damaged publicly owned facilities. Individual assistance, provided through FEMA and the SBA consists of grants and loans made directly to individuals. These grants are need-based, and can be issued to provide temporary housing or to help repair or replace a family's home if their insurance coverage falls short. In the most severe cases, additional assistance is provided.

While it is good FEMA provides this assistance, many individuals and businesses will not qualify despite being hit hard by the storms. And while permanent tax provisions do help individuals and businesses account for their losses and insurance payments, they do little beyond that to help folks get back on their feet. This underscores the need for the Southeastern Disaster Tax Relief Act.

Under the act, individuals would be allowed, among other things, to make early withdrawals from their tax-preferred retirement plans without having to pay tax penalties. Current tax law discourages early withdrawals by imposing a 10 percent tax penalty on most early withdrawals from accounts like Roth IRAs. This is fine under normal circumstances, but as individuals recover from disasters like this, they should be able to tap into their own resources without being penalized. This will likely help many families avoid going into debt or relying on government grants to repair their homes and property.

Individuals will also be able to deduct an unlimited amount of cash charitable contributions to nonprofit entities when the donations are allocated toward disaster relief efforts in the affected areas. Current policy limits the amount of income that can be deducted from charitable giving. This bill would temporarily suspend this provision.

Businesses will be allowed to immediately expense 50 percent of the cost of demolishing and/or cleaning up damaged property. This will allow them to recognize their losses more quickly than current policy, which requires them to capitalize cleanup costs into the construction or repair of their property.

Small businesses will also be provided with a tax credit for 40 percent of wages up to $23,400 paid to employees retained while a business is inoperable because of the storm. With unemployment hovering around 9 percent, this provision will help struggling employers retain and continue paying employees despite the fact that their business have been destroyed by the storm and remaining closed for business.

Public utility companies in Oklahoma and other states will be allowed to carry back the disaster losses to their property for 5 years. This will allow them to quickly realize their losses from a tax perspective, and the consequent savings will be available for them to more swiftly rebuild their infrastructure so that service can be returned to their customers.

Lastly, States will be allowed to float additional private activity bonds beyond the caps presently set by statute. The amount will be limited by the number of people whose primary residence is located in the areas affected by the disasters.

The provisions I mentioned are only a sample of what is provided in this bill. I must underscore, however, that this bill is highly targeted and temporary. It is also deficit neutral. Most of the provisions in the bill only last for the next year or so; others expire at the end of 2013 and 2014. In total, this bill is expected to provide over $5 billion in tax relief.

This bill has been designated an emergency—as I believe it should be. It is targeted, temporary relief in response to an unpredictable disaster. Usually we do not require ourselves to find immediate savings to offset the cost of emergency provisions, but in our present age of trillion dollar deficits, we need to offset deficits wherever possible. Senator SHELBY has offset the cost of this bill by rescinding $12 billion in unobligated appropriations that remain unexpired. This provision applies to all Departments except the Departments of Defense and Veterans Affairs.

In short, this bill is a necessary and commonsense tax proposal to help tornado victims. It is also fully paid for, making it fiscally responsible. I urge swift consideration and passage of this act.

## TRIBUTE TO DOROTHY BOGER

Mr. CRAPO. Mr. President, I rise today to honor one of my longtime staff members, who has decided for the second time to leave my employ. Dorothy Boger's service as part of my staff started on the first day I became a Member of Congress; she was the veteran staffer, the only one with any Hill experience, on my first day in office in 1993. While her job title was scheduler,

she did so much more. She came to my office with several years of experience working for her home State Congressman, the Honorable Clyde C. Holloway of Louisiana, and the training that she received there served me very well over the next 18 years. On that first day, my office was one of the few that had staplers, copy paper, and wastepaper baskets—all because Dorothy already knew what to expect coming into a brand-new office. During my 6 years in the U.S. House of Representatives, Dorothy oversaw my office operation and my schedule; she kept us running, paid attention to the details and made sure that everyone from Idaho got a dose of Southern charm. We often say that she is from southern Idaho, way southern Idaho.

When I was elected to the Senate in 1998, Dorothy came with me to start up another office on the other side of the Hill. But, by that time, her family priorities had shifted and after a few months, she realized that she needed to be home with her young son and soon after she had another on the way. It was hard to say good-bye the first time, and it was terrific when an opportunity presented itself that was perfect to bring her back to the office. She has contributed in the second go-round in the communications field, and it is difficult to recognize that she means it this time when she says she is retiring.

Dorothy's priorities have always been very clear. She and her husband Bill have a young family, and she has been able to arrange her schedule to be with them as much as possible. But this year has been very trying for her as she has faced the loss of her beloved mother and eldest sister. She says that it has brought those priorities into even sharper focus, and I cannot argue with her desire to spend time at home, have the opportunity to visit family who live far away and enjoy more freedom to accomplish all that makes her most happy.

We will miss her deeply, and for far more reasons than the delicious double chocolate Ghirardelli brownies that she frequently brings to the office to share. Her positive spirit and support have left an indelible mark, and I wish her all the best.

## ADDITIONAL STATEMENTS

### USGS ALBUQUERQUE SEISMOLOGICAL LABORATORY

• Mr. BINGAMAN. Mr. President, I wish to honor the USGS Albuquerque Seismological Laboratory, ASL, on the occasion of its 50th anniversary. I would like to congratulate the ASL for 50 years of distinguished service to the State of New Mexico.

From its quiet location just outside of Albuquerque on the Isleta Pueblo, ASL has become an indispensable hub for seismological research over the past 50 years. Today, it is at the center of several globe-spanning networks that facilitate the sharing and analysis of seismological data. ASL researchers help design and deploy the Global Seismograph Network, which now connects over 150 monitoring stations around the world. The authoritative research conducted there contributes immeasurably to the field of seismology.

The real importance of ASL's research cannot be overstated. ASL's role in the emerging fields of earthquake and tsunami monitoring is invaluable for developing tools to save lives when natural disasters occur. Additionally, ASL provides vital data used to help monitor and detect nuclear tests by the Comprehensive Test Ban Treaty Organization, CTBTO.

I thank the ASL for its important contributions to both the scientific community and the public good and wish it success in the next 50 years and more.•

### TRIBUTE TO JESSIE RUTH WALTON AND FRANCIS JAMES WALTON

• Mrs. MURRAY. Mr. President, it is crucial that we never forget to honor our veterans for their service and dedication to this nation. As the chairman of the Senate Veterans' Affairs Committee, I would like to recognize and applaud the service of Mr. Francis James Walton and Mrs. Jessie Ruth Walton, both of whom served our Nation during World War II and turn 90 years old this year.

Mrs. Jessie Ruth Walton was born in Exeter, VA, on May 31, 1921. Heeding the call to service, she enlisted in the Navy WAVES in 1943 and went on to serve her country during World War II as a pharmacist, dispensing needed medicine for the troops in Washington, DC, and in Long Beach, CA.

Mr. James Walton, Jessie's husband, was born in Cadillac, MI, on July 14, 1921. He enlisted in the U.S. Marines in 1941. He served in Carlson's Raiders of the 2d Marine Battalion, an elite unit that was among the first U.S. special operations forces to see combat in World War II. Jim's time in the Marines included deployment to the South Pacific, where he fought in Bougainville and Guadalcanal Island, contributing to a strategic victory that turned the tide for the Allied forces in the Pacific. A valiant warrior, he spent 30 days fighting behind enemy lines, 30 days that must have felt a lifetime.

Following World War II, Jim returned to Michigan, where he obtained a college degree and married Jessie Ruth Meade. After his time in the service, Jim began teaching and ultimately found a rewarding career at General Motors, where he worked for 30 years before retiring. Together, Jim and Jessie raised a family of four children—James, Susan, Julie, and Jane—who have picked up the mantle of their parents in service to their communities in a range of capacities. In particular, I am delighted to note that their son Jim serves as president of Centralia College in my home State of Washington. Mr. and Mrs. Walton are also fortunate to have 10 grandchildren and 6 great-grandchildren.

I am delighted to extend birthday wishes and gratitude to the Waltons on this joyous occasion. I wish them and their family all the best as they celebrate this wonderful milestone.•

### TRIBUTE TO STEPHANIE WHEELER

• Mrs. SHAHEEN. Mr. President, today I wish to offer my sincere congratulations to an exceptional teacher from New Hampshire.

Stephanie Wheeler has been chosen to receive the Presidential Award for Excellence in Mathematics and Science Teaching. This award honors teachers who have made exceptional contributions to their students and to their profession. I congratulate Ms. Wheeler for her outstanding accomplishments and commitment to New Hampshire's students.

Our country's competitiveness in the global economy requires us to foster the development of our students in math and science. Educators like Stephanie are essential to this effort because they are able to engage students and help them develop a love for these important subjects. I am pleased to see Stephanie honored for her work.

Stephanie has been the title I mathematics supervisor and coach at Wilson Elementary School in Manchester for the last 4 years. In this position, Stephanie oversees all title I mathematics certified instructors and monitors the implementation of the mathematics curriculum for teachers in kindergarten through fifth grade. She also teaches mathematics daily to second, third, and fifth graders.

Prior to her time at Wilson Elementary School, Stephanie spent 5 years as the district title I math coach for the Manchester School District. She also served as a middle school math teacher for both the Bedford and Laconia school districts for 9 years.

In addition to her responsibilities as an educator and title I supervisor, Stephanie has presented workshops at local, state, and national mathematics conferences. She also serves as the elementary representative on the New Hampshire Teachers of Mathematics Board of Directors. Her dedication to improving mathematics education in New Hampshire and throughout the country by sharing her knowledge with other educators is truly commendable.

The Presidential Award for Excellence in Mathematics and Science Teaching is the most prestigious honor awarded to mathematics and science teachers in the country. As a former teacher myself, I am especially proud of the role that Stephanie plays in educating the next generation of Americans. I am honored to recognize Stephanie Wheeler's exceptional dedication to her students and her subject and to congratulate her for her commitment to excellence in teaching.•

## MESSAGE FROM THE HOUSE

At 11:54 a.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. 2055. An act making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes.

The message also announced that pursuant to 22 U.S.C. 276H, and the order of the House of January 5, 2011, the Speaker appoints the following Members of the House of Representatives to the Mexico-United States Interparliamentary Group: Mr. MACK of Florida, Mr. NUNES of California, Mr. BILBRAY of California, and Mr. CANSECO of Texas.

## MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2055. An act making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; to the Committee on Appropriations.

## 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–2128. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 11–034, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC–2129. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement; Synchronized Predeployment and Operational Tracker (SPOT) ((RIN0750–AH26) (DFARS Case 2011–D030)) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Armed Services.

EC–2130. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the restructured Global Hawk program; to the Committee on Armed Services.

EC–2131. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the restructured Assembled Chemical Weapons Alternatives (ACWA) program; to the Committee on Armed Services.

EC–2132. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''C9 Rich Aromatic Hydrocarbons, C10–11 Rich Aromatic Hydrocarbons, and C11–12 Rich Aromatic Hydrocarbons; Exemption from the Requirement of a Tolerance'' (FRL No. 8876–2) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2133. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Diethylene Glycol MonoEthyl Ether (DEGEE); Exemption from the Requirement of a Tolerance '' (FRL No. 8877–1) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2134. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the realistic survivability testing of the Mobile Landing Platform; to the Committee on Armed Services.

EC–2135. A communication from the Associate Director, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Foreign Assets Control Regulations; Transaction Control Regulations (Regulations Prohibiting Transactions Involving the Shipment of Certain Merchandise Between Foreign Countries'' (31 CFR Part 500 and 505) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–2136. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Standards of Performance for Stationary Compression Ignition and Spark Ignition Internal Combustion Engines'' (FRL No. 9319–5) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Environment and Public Works.

EC–2137. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Amendments to National Emission Standards for Hazardous Air Pollutants for Area Sources: Plating and Polishing'' (FRL No. 9320–6) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Environment and Public Works.

EC–2138. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Review of New Sources and Modifications in Indian Country'' (FRL No. 9320–2) received in the Office of the President of the Senate on June 15, 2011; to the Committee on Environment and Public Works.

EC–2139. A communication from the Chair of the Medicaid and CHIP Payment Access Commission, transmitting the commission's ''Report to the Congress: The Evolution of Managed Care in Medicaid''; to the Committee on Finance.

EC–2140. A communication from the Assistant Secretary of the Department of the Treasury, transmitting, pursuant to law, a report relative to Executive Order 11269 and International Monetary and Financial Policies; to the Committee on Foreign Relations.

EC–2141. A communication from the Assistant Secretary for Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Final Priorities and Selection Criterion; National Institute on Disability and Rehabilitation Research (NIDRR)—Spinal Cord Injury Model Systems (SCIMS) Centers and SCIMS Multi-Site Collaborative Research Projects'' (CFDA Nos. 84.133N–1 and 84.133A–15) received in the Office of the President of the Senate on June 14, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC–2142. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Final Priority; National Institute on Disability and Rehabilitation Research (NIDRR)—Disability Rehabilitation Research Project (DRRP)—Disability in the Family'' (CFDA No. 84.133A–09) received in the Office of the President of the Senate on June 14, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC–2143. A communication from the Secretary of Agriculture, transmitting, pursuant to law, the Department of Agriculture's Semiannual Report of the Inspector General for the period from October 1, 2010 through March 31, 2011; to the Committee on Homeland Security and Governmental Affairs.

## 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. COATS (for himself and Mr. LUGAR):

S. 1197. A bill to provide for a feasibility study before carrying out any Federal action relating to the Chicago Area Water System; to the Committee on Environment and Public Works.

By Mr. KERRY:

S. 1198. A bill to reauthorize the Essex National Heritage Area; to the Committee on Energy and Natural Resources.

By Mrs. FEINSTEIN (for herself, Ms. SNOWE, and Mr. LEAHY):

S. 1199. A bill to amend title 18, United States Code, to limit the misuse of Social Security numbers, to establish criminal penalties for such misuse, and for other purposes; to the Committee on the Judiciary.

By Mr. SANDERS (for himself, Mr. NELSON of Florida, Mr. BLUMENTHAL, Mr. MERKLEY, Mr. FRANKEN, and Mr. WHITEHOUSE):

S. 1200. A bill to require the Chairman of the Commodity Futures Trading Commission to impose unilaterally position limits and margin requirements to eliminate excessive oil speculation, and to take other actions to ensure that the price of crude oil, gasoline, diesel fuel, jet fuel, and heating oil accurately reflects the fundamentals of supply and demand, to remain in effect until the date on which the Commission establishes position limits to diminish, eliminate, or prevent excessive speculation as required by title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. LIEBERMAN (for himself, Mr. CRAPO, Mr. TESTER, Mr. BINGAMAN, Ms. MURKOWSKI, Mr. WHITEHOUSE, Mr. BEGICH, Mr. CARDIN, and Mr. UDALL of Colorado):

S. 1201. A bill to conserve fish and aquatic communities in the United States through partnerships that foster fish habitat conservation, to improve the quality of life for the people of the United States, and for other purposes; to the Committee on Environment and Public Works.

By Mr. LEAHY (for himself, Mr. LEVIN, Mr. AKAKA, and Mr. DURBIN):

S. 1202. A bill to amend the Immigration and Nationality Act to reaffirm the United States' historic commitment to protecting refugees who are fleeing persecution or torture; to the Committee on the Judiciary.

By Ms. SNOWE (for herself, Mr. KERRY, Mr. ISAKSON, Ms. KLOBUCHAR, and Mr. INOUYE):

S. 1203. A bill to amend title XVIII of the Social Security Act to provide for the coverage of home infusion therapy under the Medicare Program; to the Committee on Finance.

By Mr. UDALL of Colorado:

S. 1204. A bill to amend title 10, United States Code, to reform Department of Defense energy policy, and for other purposes; to the Committee on Armed Services.

By Mr. SHELBY (for himself, Mr. BLUNT, Mr. BOOZMAN, Mr. CHAMBLISS, Mrs. HAGAN, Mr. INHOFE, Mr. ISAKSON, Mrs. MCCASKILL, Mr. PRYOR, and Mr. SESSIONS):

S. 1205. A bill to provide temporary tax relief for areas damaged by 2011 Southeastern severe storms, tornados, and flooding, and for other purposes; to the Committee on Finance.

By Mr. ROCKEFELLER (for himself, Mr. BINGAMAN, Ms. STABENOW, Mr. BLUMENTHAL, Mr. BROWN of Ohio, Mrs. BOXER, Mr. FRANKEN, and Mr. MERKLEY):

S. 1206. A bill to amend title XVIII of the Social Security Act to require drug manufacturers to provide drug rebates for drugs dispensed to low-income individuals under the Medicare prescription drug benefit program; to the Committee on Finance.

By Mr. PRYOR (for himself and Mr. ROCKEFELLER):

S. 1207. A bill to protect consumers by requiring reasonable security policies and procedures to protect data containing personal information, and to provide for nationwide notice in the event of a security breach; to the Committee on Commerce, Science, and Transportation.

By Mr. WYDEN (for himself, Ms. MURKOWSKI, Mrs. MURRAY, Mr. BEGICH, and Ms. CANTWELL):

S. 1208. A bill to provide an election to terminate certain capital construction funds without penalties; to the Committee on Finance.

By Mr. HATCH (for himself and Mr. LEE):

S. 1209. A bill to clarify authority granted under the Act entitled ''An Act to define the exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah, and for other purposes''; to the Committee on Energy and Natural Resources.

By Mr. BROWN of Ohio (for himself and Mr. MERKLEY):

S. 1210. A bill to improve domestic procurement policies by providing rules and guidance, waiver notices, and departmental and agency actions applicable to the domestic content standards of Federal grants administered by the Department of Transportation, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. FEINSTEIN (for herself, Ms. COLLINS, Mr. REED, and Mrs. BOXER):

S. 1211. A bill to amend the Federal Food, Drug, and Cosmetic Act to preserve the effectiveness of medically important antibiotics used in the treatment of human and animal diseases; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WYDEN:

S. 1212. A bill to amend title 18, United States Code, to specify the circumstances in which a person may acquire geolocation information and for other purposes; to the Committee on the Judiciary.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. KERRY (for himself, Mr. MCCAIN, Ms. MURKOWSKI, and Mr. WEBB):

S. Res. 208. A resolution expressing the sense of the Senate regarding Mongolian President Tsakhiagiin Elbegdorj's visit to Washington, D.C., and its support for the growing partnership between the United States and Mongolia; considered and agreed to.

## ADDITIONAL COSPONSORS ON JUNE 14, 2011

S. 48

At the request of Mr. INOUYE, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 48, a bill to amend the Public Health Service Act to provide for the participation of pharmacists in National Health Services Corps programs, and for other purposes.

S. 80

At the request of Mrs. HUTCHISON, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 80, a bill to provide a permanent deduction for State and local general sales taxes.

S. 89

At the request of Mr. VITTER, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 89, a bill to repeal the imposition of withholding on certain payments made to vendors by government entities.

S. 201

At the request of Mr. MCCAIN, the names of the Senator from Delaware (Mr. CARPER) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 201, a bill to clarify the jurisdiction of the Secretary of the Interior with respect to the C.C. Cragin Dam and Reservoir, and for other purposes.

S. 227

At the request of Mr. CONRAD, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 227, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 260

At the request of Mr. NELSON of Florida, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 260, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation.

S. 362

At the request of Mr. WHITEHOUSE, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 362, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 394

At the request of Mr. KOHL, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 394, a bill to amend the Sherman Act to make oil-producing and exporting cartels illegal.

S. 395

At the request of Mr. ENZI, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 395, a bill to repeal certain amendments to the Energy Policy and Conservation Act with respect to lighting energy efficiency.

S. 504

At the request of Mr. DEMINT, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 504, a bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 510

At the request of Mr. UDALL of New Mexico, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 510, a bill to prevent drunk driving injuries and fatalities, and for other purposes.

S. 652

At the request of Mr. KERRY, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 652, a bill to facilitate efficient investments and financing of infrastructure projects and new job creation through the establishment of an American Infrastructure Financing Authority, to provide for an extension of the exemption from the alternative minimum tax treatment for certain tax-exempt bonds, and for other purposes.

S. 665

At the request of Mr. BROWN of Ohio, the name of the Senator from Illinois (Mr. DURBIN) 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 Massachusetts (Mr. BROWN) 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 name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 672, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 687

At the request of Mr. CONRAD, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 687, a bill to amend the Internal

Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property.

S. 726

At the request of Mr. RUBIO, the name of the Senator from South Carolina (Mr. DEMINT) was added as a cosponsor of S. 726, a bill to rescind $45 billion of unobligated discretionary appropriations, and for other purposes.

S. 834

At the request of Mr. CASEY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 834, a bill to amend the Higher Education Act of 1965 to improve education and prevention related to campus sexual violence, domestic violence, dating violence, and stalking.

S. 906

At the request of Mr. WICKER, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 906, a bill to prohibit taxpayer funded abortions and to provide for conscience protections, and for other purposes.

S. 933

At the request of Mr. SCHUMER, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 933, a bill to amend the Internal Revenue Code of 1986 to extend and increase the exclusion for benefits provided to volunteer firefighters and emergency medical responders.

S. 949

At the request of Mrs. SHAHEEN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 949, a bill to amend the National Oilheat Research Alliance Act of 2000 to reauthorize and improve that Act, and for other purposes.

S. 958

At the request of Mr. CASEY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 958, a bill to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs.

S. 964

At the request of Mr. ALEXANDER, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 964, a bill to amend the National Labor Relations Act to clarify the applicability of such Act with respect to States that have right to work laws in effect.

S. 972

At the request of Mr. CARPER, the names of the Senator from Maryland (Mr. CARDIN), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 972, a bill to amend titles 23 and 49, United States Code, to establish procedures to advance the use of cleaner construction equipment on Federal-aid highway and public transportation construction projects, to make the acquisition and installation of emission control technology an eligible expense in carrying out such projects, and for other purposes.

S. 975

At the request of Mr. TESTER, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 975, 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.

S. 982

At the request of Ms. AYOTTE, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 982, a bill to reaffirm the authority of the Department of Defense to maintain United States Naval Station, Guantanamo Bay, Cuba, as a location for the detention of unprivileged enemy belligerents held by the Department of Defense, and for other purposes.

S. 1009

At the request of Mr. RUBIO, the name of the Senator from South Carolina (Mr. DEMINT) was added as a cosponsor of S. 1009, a bill to rescind certain Federal funds identified by States as unwanted and use the funds to reduce the Federal debt.

S. 1023

At the request of Mr. DURBIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1023, a bill to authorize the President to provide assistance to the Government of Haiti to end within 5 years the deforestation in Haiti and restore within 30 years the extent of tropical forest cover in existence in Haiti in 1990, and for other purposes.

S. 1048

At the request of Mr. MENENDEZ, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Oklahoma (Mr. COBURN) were added as cosponsors of S. 1048, a bill to expand sanctions imposed with respect to the Islamic Republic of Iran, North Korea, and Syria, and for other purposes.

S. 1056

At the request of Mr. HARKIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1056, a bill to ensure that all users of the transportation system, including pedestrians, bicyclists, transit users, children, older individuals, and individuals with disabilities, are able to travel safely and conveniently on and across federally funded streets and highways.

S. 1105

At the request of Mrs. MURRAY, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1105, a bill to provide a Federal tax exemption for forest conservation bonds, and for other purposes.

S. 1106

At the request of Mr. KOHL, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 1106, a bill to authorize Department of Defense support for programs on pro bono legal assistance for members of the Armed Forces.

S. 1125

At the request of Mr. LEAHY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1125, a bill to improve national security letters, the authorities under the Foreign Intelligence Surveillance Act of 1978, and for other purposes.

S. 1181

At the request of Mr. GRASSLEY, the names of the Senator from Wyoming (Mr. BARRASSO) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. 1181, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization.

S. 1185

At the request of Mr. THUNE, the names of the Senator from Missouri (Mr. BLUNT), the Senator from Pennsylvania (Mr. CASEY) and the Senator from North Dakota (Mr. CONRAD) were added as cosponsors of S. 1185, a bill to amend the Internal Revenue Code of 1986 to provide for a variable VEETC rate based on the price of crude oil, and for other purposes.

S. RES. 80

At the request of Mr. KIRK, the names of the Senator from Michigan (Mr. LEVIN) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. Res. 80, a resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 175

At the request of Mrs. SHAHEEN, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. Res. 175, a resolution expressing the sense of the Senate with respect to ongoing violations of the territorial integrity and sovereignty of Georgia and the importance of a peaceful and just resolution to the conflict within Georgia's internationally recognized borders.

S. RES. 185

At the request of Mr. BARRASSO, his name was added as a cosponsor of S. Res. 185, a resolution reaffirming the commitment of the United States to a negotiated settlement of the Israeli-Palestinian conflict through direct Israeli-Palestinian negotiations, reaffirming opposition to the inclusion of Hamas in a unity government unless it is willing to accept peace with Israel and renounce violence, and declaring that Palestinian efforts to gain recognition of a state outside direct negotiations demonstrates absence of a good faith commitment to peace negotiations, and will have implications for continued United States aid.

At the request of Ms. COLLINS, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. Res. 185, supra.

At the request of Mr. CARDIN, the names of the Senator from South Carolina (Mr. GRAHAM) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. Res. 185, supra.

S. RES. 199

At the request of Mr. REID, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. Res. 199, a resolution supporting the goals and ideals of ''Crohn's and Colitis Awareness Week''.

S. RES. 202

At the request of Mr. CONRAD, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Kansas (Mr. ROBERTS), the Senator from Georgia (Mr. ISAKSON) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. Res. 202, a resolution designating June 27, 2011, as ''National Post-Traumatic Stress Disorder Awareness Day''.

AMENDMENT NO. 389

At the request of Mr. KOHL, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of amendment No. 389 proposed to S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

AMENDMENT NO. 405

At the request of Mr. BROWN of Massachusetts, the names of the Senator from Alaska (Mr. BEGICH), the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of amendment No. 405 proposed to S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

AMENDMENT NO. 423

At the request of Mrs. HUTCHISON, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of amendment No. 423 proposed to S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

AMENDMENT NO. 436

At the request of Mr. COBURN, the names of the Senator from South Carolina (Mr. DEMINT) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of amendment No. 436 proposed to S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

AMENDMENT NO. 460

At the request of Mr. DEMINT, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of amendment No. 460 intended to be proposed to S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

## ADDITIONAL COSPONSORS

S. 50

At the request of Mr. INOUYE, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 50, a bill to strengthen Federal consumer product safety programs and activities with respect to commercially-marketed seafood by directing the Secretary of Commerce to coordinate with the Federal Trade Commission and other appropriate Federal agencies to strengthen and coordinate those programs and activities.

S. 89

At the request of Mr. VITTER, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 89, a bill to repeal the imposition of withholding on certain payments made to vendors by government entities.

S. 164

At the request of Mr. BROWN of Massachusetts, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 164, a bill to repeal the imposition of withholding on certain payments made to vendors by government entities.

S. 229

At the request of Mr. BEGICH, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 229, a bill to amend the Federal Food, Drug, and Cosmetic Act to require labeling of genetically-engineered fish.

S. 230

At the request of Mr. BEGICH, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 230, a bill to amend the Federal Food, Drug, and Cosmetic Act to prevent the approval of genetically-engineered fish.

S. 251

At the request of Mr. VITTER, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor of S. 251, a bill to prohibit the provision of Federal funds to State and local governments for payment of obligations, to prohibit the Board of Governors of the Federal Reserve System from financially assisting State and local governments, and for other purposes.

S. 362

At the request of Mr. WHITEHOUSE, the names of the Senator from Vermont (Mr. LEAHY), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Hawaii (Mr. AKAKA) and the Senator from Maine (Ms. SNOWE) were added as cosponsors of S. 362, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 366

At the request of Mrs. GILLIBRAND, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 366, a bill to require disclosure to the Securities and Exchange Commission of certain sanctionable activities, and for other purposes.

S. 482

At the request of Mr. INHOFE, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 482, a bill 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.

S. 483

At the request of Ms. SNOWE, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 483, a bill to amend title XVIII of the Social Security Act to provide for the treatment of clinical psychologists as physicians for purposes of furnishing clinical psychologist services under the Medicare program.

S. 570

At the request of Mr. TESTER, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 570, a bill to prohibit the Department of Justice from tracking and cataloguing the purchases of multiple rifles and shotguns.

S. 658

At the request of Ms. KLOBUCHAR, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from Colorado (Mr. BENNET) were added as cosponsors of S. 658, a bill to provide for the preservation by the Department of Defense of documentary evidence of the Department of Defense on incidents of sexual assault and sexual harassment in the military, and for other purposes.

S. 738

At the request of Ms. STABENOW, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 738, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of comprehensive Alzheimer's disease and related dementia diagnosis and services in order to improve care and outcomes for Americans living with Alzheimer's disease and related dementias by improving detection, diagnosis, and care planning.

S. 740

At the request of Mr. REED, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 740, a bill to revise and extend provisions under the Garrett Lee Smith Memorial Act.

S. 752

At the request of Mrs. FEINSTEIN, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 752, a bill to establish a comprehensive interagency response to reduce lung cancer mortality in a timely manner.

S. 755

At the request of Mr. WYDEN, the names of the Senator from Washington

(Mrs. MURRAY) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of 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.

S. 797

At the request of Ms. MIKULSKI, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 797, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 855

At the request of Ms. STABENOW, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 855, a bill to make available such funds as may be necessary to ensure that members of the Armed Forces, including reserve components thereof, 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 nonemergency personnel and the curtailment of Government activities and services.

S. 958

At the request of Mr. CASEY, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 958, a bill to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs.

S. 968

At the request of Mr. LEAHY, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 968, a bill to prevent online threats to economic creativity and theft of intellectual property, and for other purposes.

S. 1025

At the request of Mr. LEAHY, the names of the Senator from Indiana (Mr. COATS), the Senator from Arkansas (Mr. PRYOR), the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from Montana (Mr. BAUCUS) were added as cosponsors of S. 1025, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the National Guard, enhancement of the functions of the National Guard Bureau, and improvement of Federal-State military coordination in domestic emergency response, and for other purposes.

S. 1048

At the request of Mr. MENENDEZ, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S. 1048, a bill to expand sanctions imposed with respect to the Islamic Republic of Iran, North Korea, and Syria, and for other purposes.

S. 1098

At the request of Mr. HATCH, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Arizona (Mr. KYL) were added as cosponsors of S. 1098, a bill to amend the Internal Revenue Code of 1986 to improve access to health care through expanded health savings accounts, and for other purposes.

S. 1145

At the request of Mr. LEAHY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1145, a bill to amend title 18, United States Code, to clarify and expand Federal criminal jurisdiction over Federal contractors and employees outside the United States, and for other purposes.

S. 1169

At the request of Mr. NELSON of Nebraska, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 1169, a bill to provide for benchmarks to evaluate progress being made toward the goal of transitioning security responsibilities in Afghanistan to the Government of Afghanistan.

S. 1176

At the request of Ms. LANDRIEU, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1176, a bill to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes.

S. 1181

At the request of Mr. GRASSLEY, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 1181, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization.

S. 1196

At the request of Mr. GRASSLEY, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 1196, a bill to expand the use of E-Verify, to hold employers accountable, and for other purposes.

S.J. RES. 17

At the request of Mrs. FEINSTEIN, the names of the Senator from California (Mrs. BOXER) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S.J. Res. 17, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

At the request of Mr. MCCONNELL, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S.J. Res. 17, supra.

S.J. RES. 19

At the request of Mr. HATCH, the names of the Senator from Texas (Mr. CORNYN), the Senator from Missouri (Mr. BLUNT), the Senator from Wyoming (Mr. ENZI) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S.J. Res. 19, a joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States.

S. CON. RES. 22

At the request of Mr. MCCAIN, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. Con. Res. 22, a concurrent resolution expressing the sense of Congress that John Arthur ''Jack'' Johnson should receive a posthumous pardon for the racially motivated conviction in 1913 that diminished the athletic, cultural, and heroic significance of Jack Johnson and unduly tarnished his reputation.

S. CON. RES. 23

At the request of Mr. HATCH, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. Con. Res. 23, a concurrent resolution declaring that it is the policy of the United States to support and facilitate Israel in maintaining defensible borders and that it is contrary to United States policy and national security to have the borders of Israel return to the armistice lines that existed on June 4, 1967.

S. RES. 185

At the request of Mr. CARDIN, the names of the Senator from Illinois (Mr. DURBIN), the Senator from New York (Mr. SCHUMER), the Senator from Alabama (Mr. SHELBY), the Senator from North Carolina (Mrs. HAGAN) and the Senator from Indiana (Mr. COATS) were added as cosponsors of S. Res. 185, a resolution reaffirming the commitment of the United States to a negotiated settlement of the Israeli-Palestinian conflict through direct Israeli-Palestinian negotiations, reaffirming opposition to the inclusion of Hamas in a unity government unless it is willing to accept peace with Israel and renounce violence, and declaring that Palestinian efforts to gain recognition of a state outside direct negotiations demonstrates absence of a good faith commitment to peace negotiations, and will have implications for continued United States aid.

S. RES. 202

At the request of Mr. CONRAD, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. Res. 202, a resolution designating June 27, 2011, as ''National Post-Traumatic Stress Disorder Awareness Day''.

AMENDMENT NO. 405

At the request of Mr. BROWN of Massachusetts, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of amendment No. 405 proposed to S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

AMENDMENT NO. 433

At the request of Ms. LANDRIEU, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor

of amendment No. 433 intended to be proposed to S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

AMENDMENT NO. 460

At the request of Mr. DEMINT, the names of the Senator from Louisiana (Mr. VITTER) and the Senator from Pennsylvania (Mr. TOOMEY) were added as cosponsors of amendment No. 460 intended to be proposed to S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

AMENDMENT NO. 467

At the request of Ms. AYOTTE, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of amendment No. 467 intended to be proposed to S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself, Ms. SNOWE, and Mr. LEAHY):

S. 1199. A bill to amend title 18, United States Code, to limit the misuse of Social Security numbers, to establish criminal penalties for such misuse, and for other purposes; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I am pleased to introduce, together with Senator SNOWE, legislation today to protect one of Americans' most valuable but vulnerable assets: Social Security numbers.

The Protecting the Privacy of Social Security Numbers Act would protect personal privacy and reduce identity theft by eliminating the unnecessary use and display of Social Security numbers.

Since the 106th Congress, I have worked to safeguard Social Security numbers. I believe that the widespread display and use of these numbers poses a significant, and entirely preventable, threat to Americans' personal privacy.

In 1935, Congress authorized the Social Security Administration to issue Social Security numbers as part of the Social Security program. Since that time, Social Security numbers have become the best known and easiest way to identify individuals in the United States.

Use of these numbers has expanded well beyond their original purpose. Social Security numbers are now used for everything from credit checks to rental agreements to employment verifications, among other purposes. They can be found in privately held databases and on public records, including marriage licenses, professional certifications, and countless other public documents, many of which are available on the Internet.

Once accessed, the numbers act like keys, allowing thieves to open credit card and bank accounts and even begin applying for government benefits.

According to the Federal Trade Commission, between 8 and 10 million Americans have their identities stolen by such thieves each year, at a combined cost of billions of dollars.

What's worse, victims often do not realize that a theft has occurred until much later, when they learn that their credit has been destroyed by unpaid debt on fraudulently opened accounts.

One thief stole a retired Army Captain's military identification card and used his Social Security number, listed on the card, to go on a 6-month, $260,000 shopping spree. By the time the Army Captain realized what had happened, the thief had opened more than 60 fraudulent accounts.

A single mother of two went to file her taxes and learned that a fraudulent return had already been filed in her name by someone else, a thief who wanted her refund check.

A former pro-football player received a phone call notifying him that a $1 million home mortgage loan had been approved in his name even though he had never applied for such a loan.

Identity theft is serious. Once an individual's identity is stolen, people are often subjected to countless hours and costs attempting to regain their good name and credit. In 2004, victims spent an average of 300 hours recovering from the crime. The crime disrupts lives and can destroy finances.

It also hurts American businesses. A 2006 online survey by the Business Software Alliance and Harris Interactive found that nearly 30 percent of adults decided to shop online less or not at all during the holiday season because of fears about identity theft.

When people's identities are stolen, they often do not know how the thieves obtained their personal information. Social security numbers and other key identifying data are displayed and used in such a widespread manner that individuals could not successfully restrict access themselves.

Limitations on the display of Social Security numbers are critically needed.

In the last Congress, Senator Judd Gregg of New Hampshire and I worked together to pass a bill to prevent Federal, State, and local entities from printing social security numbers on government checks and to prohibit government entities from employing prisoners in jobs like data entry that gave them access to people's social security numbers.

But comprehensive legislation is still needed.

The U.S. Government Accountability Office conducted studies of this problem in 2002 and 2007. Both times—in studies entitled Social Security Numbers Are Widely Used by Government and Could Be Better Protected and Social Security numbers: Use Is Widespread and Could Be Improved, the GAO concluded that current protections are insufficient and that serious vulnerabilities remain.

The Protecting the Privacy of Social Security Numbers Act would require government agencies and businesses to do more to protect Americans' Social Security numbers. The bill would stop the sale or display of a person's Social Security number without his or her express consent; prevent Federal, State, and local governments from displaying Social Security numbers on public records posted on the Internet; limit the circumstances in which businesses could ask a customer for his or her Social Security number; commission a study by the Attorney General regarding the current uses of Social Security numbers and the impact on privacy and data security; and institute criminal and civil penalties for misuse of Social Security numbers.

I believe this legislation could play a critical role in halting the growing epidemic of identity theft that has been plaguing America and its citizens.

As President George W. Bush's Identity Theft Task Force reported to us now three years ago, ''[i]dentity theft depends on access to . . . data. Reducing the opportunities for thieves to get the data is critical to fighting the crime.''

Every agency to study this problem has agreed that the problem will continue to grow over time and that action is needed.

I urge my colleagues to support the Protecting the Privacy of Social Security Numbers Act.

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. 1199

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

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) SHORT TITLE.—This Act may be cited as the ''Protecting the Privacy of Social Security Numbers Act''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. Prohibition of the display, sale, or purchase of Social Security numbers.
Sec. 4. Application of Prohibition of the display, sale, or purchase of Social Security numbers to public records.
Sec. 5. Rulemaking authority of the Attorney General.
Sec. 6. Limits on personal disclosure of a Social Security number for consumer transactions.
Sec. 7. Extension of civil monetary penalties for misuse of a Social Security number.
Sec. 8. Criminal penalties for the misuse of a Social Security number.
Sec. 9. Civil actions and civil penalties.
Sec. 10. Federal injunctive authority.

**SEC. 2. FINDINGS.**

Congress makes the following findings:

(1) The inappropriate display, sale, or purchase of Social Security numbers has contributed to a growing range of illegal activities, including fraud, identity theft, and, in some cases, stalking and other violent crimes.

(2) While financial institutions, health care providers, and other entities have often used Social Security numbers to confirm the identity of an individual, the general display to the public, sale, or purchase of these numbers has been used to commit crimes, and also can result in serious invasions of individual privacy.

(3) The Federal Government requires virtually every individual in the United States to obtain and maintain a Social Security number in order to pay taxes, to qualify for Social Security benefits, or to seek employment. An unintended consequence of these requirements is that Social Security numbers have become one of the tools that can be used to facilitate crime, fraud, and invasions of the privacy of the individuals to whom the numbers are assigned. Because the Federal Government created and maintains this system, and because the Federal Government does not permit individuals to exempt themselves from those requirements, it is appropriate for the Federal Government to take steps to stem the abuse of Social Security numbers.

(4) The display, sale, or purchase of Social Security numbers in no way facilitates uninhibited, robust, and wide-open public debate, and restrictions on such display, sale, or purchase would not affect public debate.

(5) No one should seek to profit from the display, sale, or purchase of Social Security numbers in circumstances that create a substantial risk of physical, emotional, or financial harm to the individuals to whom those numbers are assigned.

(6) Consequently, this Act provides each individual that has been assigned a Social Security number some degree of protection from the display, sale, and purchase of that number in any circumstance that might facilitate unlawful conduct.

**SEC. 3. PROHIBITION OF THE DISPLAY, SALE, OR PURCHASE OF SOCIAL SECURITY NUMBERS.**

(a) PROHIBITION.—

(1) IN GENERAL.—Chapter 47 of title 18, United States Code, is amended by inserting after section 1028A the following:

**"§ 1028B. Prohibition of the display, sale, or purchase of Social Security numbers**

''(a) DEFINITIONS.—In this section:

''(1) DISPLAY.—The term 'display' means to intentionally communicate or otherwise make available (on the Internet or in any other manner) to the general public an individual's Social Security number.

''(2) PERSON.—The term 'person' means any individual, partnership, corporation, trust, estate, cooperative, association, or any other entity.

''(3) PURCHASE.—The term 'purchase' means providing directly or indirectly, anything of value in exchange for a Social Security number.

''(4) SALE.—The term 'sale' means obtaining, directly or indirectly, anything of value in exchange for a Social Security number.

''(5) STATE.—The term 'State' means any State of the United States, the District of Columbia, Puerto Rico, the Northern Mariana Islands, the United States Virgin Islands, Guam, American Samoa, and any territory or possession of the United States.

''(b) LIMITATION ON DISPLAY.—Except as provided in section 1028C, no person may display any individual's Social Security number to the general public without the affirmatively expressed consent of the individual.

''(c) LIMITATION ON SALE OR PURCHASE.—Except as otherwise provided in this section, no person may sell or purchase any individual's Social Security number without the affirmatively expressed consent of the individual.

''(d) PREREQUISITES FOR CONSENT.—In order for consent to exist under subsection (b) or (c), the person displaying or seeking to display, selling or attempting to sell, or purchasing or attempting to purchase, an individual's Social Security number shall—

''(1) inform the individual of the general purpose for which the number will be used, the types of persons to whom the number may be available, and the scope of transactions permitted by the consent; and

''(2) obtain the affirmatively expressed consent (electronically or in writing) of the individual.

''(e) EXCEPTIONS.—Nothing in this section shall be construed to prohibit or limit the display, sale, or purchase of a Social Security number—

''(1) required, authorized, or excepted under any Federal law;

''(2) for a public health purpose, including the protection of the health or safety of an individual in an emergency situation;

''(3) for a national security purpose;

''(4) for a law enforcement purpose, including the investigation of fraud and the enforcement of a child support obligation;

''(5) if the display, sale, or purchase of the number is for a use occurring as a result of an interaction between businesses, governments, or business and government (regardless of which entity initiates the interaction), including, but not limited to—

''(A) the prevention of fraud (including fraud in protecting an employee's right to employment benefits);

''(B) the facilitation of credit checks or the facilitation of background checks of employees, prospective employees, or volunteers;

''(C) the retrieval of other information from other businesses, commercial enterprises, government entities, or private nonprofit organizations; or

''(D) when the transmission of the number is incidental to, and in the course of, the sale, lease, franchising, or merger of all, or a portion of, a business;

''(6) if the transfer of such a number is part of a data matching program involving a Federal, State, or local agency; or

''(7) if such number is required to be submitted as part of the process for applying for any type of Federal, State, or local government benefit or program;

except that, nothing in this subsection shall be construed as permitting a professional or commercial user to display or sell a Social Security number to the general public.

''(f) LIMITATION.—Nothing in this section shall prohibit or limit the display, sale, or purchase of Social Security numbers as permitted under title V of the Gramm-Leach-Bliley Act, or for the purpose of affiliate sharing as permitted under the Fair Credit Reporting Act, except that no entity regulated under such Acts may make Social Security numbers available to the general public, as may be determined by the appropriate regulators under such Acts. For purposes of this subsection, the general public shall not include affiliates or unaffiliated third-party business entities as may be defined by the appropriate regulators.''.

(2) CONFORMING AMENDMENT.—The chapter analysis for chapter 47 of title 18, United States Code, is amended by inserting after the item relating to section 1028 the following:

''1028B. Prohibition of the display, sale, or purchase of Social Security numbers.''.

(b) STUDY; REPORT.—

(1) IN GENERAL.—The Attorney General shall conduct a study and prepare a report on all of the uses of Social Security numbers permitted, required, authorized, or excepted under any Federal law. The report shall include a detailed description of the uses allowed as of the date of enactment of this Act, the impact of such uses on privacy and data security, and shall evaluate whether such uses should be continued or discontinued by appropriate legislative action.

(2) REPORT.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall report to Congress findings under this subsection. The report shall include such recommendations for legislation based on criteria the Attorney General determines to be appropriate.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 30 days after the date on which the final regulations promulgated under section 5 are published in the Federal Register.

**SEC. 4. APPLICATION OF PROHIBITION OF THE DISPLAY, SALE, OR PURCHASE OF SOCIAL SECURITY NUMBERS TO PUBLIC RECORDS.**

(a) PUBLIC RECORDS EXCEPTION.—

(1) IN GENERAL.—Chapter 47 of title 18, United States Code (as amended by section 3(a)(1)), is amended by inserting after section 1028B the following:

**"§ 1028C. Display, sale, or purchase of public records containing Social Security numbers**

''(a) DEFINITION.—In this section, the term 'public record' means any governmental record that is made available to the general public.

''(b) IN GENERAL.—Except as provided in subsections (c), (d), and (e), section 1028B shall not apply to a public record.

''(c) PUBLIC RECORDS ON THE INTERNET OR IN AN ELECTRONIC MEDIUM.—

''(1) IN GENERAL.—Section 1028B shall apply to any public record first posted onto the Internet or provided in an electronic medium by, or on behalf of a government entity after the date of enactment of this section, except as limited by the Attorney General in accordance with paragraph (2).

''(2) EXCEPTION FOR GOVERNMENT ENTITIES ALREADY PLACING PUBLIC RECORDS ON THE INTERNET OR IN ELECTRONIC FORM.—Not later than 60 days after the date of enactment of this section, the Attorney General shall issue regulations regarding the applicability of section 1028B to any record of a category of public records first posted onto the Internet or provided in an electronic medium by, or on behalf of a government entity prior to the date of enactment of this section. The regulations will determine which individual records within categories of records of these government entities, if any, may continue to be posted on the Internet or in electronic form after the effective date of this section. In promulgating these regulations, the Attorney General may include in the regulations a set of procedures for implementing the regulations and shall consider the following:

''(A) The cost and availability of technology available to a governmental entity to redact Social Security numbers from public records first provided in electronic form after the effective date of this section.

''(B) The cost or burden to the general public, businesses, commercial enterprises, nonprofit organizations, and to Federal, State, and local governments of complying with section 1028B with respect to such records.

''(C) The benefit to the general public, businesses, commercial enterprises, nonprofit organizations, and to Federal, State, and local governments if the Attorney General were to determine that section 1028B should apply to such records.

Nothing in the regulation shall permit a public entity to post a category of public records on the Internet or in electronic form after the effective date of this section if such category had not been placed on the Internet or in electronic form prior to such effective date.

''(d) HARVESTED SOCIAL SECURITY NUMBERS.—Section 1028B shall apply to any public record of a government entity which contains Social Security numbers extracted from other public records for the purpose of displaying or selling such numbers to the general public.

''(e) ATTORNEY GENERAL RULEMAKING ON PAPER RECORDS.—

''(1) IN GENERAL.—Not later than 60 days after the date of enactment of this section, the Attorney General shall determine the feasibility and advisability of applying section 1028B to the records listed in paragraph (2) when they appear on paper or on another nonelectronic medium. If the Attorney General deems it appropriate, the Attorney General may issue regulations applying section 1028B to such records.

''(2) LIST OF PAPER AND OTHER NONELECTRONIC RECORDS.—The records listed in this paragraph are as follows:

''(A) Professional or occupational licenses.

''(B) Marriage licenses.

''(C) Birth certificates.

''(D) Death certificates.

''(E) Other short public documents that display a Social Security number in a routine and consistent manner on the face of the document.

''(3) CRITERIA FOR ATTORNEY GENERAL REVIEW.—In determining whether section 1028B should apply to the records listed in paragraph (2), the Attorney General shall consider the following:

''(A) The cost or burden to the general public, businesses, commercial enterprises, nonprofit organizations, and to Federal, State, and local governments of complying with section 1028B.

''(B) The benefit to the general public, businesses, commercial enterprises, nonprofit organizations, and to Federal, State, and local governments if the Attorney General were to determine that section 1028B should apply to such records.''.

(2) CONFORMING AMENDMENT.—The chapter analysis for chapter 47 of title 18, United States Code (as amended by section 3(a)(2)), is amended by inserting after the item relating to section 1028B the following:

''1028C. Display, sale, or purchase of public records containing Social Security numbers.''.

(b) STUDY AND REPORT ON SOCIAL SECURITY NUMBERS IN PUBLIC RECORDS.—

(1) STUDY.—The Comptroller General of the United States shall conduct a study and prepare a report on Social Security numbers in public records. In developing the report, the Comptroller General shall consult with the Administrative Office of the United States Courts, State and local governments that store, maintain, or disseminate public records, and other stakeholders, including members of the private sector who routinely use public records that contain Social Security numbers.

(2) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the study conducted under paragraph (1). The report shall include a detailed description of the activities and results of the study and recommendations for such legislative action as the Comptroller General considers appropriate. The report, at a minimum, shall include—

(A) a review of the uses of Social Security numbers in non-federal public records;

(B) a review of the manner in which public records are stored (with separate reviews for both paper records and electronic records);

(C) a review of the advantages or utility of public records that contain Social Security numbers, including the utility for law enforcement, and for the promotion of homeland security;

(D) a review of the disadvantages or drawbacks of public records that contain Social Security numbers, including criminal activity, compromised personal privacy, or threats to homeland security;

(E) the costs and benefits for State and local governments of removing Social Security numbers from public records, including a review of current technologies and procedures for removing Social Security numbers from public records; and

(F) an assessment of the benefits and costs to businesses, their customers, and the general public of prohibiting the display of Social Security numbers on public records (with separate assessments for both paper records and electronic records).

(c) EFFECTIVE DATE.—The prohibition with respect to electronic versions of new classes of public records under section 1028C(b) of title 18, United States Code (as added by subsection (a)(1)) shall not take effect until the date that is 60 days after the date of enactment of this Act.

**SEC. 5. RULEMAKING AUTHORITY OF THE ATTORNEY GENERAL.**

(a) IN GENERAL.—Except as provided in subsection (b), the Attorney General may prescribe such rules and regulations as the Attorney General deems necessary to carry out the provisions of section 1028B(e)(5) of title 18, United States Code (as added by section 3(a)(1)).

(b) DISPLAY, SALE, OR PURCHASE RULEMAKING WITH RESPECT TO INTERACTIONS BETWEEN BUSINESSES, GOVERNMENTS, OR BUSINESS AND GOVERNMENT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Attorney General, in consultation with the Commissioner of Social Security, the Chairman of the Federal Trade Commission, and such other heads of Federal agencies as the Attorney General determines appropriate, shall conduct such rulemaking procedures in accordance with subchapter II of chapter 5 of title 5, United States Code, as are necessary to promulgate regulations to implement and clarify the uses occurring as a result of an interaction between businesses, governments, or business and government (regardless of which entity initiates the interaction) permitted under section 1028B(e)(5) of title 18, United States Code (as added by section 3(a)(1)).

(2) FACTORS TO BE CONSIDERED.—In promulgating the regulations required under paragraph (1), the Attorney General shall, at a minimum, consider the following:

(A) The benefit to a particular business, to customers of the business, and to the general public of the display, sale, or purchase of an individual's Social Security number.

(B) The costs that businesses, customers of businesses, and the general public may incur as a result of prohibitions on the display, sale, or purchase of Social Security numbers.

(C) The risk that a particular business practice will promote the use of a Social Security number to commit fraud, deception, or crime.

(D) The presence of adequate safeguards, procedures, and technologies to prevent—

(i) misuse of Social Security numbers by employees within a business; and

(ii) misappropriation of Social Security numbers by the general public, while permitting internal business uses of such numbers.

(E) The presence of procedures to prevent identity thieves, stalkers, and other individuals with ill intent from posing as legitimate businesses to obtain Social Security numbers.

(F) The impact of such uses on privacy.

**SEC. 6. LIMITS ON PERSONAL DISCLOSURE OF A SOCIAL SECURITY NUMBER FOR CONSUMER TRANSACTIONS.**

(a) IN GENERAL.—Part A of title XI of the Social Security Act (42 U.S.C. 1301 et seq.) is amended by adding at the end the following:

**''SEC. 1150A. LIMITS ON PERSONAL DISCLOSURE OF A SOCIAL SECURITY NUMBER FOR CONSUMER TRANSACTIONS.**

''(a) IN GENERAL.—A commercial entity may not require an individual to provide the individual's Social Security number when purchasing a commercial good or service or deny an individual the good or service for refusing to provide that number except—

''(1) for any purpose relating to—

''(A) obtaining a consumer report for any purpose permitted under the Fair Credit Reporting Act;

''(B) a background check of the individual conducted by a landlord, lessor, employer, voluntary service agency, or other entity as determined by the Attorney General;

''(C) law enforcement; or

''(D) a Federal, State, or local law requirement; or

''(2) if the Social Security number is necessary to verify the identity of the consumer to effect, administer, or enforce the specific transaction requested or authorized by the consumer, or to prevent fraud.

''(b) APPLICATION OF CIVIL MONEY PENALTIES.—A violation of this section shall be deemed to be a violation of section 1129(a)(3)(F).

''(c) APPLICATION OF CRIMINAL PENALTIES.—A violation of this section shall be deemed to be a violation of section 208(a)(8).

''(d) LIMITATION ON CLASS ACTIONS.—No class action alleging a violation of this section shall be maintained under this section by an individual or any private party in Federal or State court.

''(e) STATE ATTORNEY GENERAL ENFORCEMENT.—

''(1) IN GENERAL.—

''(A) CIVIL ACTIONS.—In any case in which the attorney general of a State has reason to believe that an interest of the residents of that State has been or is threatened or adversely affected by the engagement of any person in a practice that is prohibited under this section, the State, as parens patriae, may bring a civil action on behalf of the residents of the State in a district court of the United States of appropriate jurisdiction to—

''(i) enjoin that practice;

''(ii) enforce compliance with such section;

''(iii) obtain damages, restitution, or other compensation on behalf of residents of the State; or

''(iv) obtain such other relief as the court may consider appropriate.

''(B) NOTICE.—

''(i) IN GENERAL.—Before filing an action under subparagraph (A), the attorney general of the State involved shall provide to the Attorney General—

''(I) written notice of the action; and

''(II) a copy of the complaint for the action.

''(ii) EXEMPTION.—

''(I) IN GENERAL.—Clause (i) shall not apply with respect to the filing of an action by an attorney general of a State under this subsection, if the State attorney general determines that it is not feasible to provide the notice described in such subparagraph before the filing of the action.

''(II) NOTIFICATION.—With respect to an action described in subclause (I), the attorney general of a State shall provide notice and a copy of the complaint to the Attorney General at the same time as the State attorney general files the action.

''(2) INTERVENTION.—

''(A) IN GENERAL.—On receiving notice under paragraph (1)(B), the Attorney General

shall have the right to intervene in the action that is the subject of the notice.

''(B) EFFECT OF INTERVENTION.—If the Attorney General intervenes in the action under paragraph (1), the Attorney General shall have the right to be heard with respect to any matter that arises in that action.

''(3) CONSTRUCTION.—For purposes of bringing any civil action under paragraph (1), nothing in this section shall be construed to prevent an attorney general of a State from exercising the powers conferred on such attorney general by the laws of that State to—

''(A) conduct investigations;

''(B) administer oaths or affirmations; or

''(C) compel the attendance of witnesses or the production of documentary and other evidence.

''(4) ACTIONS BY THE ATTORNEY GENERAL OF THE UNITED STATES.—In any case in which an action is instituted by or on behalf of the Attorney General for violation of a practice that is prohibited under this section, no State may, during the pendency of that action, institute an action under paragraph (1) against any defendant named in the complaint in that action for violation of that practice.

''(5) VENUE; SERVICE OF PROCESS.—

''(A) VENUE.—Any action brought under paragraph (1) may be brought in the district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28, United States Code.

''(B) SERVICE OF PROCESS.—In an action brought under paragraph (1), process may be served in any district in which the defendant—

''(i) is an inhabitant; or

''(ii) may be found.

''(f) SUNSET.—This section shall not apply on or after the date that is 6 years after the effective date of this section.''.

(b) EVALUATION AND REPORT.—Not later than the date that is 6 years and 6 months after the date of enactment of this Act, the Attorney General, in consultation with the chairman of the Federal Trade Commission, shall issue a report evaluating the effectiveness and efficiency of section 1150A of the Social Security Act (as added by subsection (a)) and shall make recommendations to Congress as to any legislative action determined to be necessary or advisable with respect to such section, including a recommendation regarding whether to reauthorize such section.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to requests to provide a Social Security number occurring after the date that is 1 year after the date of enactment of this Act.

**SEC. 7. EXTENSION OF CIVIL MONETARY PENALTIES FOR MISUSE OF A SOCIAL SECURITY NUMBER.**

(a) TREATMENT OF WITHHOLDING OF MATERIAL FACTS.—

(1) CIVIL PENALTIES.—The first sentence of section 1129(a)(1) of the Social Security Act (42 U.S.C. 1320a–8(a)(1)) is amended—

(A) by striking ''who'' and inserting ''who—'';

(B) by striking ''makes'' and all that follows through ''shall be subject to'' and inserting the following:

''(A) makes, or causes to be made, a statement or representation of a material fact, for use in determining any initial or continuing right to or the amount of monthly insurance benefits under title II or benefits or payments under title VIII or XVI, that the person knows or should know is false or misleading;

''(B) makes such a statement or representation for such use with knowing disregard for the truth; or

''(C) omits from a statement or representation for such use, or otherwise withholds disclosure of, a fact which the individual knows or should know is material to the determination of any initial or continuing right to or the amount of monthly insurance benefits under title II or benefits or payments under title VIII or XVI and the individual knows, or should know, that the statement or representation with such omission is false or misleading or that the withholding of such disclosure is misleading, shall be subject to'';

(C) by inserting ''or each receipt of such benefits while withholding disclosure of such fact'' after ''each such statement or representation'';

(D) by inserting ''or because of such withholding of disclosure of a material fact'' after ''because of such statement or representation''; and

(E) by inserting ''or such a withholding of disclosure'' after ''such a statement or representation''.

(2) ADMINISTRATIVE PROCEDURE FOR IMPOSING PENALTIES.—The first sentence of section 1129A(a) of the Social Security Act (42 U.S.C. 1320a–8a(a)) is amended—

(A) by striking ''who'' and inserting ''who—''; and

(B) by striking ''makes'' and all that follows through ''shall be subject to'' and inserting the following:

''(1) makes, or causes to be made, a statement or representation of a material fact, for use in determining any initial or continuing right to or the amount of monthly insurance benefits under title II or benefits or payments under title VIII or XVI, that the person knows or should know is false or misleading;

''(2) makes such a statement or representation for such use with knowing disregard for the truth; or

''(3) omits from a statement or representation for such use, or otherwise withholds disclosure of, a fact which the individual knows or should know is material to the determination of any initial or continuing right to or the amount of monthly insurance benefits under title II or benefits or payments under title VIII or XVI and the individual knows, or should know, that the statement or representation with such omission is false or misleading or that the withholding of such disclosure is misleading, shall be subject to''.

(b) APPLICATION OF CIVIL MONEY PENALTIES TO ELEMENTS OF CRIMINAL VIOLATIONS.—Section 1129(a) of the Social Security Act (42 U.S.C. 1320a–8(a)), as amended by subsection (a)(1), is amended—

(1) by redesignating paragraph (2) as paragraph (4);

(2) by redesignating the last sentence of paragraph (1) as paragraph (2) and inserting such paragraph after paragraph (1); and

(3) by inserting after paragraph (2) (as so redesignated) the following:

''(3) Any person (including an organization, agency, or other entity) who—

''(A) uses a Social Security account number that such person knows or should know has been assigned by the Commissioner of Social Security (in an exercise of authority under section 205(c)(2) to establish and maintain records) on the basis of false information furnished to the Commissioner by any person;

''(B) falsely represents a number to be the Social Security account number assigned by the Commissioner of Social Security to any individual, when such person knows or should know that such number is not the Social Security account number assigned by the Commissioner to such individual;

''(C) knowingly alters a Social Security card issued by the Commissioner of Social Security, or possesses such a card with intent to alter it;

''(D) knowingly displays, sells, or purchases a card that is, or purports to be, a card issued by the Commissioner of Social Security, or possesses such a card with intent to display, purchase, or sell it;

''(E) counterfeits a Social Security card, or possesses a counterfeit Social Security card with intent to display, sell, or purchase it;

''(F) discloses, uses, compels the disclosure of, or knowingly displays, sells, or purchases the Social Security account number of any person in violation of the laws of the United States;

''(G) with intent to deceive the Commissioner of Social Security as to such person's true identity (or the true identity of any other person) furnishes or causes to be furnished false information to the Commissioner with respect to any information required by the Commissioner in connection with the establishment and maintenance of the records provided for in section 205(c)(2);

''(H) offers, for a fee, to acquire for any individual, or to assist in acquiring for any individual, an additional Social Security account number or a number which purports to be a Social Security account number; or

''(I) being an officer or employee of a Federal, State, or local agency in possession of any individual's Social Security account number, willfully acts or fails to act so as to cause a violation by such agency of clause (vi)(II) or (x) of section 205(c)(2)(C), shall be subject to, in addition to any other penalties that may be prescribed by law, a civil money penalty of not more than $5,000 for each violation. Such person shall also be subject to an assessment, in lieu of damages sustained by the United States resulting from such violation, of not more than twice the amount of any benefits or payments paid as a result of such violation.''.

(c) CLARIFICATION OF TREATMENT OF RECOVERED AMOUNTS.—Section 1129(e)(2)(B) of the Social Security Act (42 U.S.C. 1320a–8(e)(2)(B)) is amended by striking ''In the case of amounts recovered arising out of a determination relating to title VIII or XVI,'' and inserting ''In the case of any other amounts recovered under this section,''.

(d) CONFORMING AMENDMENTS.—

(1) Section 1129(b)(3)(A) of the Social Security Act (42 U.S.C. 1320a–8(b)(3)(A)) is amended by striking ''charging fraud or false statements''.

(2) Section 1129(c)(1) of the Social Security Act (42 U.S.C. 1320a–8(c)(1)) is amended by striking ''and representations'' and inserting '', representations, or actions''.

(3) Section 1129(e)(1)(A) of the Social Security Act (42 U.S.C. 1320a–8(e)(1)(A)) is amended by striking ''statement or representation referred to in subsection (a) was made'' and inserting ''violation occurred''.

(e) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply with respect to violations of sections 1129 and 1129A of the Social Security Act (42 U.S.C. 1320–8 and 1320a–8a), as amended by this section, committed after the date of enactment of this Act.

(2) VIOLATIONS BY GOVERNMENT AGENTS IN POSSESSION OF SOCIAL SECURITY NUMBERS.—Section 1129(a)(3)(I) of the Social Security Act (42 U.S.C. 1320a–8(a)(3)(I)), as added by subsection (b), shall apply with respect to violations of that section occurring on or after the effective date described in section 3(c).

(f) REPEAL.—Section 201 of the Social Security Protection Act of 2004 is repealed.

**SEC. 8. CRIMINAL PENALTIES FOR THE MISUSE OF A SOCIAL SECURITY NUMBER.**

(a) PROHIBITION OF WRONGFUL USE AS PERSONAL IDENTIFICATION NUMBER.—No person may obtain any individual's Social Security

number for purposes of locating or identifying an individual with the intent to physically injure, harm, or use the identity of the individual for any illegal purpose.

(b) CRIMINAL SANCTIONS.—Section 208(a) of the Social Security Act (42 U.S.C. 408(a)) is amended—

(1) in paragraph (8), by inserting ''or'' after the semicolon; and

(2) by inserting after paragraph (8) the following:

''(9) except as provided in subsections (e) and (f) of section 1028B of title 18, United States Code, knowingly and willfully displays, sells, or purchases (as those terms are defined in section 1028B(a) of title 18, United States Code) any individual's Social Security account number without having met the prerequisites for consent under section 1028B(d) of title 18, United States Code; or

''(10) obtains any individual's Social Security number for the purpose of locating or identifying the individual with the intent to injure or to harm that individual, or to use the identity of that individual for an illegal purpose;''.

**SEC. 9. CIVIL ACTIONS AND CIVIL PENALTIES.**

(a) CIVIL ACTION IN STATE COURTS.—

(1) IN GENERAL.—Any individual aggrieved by an act of any person in violation of this Act or any amendments made by this Act may, if otherwise permitted by the laws or rules of the court of a State, bring in an appropriate court of that State—

(A) an action to enjoin such violation;

(B) an action to recover for actual monetary loss from such a violation, or to receive up to $500 in damages for each such violation, whichever is greater; or

(C) both such actions.

It shall be an affirmative defense in any action brought under this paragraph that the defendant has established and implemented, with due care, reasonable practices and procedures to effectively prevent violations of the regulations prescribed under this Act. If the court finds that the defendant willfully or knowingly violated the regulations prescribed under this subsection, the court may, in its discretion, increase the amount of the award to an amount equal to not more than 3 times the amount available under subparagraph (B).

(2) STATUTE OF LIMITATIONS.—An action may be commenced under this subsection not later than the earlier of—

(A) 5 years after the date on which the alleged violation occurred; or

(B) 3 years after the date on which the alleged violation was or should have been reasonably discovered by the aggrieved individual.

(3) NONEXCLUSIVE REMEDY.—The remedy provided under this subsection shall be in addition to any other remedies available to the individual.

(b) CIVIL PENALTIES.—

(1) IN GENERAL.—Any person who the Attorney General determines has violated any section of this Act or of any amendments made by this Act shall be subject, in addition to any other penalties that may be prescribed by law—

(A) to a civil penalty of not more than $5,000 for each such violation; and

(B) to a civil penalty of not more than $50,000, if the violations have occurred with such frequency as to constitute a general business practice.

(2) DETERMINATION OF VIOLATIONS.—Any willful violation committed contemporaneously with respect to the Social Security numbers of 2 or more individuals by means of mail, telecommunication, or otherwise, shall be treated as a separate violation with respect to each such individual.

(3) ENFORCEMENT PROCEDURES.—The provisions of section 1128A of the Social Security Act (42 U.S.C. 1320a–7a), other than subsections (a), (b), (f), (h), (i), (j), (m), and (n) and the first sentence of subsection (c) of such section, and the provisions of subsections (d) and (e) of section 205 of such Act (42 U.S.C. 405) shall apply to a civil penalty action under this subsection in the same manner as such provisions apply to a penalty or proceeding under section 1128A(a) of such Act (42 U.S.C. 1320a–7a(a)), except that, for purposes of this paragraph, any reference in section 1128A of such Act (42 U.S.C. 1320a–7a) to the Secretary shall be deemed to be a reference to the Attorney General.

**SEC. 10. FEDERAL INJUNCTIVE AUTHORITY.**

In addition to any other enforcement authority conferred under this Act or the amendments made by this Act, the Federal Government shall have injunctive authority with respect to any violation by a public entity of any provision of this Act or of any amendments made by this Act.

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By Mr. SANDERS (for himself, Mr. NELSON of Florida, Mr. BLUMENTHAL, Mr. MERKLEY, Mr. FRANKEN, and Mr. WHITEHOUSE):

S. 1200. A bill to require the Chairman of the Commodity Futures Trading Commission to impose unilaterally position limits and margin requirements to eliminate excessive oil speculation, and to take other actions to ensure that the price of crude oil, gasoline, diesel fuel, jet fuel, and heating oil accurately reflects the fundamentals of supply and demand, to remain in effect until the date on which the Commission establishes position limits to diminish, eliminate, or prevent excessive speculation as required by title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. SANDERS. Mr. President, I think every American understands that the very high price of oil and gas is having a very negative impact on our fragile economic recovery. Also, in rural States, such as Vermont, Montana, and other rural States, it is wreaking real hardship on working people who in many cases drive long distances to work. In Vermont certainly, it is not uncommon for people to be driving 50 miles to their job and 50 miles back. When the price of gas gets to be $3.80 a gallon or $4 a gallon, it really hurts. When wages are stagnant, when many people have seen a decline in their paychecks, high gas prices have just taken another chunk out of their limited income. It is something that as a Congress we have to address.

The price of oil today, while declining somewhat in recent weeks, is still over $97 a barrel. In Vermont, it is over $3.80 a gallon at the pump. The theory behind the setting of oil prices that we learned in high school is that oil prices are set by supply and demand. When there is limited supply and a lot of demand, oil prices go up. When there is a lot of supply and limited demand, oil prices should go down.

So let's be clear: The fact is today there is more supply than there was 2 years ago, today there is less demand than there was 2 years ago; therefore, oil prices should be substantially lower than was the case 2 years ago. The fact, however, is just the opposite. In Vermont today, gas prices are $3.80 a gallon. Two years ago, they were approximately $2.44 a gallon. So the explanation of supply and demand in terms of why oil prices have soared just does not carry any weight.

While we cannot ignore the fact that big oil companies have been gouging consumers at the pump for years and have made almost $1 trillion in profits over the past decade, there is mounting evidence that the increased price of gasoline and oil has nothing to do with supply and demand and everything to do with Wall Street speculators who are dominating the oil futures market and driving prices up, up, and up. Ten years ago, speculators only controlled about 30 percent of that market. Today, Wall Street speculators control over 80 percent—over 80 percent—of the oil futures market, and many of them will never use one drop of that oil. So we are not talking about airlines that use gas and oil. We are not talking about trucking companies. We are not talking about home heating companies. We are talking about speculators whose only function in this entire process is to make as much money as they can by raising prices and then selling.

This is not just Senator BERNIE SANDERS making this point. Let me quote from a June 2 article from the Wall Street Journal:

> Wall Street is tapping a real gusher in 2011, as heightened volatility and higher prices of oil and other raw materials boost banks' profits . . . by 55 percent in the first quarter.

Banks' profits are soaring as a result of oil speculation. That is the fact. It is not just the Wall Street Journal. The CEO of ExxonMobil, Rex Tillerson, in response to a question at a recent Senate hearing, estimated that speculation was driving up the price of a barrel of oil by as much as 40 percent. That is the CEO of ExxonMobil. He might know something about that issue.

The general counsel of Delta Airlines—a major consumer of fuel—Ben Hirst, and the experts at Goldman Sachs have all said that excessive speculation is causing oil prices to spike by 20 to 40 percent.

Even Saudi Arabia, the largest exporter of oil in the world, told the Bush administration back in 2008—when the Bush administration went to them and said: We need to drive prices down. Produce more oil. Sell more oil—they said that is not the problem. Saudi Arabia said: We have all the oil we need. The problem is speculation. And they estimated that speculation could result in about $40 a barrel.

In other words, the same Wall Street speculators who caused the worst financial crisis since the 1930s through their greed, recklessness, and illegal behavior are back at it again, and this time they are ripping off the American people by gambling that the price of oil

and gas will continue to go up and up and in that process are driving the price of gas and oil up and up.

Sadly—and this is the important point—this spike in oil and gasoline prices was entirely avoidable. This was avoidable. The Wall Street Reform Act that we passed last year, the Dodd-Frank legislation, required—underline ''required''—the Commodity Futures Trading Commission to impose strict limits on the amount of oil Wall Street speculators could trade in the energy futures market by January 17 of this year.

We passed legislation that said to the Commodity Futures Trading Commission: You have to impose rules by January 17 with strict limits on excessive oil speculation.

Mr. President, 6 months have come and gone. They have not done what they were required to do.

Almost 5 months later, the CFTC has still not imposed those speculation requirements. In other words, the chief regulator on oil speculation is clearly breaking the law and is not doing what he is supposed to be doing.

Last month I held a meeting in my office with Mr. Gary Gensler, who is the Chairman of the CFTC, and six other Senators. I have to tell you that I was extremely disappointed in both the tone of that meeting and the complete lack of urgency at the CFTC with respect to cracking down on oil speculators as required by the law.

Therefore, today I have introduced legislation, along with Senators BLUMENTHAL, MERKLEY, FRANKEN, WHITEHOUSE, and BILL NELSON to end excessive speculation once and for all—once and for all. The American people cannot continue to be ripped off by Wall Street which is artificially driving up the price of oil and gas.

I am very pleased to also announce that Congressman MAURICE HINCHEY will be introducing this legislation in the House. This legislation mandates that the Chairman of the CFTC take immediate action to eliminate excessive oil speculation within 2 weeks—2 weeks.

One. Our bill requires the Chairman to establish speculative oil position limits equal to the position accountability levels that have been in place at the New York Mercantile Exchange since 2001.

Two. This bill requires the Chairman of the CFTC to double the margin requirements on speculative oil trading so that Wall Street investment banks back their bets with real capital.

Three. Under this bill, Goldman Sachs, Morgan Stanley, and other Wall Street investment banks engaged in proprietary oil trading would be classified as speculators instead of bona fide hedgers.

Four. The Chairman of the CFTC would be required under this bill to take any other action necessary to eliminate excessive speculation and ensure that the price of oil accurately reflects the fundamentals of supply and demand.

I am pleased to announce that this legislation already has the support of a very diverse group of organizations representing small businesses, fuel dealers, consumers, workers, airlines, and farmers. Some of those organizations are: Americans for Financial Reform; the Consumer Federation of America; Delta Airlines; the Gasoline and Automotive Service Dealers of America; the International Brotherhood of Teamsters; the Main Street Alliance; the National Farmers Union; New England Fuel Institute; Public Citizen; and the Vermont Fuel Dealers Association. This is just a few.

I want to thank all of those organizations for their support. The American people are sick and tired of being ripped off at the gas pump. People in the northern States, whether it is Vermont or Minnesota, worry about what the price of home heating oil will be next winter. What we are seeing now in terms of excessively high oil and gas prices has nothing to do with supply and demand and everything to do with Wall Street speculation.

This Congress has told the CFTC to act. They have failed to act. Now is the time for us to tell them exactly what must happen.

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By Mr. LIEBERMAN (for himself, Mr. CRAPO, Mr. TESTER, Mr. BINGAMAN, Ms. MURKOWSKI, Mr. WHITEHOUSE, Mr. BEGICH, Mr. CARDIN, and Mr. UDALL of Colorado:

S. 1201. A bill to conserve fish and aquatic communities in the United States through partnerships that foster fish habitat conservation, to improve the quality of life for the people of the United States, and for other purposes; to the Committee on Environment and Public Works.

Mr. LIEBERMAN. Mr. President, I rise to speak about the National Fish Habitat Conservation Act, which I am introducing today along with my colleagues Senators CRAPO, TESTER, BINGAMAN, MURKOWSKI, WHITEHOUSE, BEGICH, CARDIN, and MARK UDALL. This legislation would establish the most comprehensive effort ever attempted to treat the causes of fish habitat decline.

Healthy waterways and robust fish populations are vital to the well-being of our society and are a staple in many cultures throughout the United States. This bill will help provide clean water and sustainable fisheries in this country and provide recreational value to those who fish wild waters or canoe tranquil streams. This means more recreational fishing opportunity, which translates into more jobs and economic output. Currently, recreational fishing supports approximately one million jobs and $45 billion in direct expenditures. Today, nearly half, 40 percent, of our fish populations are in decline, over 700 species in total, and 50 percent of our Nation's waters are impaired. Unless we act in an informed and coordinated fashion, fish habitats will continue to be lost at a rapid pace. This bill is about better habitat, better recreational fishing opportunity as well as a better economy.

Currently, our Nation's efforts to address threats to fish species are often highly disjointed and not extensive enough to reverse this downward trend. Under the National Fish Habitat Conservation Act, Federal Government agencies, State and local governments, conservation groups, fishing industry groups and related businesses will work together collectively for the first time to conserve and protect aquatic habitats critical to our Nation. The National Fish Habitat Conservation Act will also provide people with clean and safe water supplies and improve ecosystems through habitat conservation projects that remediate problems on our waterways, including erosion, drainage issues and flooding.

This legislation leverages Federal, State, and private funds to build regional partnerships aimed at addressing the Nation's biggest aquatic habitat problems. By directing critical resources towards this cause through partnerships, we can foster fish habitat conservation efforts and improve the quality of life for all Americans. Using a bottom-up approach, the goal of this effort is to foster landscape scale, multi-state aquatic habitat improvements across the country that perpetuate not only fishery resources but the tradition of recreational fishing, which is enjoyed by many Americans, spanning many generations. Over 40 million anglers utilize our waterways on a yearly basis, generating $45 billion dollars in retail sales for the industry nationwide. That figure does not even include Americans who utilize our waterways for other recreational purposes.

The National Fish Habitat Conservation Act authorizes grants to be directed toward fish habitat projects that are supported by regional Fish Habitat Partnerships. Based on the highly successful North American Wetlands Conservation Act model, this legislation establishes a multi-stakeholder National Fish Habitat Board charged with recommending projects to the Secretary of Interior for assistance. Regional Fish Habitat Partnerships are responsible for implementing approved on-the-ground projects that are designed to protect, restore and enhance fish habitats and fish populations.

The National Fish Habitat Conservation Act lays the foundation for a new paradigm of how to care for fish habitats, displaying why they should be restored and protected. This bill will bring together all of the different groups that have a stake in the health and productivity of our Nation's fish habitats and I look forward to working with my colleagues to pass this important legislation and reverse the decline of our ailing waterways and fisheries.

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. 1201

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

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) SHORT TITLE.—This Act may be cited as the ''National Fish Habitat Conservation Act''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings; purpose.
Sec. 3. Definitions.
Sec. 4. National Fish Habitat Board.
Sec. 5. Fish habitat partnerships.
Sec. 6. Fish habitat conservation projects.
Sec. 7. National Fish Habitat Conservation Partnership Office.
Sec. 8. Technical and scientific assistance.
Sec. 9. Conservation of aquatic habitat for fish and other aquatic organisms on Federal land.
Sec. 10. Coordination with States and Indian tribes.
Sec. 11. Accountability and reporting.
Sec. 12. Regulations.
Sec. 13. Effect of Act.
Sec. 14. Nonapplicability of Federal Advisory Committee Act.
Sec. 15. Funding.

**SEC. 2. FINDINGS; PURPOSE.**

(a) FINDINGS.—Congress finds that—

(1) healthy populations of fish and other aquatic organisms depend on the conservation, protection, restoration, and enhancement of aquatic habitats in the United States;

(2) aquatic habitats (including wetlands, streams, rivers, lakes, estuaries, coastal and marine ecosystems, and associated riparian upland habitats that buffer those areas from external factors) perform numerous valuable environmental functions that sustain environmental, social, and cultural values, including recycling nutrients, purifying water, attenuating floods, augmenting and maintaining stream flows, recharging ground water, acting as primary producers in the food chain, and providing essential and significant habitat for plants, fish, wildlife, and other dependent species;

(3) the extensive and diverse aquatic habitat resources of the United States are of enormous significance to the economy of the United States, providing—

(A) recreation for 44,000,000 anglers;

(B) more than 1,000,000 jobs and approximately $125,000,000,000 in economic impact each year relating to recreational fishing; and

(C) approximately 500,000 jobs and an additional $35,000,000,000 in economic impact each year relating to commercial fishing;

(4) at least 40 percent of all threatened species and endangered species in the United States are directly dependent on aquatic habitats;

(5) certain fish species are considered to be ecological indicators of aquatic habitat quality, such that the presence of those species in an aquatic ecosystem reflects high-quality habitat for other fish;

(6) loss and degradation of aquatic habitat, riparian habitat, water quality, and water volume caused by activities such as alteration of watercourses, stream blockages, water withdrawals and diversions, erosion, pollution, sedimentation, and destruction or modification of wetlands have—

(A) caused significant declines in fish populations throughout the United States, especially declines in native fish populations; and

(B) resulted in economic losses to the United States;

(7)(A) providing for the conservation and sustainability of fish and other aquatic organisms has not been fully realized, despite federally funded fish and wildlife restoration programs and other activities intended to conserve aquatic resources; and

(B) that conservation and sustainability may be significantly advanced through a renewed commitment and sustained, cooperative efforts that are complementary to existing fish and wildlife restoration programs and clean water programs;

(8) the National Fish Habitat Action Plan provides a framework for maintaining and restoring aquatic habitats to ensure perpetuation of populations of fish and other aquatic organisms;

(9) the United States can achieve significant progress toward providing aquatic habitats for the conservation and restoration of fish and other aquatic organisms through a voluntary, nonregulatory incentive program that is based on technical and financial assistance provided by the Federal Government;

(10) the creation of partnerships between local citizens, Indian tribes, Alaska Native organizations, corporations, nongovernmental organizations, and Federal, State, and tribal agencies is critical to the success of activities to restore aquatic habitats and ecosystems;

(11) the Federal Government has numerous regulatory and land and water management agencies that are critical to the implementation of the National Fish Habitat Action Plan, including—

(A) the United States Fish and Wildlife Service;

(B) the Bureau of Land Management;

(C) the National Park Service;

(D) the Bureau of Reclamation;

(E) the Bureau of Indian Affairs;

(F) the National Marine Fisheries Service;

(G) the Forest Service;

(H) the Natural Resources Conservation Service; and

(I) the Environmental Protection Agency;

(12) the United States Fish and Wildlife Service, the Forest Service, the Bureau of Land Management, and the National Marine Fisheries Service each play a vital role in—

(A) the protection, restoration, and enhancement of the fish communities and aquatic habitats in the United States; and

(B) the development, operation, and long-term success of fish habitat partnerships and project implementation;

(13) the United States Geological Survey, the United States Fish and Wildlife Service, and the National Marine Fisheries Service each play a vital role in scientific evaluation, data collection, and mapping for fishery resources in the United States;

(14) the State and territorial fish and wildlife agencies play a vital role in —

(A) the protection, restoration, and enhancement of the fish communities and aquatic habitats in the respective States and territories; and

(B) the development, operation, and long-term success of fish habitat partnerships and project implementation; and

(15) many of the programs for conservation on private farmland, ranchland, and forestland that are carried out by the Secretary of Agriculture, including the Natural Resources Conservation Service and the State and Private Forestry programs of the Forest Service, are able to significantly contribute to the implementation of the National Fish Habitat Action Plan through the engagement of private landowners.

(b) PURPOSE.—The purpose of this Act is to encourage partnerships among public agencies and other interested parties consistent with the mission and goals of the National Fish Habitat Action Plan—

(1) to protect and maintain intact and healthy aquatic habitats;

(2) to prevent further degradation of aquatic habitats that have been adversely affected;

(3) to reverse declines in the quality and quantity of aquatic habitats to improve the overall health of fish and other aquatic organisms;

(4) to increase the quality and quantity of aquatic habitats that support a broad natural diversity of fish and other aquatic species;

(5) to improve fisheries habitat in a manner that leads to improvement of the annual economic output from recreational, subsistence, and commercial fishing;

(6) to ensure coordination and facilitation of activities carried out by Federal departments and agencies under the leadership of—

(A) the Director of the United States Fish and Wildlife Service;

(B) the Assistant Administrator for Fisheries of the National Oceanic and Atmospheric Administration; and

(C) the Director of the United States Geological Survey; and

(7) to achieve other purposes in accordance with the mission and goals of the National Fish Habitat Action Plan.

**SEC. 3. DEFINITIONS.**

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Commerce, Science, and Transportation and the Committee on Environment and Public Works of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

(2) AQUATIC HABITAT.—

(A) IN GENERAL.—The term ''aquatic habitat'' means any area on which an aquatic organism depends, directly or indirectly, to carry out the life processes of the organism, including an area used by the organism for spawning, incubation, nursery, rearing, growth to maturity, food supply, or migration.

(B) INCLUSIONS.—The term ''aquatic habitat'' includes an area adjacent to an aquatic environment, if the adjacent area—

(i) contributes an element, such as the input of detrital material or the promotion of a planktonic or insect population providing food, that makes fish life possible;

(ii) protects the quality and quantity of water sources;

(iii) provides public access for the use of fishery resources; or

(iv) serves as a buffer protecting the aquatic environment.

(3) ASSISTANT ADMINISTRATOR.—The term ''Assistant Administrator'' means the Assistant Administrator for Fisheries of the National Oceanic and Atmospheric Administration.

(4) BOARD.—The term ''Board'' means the National Fish Habitat Board established by section 4(a)(1).

(5) CONSERVATION; CONSERVE; MANAGE; MANAGEMENT.—The terms ''conservation'', ''conserve'', ''manage'', and ''management'' mean to protect, sustain, and, where appropriate, restore and enhance, using methods and procedures associated with modern scientific resource programs (including protection, research, census, law enforcement, habitat management, propagation, live trapping and transplantation, and regulated taking)—

(A) a healthy population of fish, wildlife, or plant life;

(B) a habitat required to sustain fish, wildlife, or plant life; or

(C) a habitat required to sustain fish, wildlife, or plant life productivity.

(6) DIRECTOR.—The term ''Director'' means the Director of the United States Fish and Wildlife Service.

(7) FISH.—

(A) IN GENERAL.—The term ''fish'' means any freshwater, diadromous, estuarine, or marine finfish or shellfish.

(B) INCLUSIONS.—The term ''fish'' includes the egg, spawn, spat, larval, and other juvenile stages of an organism described in subparagraph (A).

(8) FISH HABITAT CONSERVATION PROJECT.—

(A) IN GENERAL.—The term ''fish habitat conservation project'' means a project that—

(i) is submitted to the Board by a Partnership and approved by the Secretary under section 6; and

(ii) provides for the conservation or management of an aquatic habitat.

(B) INCLUSIONS.—The term ''fish habitat conservation project'' includes—

(i) the provision of technical assistance to a State, Indian tribe, or local community by the National Fish Habitat Conservation Partnership Office or any other agency to facilitate the development of strategies and priorities for the conservation of aquatic habitats; or

(ii) the obtaining of a real property interest in land or water, including water rights, in accordance with terms and conditions that ensure that the real property will be administered for the long-term conservation of—

(I) the land or water; and

(II) the fish dependent on the land or water.

(9) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(10) NATIONAL FISH HABITAT ACTION PLAN.—The term ''National Fish Habitat Action Plan'' means the National Fish Habitat Action Plan dated April 24, 2006, and any subsequent revisions or amendments to that plan.

(11) PARTNERSHIP.—The term ''Partnership'' means an entity designated by the Board as a Fish Habitat Conservation Partnership pursuant to section 5(a).

(12) REAL PROPERTY INTEREST.—The term ''real property interest'' means an ownership interest in—

(A) land;

(B) water (including water rights); or

(C) a building or object that is permanently affixed to land.

(13) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(14) STATE AGENCY.—The term ''State agency'' means—

(A) the fish and wildlife agency of a State;

(B) any department or division of a department or agency of a State that manages in the public trust the inland or marine fishery resources or the habitat for those fishery resources of the State pursuant to State law or the constitution of the State; or

(C) the fish and wildlife agency of the Commonwealth of Puerto Rico, Guam, the Virgin Islands, or any other territory or possession of the United States.

**SEC. 4. NATIONAL FISH HABITAT BOARD.**

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established a board, to be known as the ''National Fish Habitat Board''—

(A) to promote, oversee, and coordinate the implementation of this Act and the National Fish Habitat Action Plan;

(B) to establish national goals and priorities for aquatic habitat conservation;

(C) to designate Partnerships; and

(D) to review and make recommendations regarding fish habitat conservation projects.

(2) MEMBERSHIP.—The Board shall be composed of 27 members, of whom—

(A) 1 shall be the Director;

(B) 1 shall be the Assistant Administrator;

(C) 1 shall be the Chief of the Natural Resources Conservation Service;

(D) 1 shall be the Chief of the Forest Service;

(E) 1 shall be the Assistant Administrator for Water of the Environmental Protection Agency;

(F) 1 shall be the President of the Association of Fish and Wildlife Agencies;

(G) 1 shall be the Secretary of the Board of Directors of the National Fish and Wildlife Foundation appointed pursuant to section 3(g)(2)(B) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3702(g)(2)(B));

(H) 4 shall be representatives of State agencies, 1 of whom shall be nominated by a regional association of fish and wildlife agencies from each of the Northeast, Southeast, Midwest, and Western regions of the United States;

(I) 1 shall be a representative of the American Fisheries Society;

(J) 2 shall be representatives of Indian tribes, of whom—

(i) 1 shall represent Indian tribes from the State of Alaska; and

(ii) 1 shall represent Indian tribes from the other States;

(K) 1 shall be a representative of the Regional Fishery Management Councils established under section 302 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852);

(L) 1 shall be a representative of the Marine Fisheries Commissions, which is composed of—

(i) the Atlantic States Marine Fisheries Commission;

(ii) the Gulf States Marine Fisheries Commission; and

(iii) the Pacific States Marine Fisheries Commission;

(M) 1 shall be a representative of the Sportfishing and Boating Partnership Council; and

(N) 10 shall be representatives selected from each of the following groups:

(i) The recreational sportfishing industry.

(ii) The commercial fishing industry.

(iii) Marine recreational anglers.

(iv) Freshwater recreational anglers.

(v) Terrestrial resource conservation organizations.

(vi) Aquatic resource conservation organizations.

(vii) The livestock and poultry production industry.

(viii) The land development industry.

(ix) The row crop industry.

(x) Natural resource commodity interests, such as petroleum or mineral extraction.

(3) COMPENSATION.—A member of the Board shall serve without compensation.

(4) TRAVEL EXPENSES.—A member of the Board shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Board.

(b) APPOINTMENT AND TERMS.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, a member of the Board described in any of subparagraphs (H) through (N) of subsection (a)(2) shall serve for a term of 3 years.

(2) INITIAL BOARD MEMBERSHIP.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the representatives of the board established by the National Fish Habitat Action Plan shall appoint the initial members of the Board described in subparagraphs (H) through (I) and (K) through (N) of subsection (a)(2).

(B) TRIBAL REPRESENTATIVES.—Not later than 180 days after the enactment of this Act, the Secretary shall provide to the board established by the National Fish Habitat Action Plan a recommendation of not less than 4 tribal representatives, from which that board shall appoint 2 representatives pursuant to subparagraph (J) of subsection (a)(2).

(3) TRANSITIONAL TERMS.—Of the members described in subsection (a)(2)(N) initially appointed to the Board—

(A) 4 shall be appointed for a term of 1 year;

(B) 4 shall be appointed for a term of 2 years; and

(C) 3 shall be appointed for a term of 3 years.

(4) VACANCIES.—

(A) IN GENERAL.—A vacancy of a member of the Board described in any of subparagraphs (H) through (I) or (K) through (N) of subsection (a)(2) shall be filled by an appointment made by the remaining members of the Board.

(B) TRIBAL REPRESENTATIVES.—Following a vacancy of a member of the Board described in subparagraph (J) of subsection (a)(2), the Secretary shall recommend to the Board not less than 4 tribal representatives, from which the remaining members of the Board shall appoint a representative to fill the vacancy.

(5) CONTINUATION OF SERVICE.—An individual whose term of service as a member of the Board expires may continue to serve on the Board until a successor is appointed.

(6) REMOVAL.—If a member of the Board described in any of subparagraphs (H) through (N) of subsection (a)(2) misses 3 consecutive regularly scheduled Board meetings, the members of the Board may—

(A) vote to remove that member; and

(B) appoint another individual in accordance with paragraph (4).

(c) CHAIRPERSON.—

(1) IN GENERAL.—The Board shall elect a member of the Board to serve as Chairperson of the Board.

(2) TERM.—The Chairperson of the Board shall serve for a term of 3 years.

(d) MEETINGS.—

(1) IN GENERAL.—The Board shall meet—

(A) at the call of the Chairperson; but

(B) not less frequently than twice each calendar year.

(2) PUBLIC ACCESS.—All meetings of the Board shall be open to the public.

(e) PROCEDURES.—

(1) IN GENERAL.—The Board shall establish procedures to carry out the business of the Board, including—

(A) a requirement that a quorum of the members of the Board be present to transact business;

(B) a requirement that no recommendations may be adopted by the Board, except by the vote of ⅔ of all members present and voting;

(C) procedures for establishing national goals and priorities for aquatic habitat conservation for the purposes of this Act;

(D) procedures for designating Partnerships under section 5; and

(E) procedures for reviewing, evaluating, and making recommendations regarding fish habitat conservation projects.

(2) QUORUM.—A majority of the members of the Board shall constitute a quorum.

**SEC. 5. FISH HABITAT PARTNERSHIPS.**

(a) AUTHORITY TO DESIGNATE.—The Board may designate Fish Habitat Partnerships in accordance with this section.

(b) PURPOSES.—The purposes of a Partnership shall be—

(1) to coordinate the implementation of the National Fish Habitat Action Plan at a regional level;

(2) to identify strategic priorities for fish habitat conservation;

(3) to recommend to the Board fish habitat conservation projects that address a strategic priority of the Board; and

(4) to develop and carry out fish habitat conservation projects.

(c) APPLICATIONS.—An entity seeking to be designated as a Partnership shall submit to the Board an application at such time, in such manner, and containing such information as the Board may reasonably require.

(d) APPROVAL.—The Board may approve an application for a Partnership submitted under subsection (c) if the Board determines that the applicant—

(1) includes representatives of a diverse group of public and private partners, including Federal, State, or local governments, nonprofit entities, Indian tribes, and private individuals, that are focused on conservation of aquatic habitats to achieve results across jurisdictional boundaries on public and private land;

(2) is organized to promote the health of important aquatic habitats and distinct geographical areas, keystone fish species, or system types, including reservoirs, natural lakes, coastal and marine environments, and estuaries;

(3) identifies strategic fish and aquatic habitat priorities for the Partnership area in the form of geographical focus areas or key stressors or impairments to facilitate strategic planning and decisionmaking;

(4) is able to address issues and priorities on a nationally significant scale;

(5) includes a governance structure that—

(A) reflects the range of all partners; and

(B) promotes joint strategic planning and decisionmaking by the applicant;

(6) demonstrates completion of, or significant progress toward the development of, a strategic plan to address the causes of system decline in fish populations, rather than simply treating symptoms in accordance with the National Fish Habitat Action Plan; and

(7) ensures collaboration in developing a strategic vision and implementation program that is scientifically sound and achievable.

**SEC. 6. FISH HABITAT CONSERVATION PROJECTS.**

(a) SUBMISSION TO BOARD.—Not later than March 31 of each calendar year, each Partnership shall submit to the Board a list of fish habitat conservation projects recommended by the Partnership for annual funding under this Act.

(b) RECOMMENDATIONS BY BOARD.—Not later than July 1 of each calendar year, the Board shall submit to the Secretary a description, including estimated costs, of each fish habitat conservation project that the Board recommends that the Secretary approve and fund under this Act, in order of priority, for the following fiscal year.

(c) CONSIDERATIONS.—The Board shall select each fish habitat conservation project to be recommended to the Secretary under subsection (b)—

(1) based on a recommendation of the Partnership that is, or will be, participating actively in carrying out the fish habitat conservation project; and

(2) after taking into consideration—

(A) the extent to which the fish habitat conservation project fulfills a purpose of this Act or a goal of the National Fish Habitat Action Plan;

(B) the extent to which the fish habitat conservation project addresses the national priorities established by the Board;

(C) the availability of sufficient non-Federal funds to match Federal contributions for the fish habitat conservation project, as required by subsection (e);

(D) the extent to which the fish habitat conservation project—

(i) increases fishing opportunities for the public;

(ii) will be carried out through a cooperative agreement among Federal, State, and local governments, Indian tribes, and private entities;

(iii) increases public access to land or water;

(iv) advances the conservation of fish and wildlife species that are listed, or are candidates to be listed, as threatened species or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(v) where appropriate, advances the conservation of fish and fish habitats under the Magnuson-Stevens Act (16 U.S.C. 1801 et seq.) and other relevant Federal law and State wildlife action plans; and

(vi) promotes resilience such that desired biological communities are able to persist and adapt to environmental stressors such as climate change; and

(E) the substantiality of the character and design of the fish habitat conservation project.

(d) LIMITATIONS.—

(1) REQUIREMENTS FOR EVALUATION.—No fish habitat conservation project may be recommended by the Board under subsection (b) or provided financial assistance under this Act unless the fish habitat conservation project includes an evaluation plan designed—

(A) to appropriately assess the biological, ecological, or other results of the habitat protection, restoration, or enhancement activities carried out using the assistance;

(B) to reflect appropriate changes to the fish habitat conservation project if the assessment substantiates that the fish habitat conservation project objectives are not being met; and

(C) to require the submission to the Board of a report describing the findings of the assessment.

(2) ACQUISITION OF REAL PROPERTY INTERESTS.—

(A) IN GENERAL.—No fish habitat conservation project that will result in the acquisition by the State, local government, or other non-Federal entity, in whole or in part, of any real property interest may be recommended by the Board under subsection (b) or provided financial assistance under this Act unless the project meets the requirements of subparagraph (B).

(B) REQUIREMENTS.—

(i) IN GENERAL.—A real property interest may not be acquired pursuant to a fish habitat conservation project by a State, public agency, or other non-Federal entity unless the State, agency, or other non-Federal entity is obligated to undertake the management of the property being acquired in accordance with the purposes of this Act.

(ii) ADDITIONAL CONDITIONS.—Any real property interest acquired by a State, local government, or other non-Federal entity pursuant to a fish habitat conservation project shall be subject to terms and conditions that ensure that the interest will be administered for the long-term conservation and management of the aquatic ecosystem and the fish and wildlife dependent on that ecosystem.

(e) NON-FEDERAL CONTRIBUTIONS.—

(1) IN GENERAL.—Except as provided in paragraph (2), no fish habitat conservation project may be recommended by the Board under subsection (b) or provided financial assistance under this Act unless at least 50 percent of the cost of the fish habitat conservation project will be funded with non-Federal funds.

(2) PROJECTS ON FEDERAL LAND OR WATER.—Notwithstanding paragraph (1), Federal funds may be used for payment of 100 percent of the costs of a fish habitat conservation project located on Federal land or water.

(3) NON-FEDERAL SHARE.—The non-Federal share of the cost of a fish habitat conservation project—

(A) may not be derived from a Federal grant program; but

(B) may include in-kind contributions and cash.

(4) SPECIAL RULE FOR INDIAN TRIBES.—Notwithstanding paragraph (1) or any other provision of law, any funds made available to an Indian tribe pursuant to this Act may be considered to be non-Federal funds for the purpose of paragraph (1).

(f) APPROVAL.—

(1) IN GENERAL.—Not later than 180 days after the date of receipt of the recommendations of the Board for fish habitat conservation projects under subsection (b), and based, to the maximum extent practicable, on the criteria described in subsection (c)—

(A) the Secretary shall approve, reject, or reorder the priority of any fish habitat conservation project recommended by the Board that is not within a marine or estuarine habitat; and

(B) the Secretary and the Secretary of Commerce shall jointly approve, reject, or reorder the priority of any fish habitat conservation project recommended by the Board that is within a marine or estuarine habitat.

(2) FUNDING.—If the Secretary, or the Secretary and the Secretary of Commerce jointly, approves a fish habitat conservation project under paragraph (1), the Secretary, or the Secretary and the Secretary of Commerce jointly, shall use amounts made available to carry out this Act to provide funds to carry out the fish habitat conservation project.

(3) NOTIFICATION.—If the Secretary, or the Secretary and the Secretary of Commerce jointly, rejects or reorders the priority of any fish habitat conservation project recommended by the Board under subsection (b), the Secretary, or the Secretary and the Secretary of Commerce jointly, shall provide to the Board and the appropriate Partnership a written statement of the reasons that the Secretary, or the Secretary and the Secretary of Commerce jointly, rejected or modified the priority of the fish habitat conservation project.

(4) LIMITATION.—If the Secretary, or the Secretary and the Secretary of Commerce jointly, has not approved, rejected, or reordered the priority of the recommendations of the Board for fish habitat conservation projects by the date that is 180 days after the date of receipt of the recommendations, the recommendations shall be considered to be approved.

**SEC. 7. NATIONAL FISH HABITAT CONSERVATION PARTNERSHIP OFFICE.**

(a) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Director shall establish an office, to be known as the ''National Fish Habitat Conservation Partnership Office'', within the United States Fish and Wildlife Service.

(b) FUNCTIONS.—The National Fish Habitat Conservation Partnership Office shall—

(1) provide funding for the operational needs of the Partnerships, including funding for activities such as planning, project development and implementation, coordination, monitoring, evaluation, communication, and outreach;

(2) provide funding to support the detail of State and tribal fish and wildlife staff to the Office;

(3) facilitate the cooperative development and approval of Partnerships;

(4) assist the Secretary and the Board in carrying out this Act;

(5) assist the Secretary in carrying out the requirements of sections 8 and 10;

(6) facilitate communication, cohesiveness, and efficient operations for the benefit of Partnerships and the Board;

(7) facilitate, with assistance from the Director, the Assistant Administrator, and the President of the Association of Fish and Wildlife Agencies, the consideration of fish habitat conservation projects by the Board;

(8) provide support to the Director regarding the development and implementation of the interagency operational plan under subsection (c);

(9) coordinate technical and scientific reporting as required by section 11;

(10) facilitate the efficient use of resources and activities of Federal departments and agencies to carry out this Act in an efficient manner; and

(11) provide support to the Board for national communication and outreach efforts that promote public awareness of fish habitat conservation.

(c) INTERAGENCY OPERATIONAL PLAN.—Not later than 1 year after the date of enactment of this Act, and every 5 years thereafter, the Director, in cooperation with the Assistant Administrator and the heads of other appropriate Federal departments and agencies, shall develop an interagency operational plan for the National Fish Habitat Conservation Partnership Office that describes—

(1) the functional, operational, technical, scientific, and general staff, administrative, and material needs of the Office; and

(2) any interagency agreements between or among Federal departments and agencies to address those needs.

(d) STAFF AND SUPPORT.—

(1) DEPARTMENTS OF INTERIOR AND COMMERCE.—The Director and the Assistant Administrator shall each provide appropriate staff to support the National Fish Habitat Conservation Partnership Office, subject to the availability of funds under section 15.

(2) STATES AND INDIAN TRIBES.—Each State and Indian tribe is encouraged to provide staff to support the National Fish Habitat Conservation Partnership Office.

(3) DETAILEES AND CONTRACTORS.—The National Fish Habitat Conservation Partnership Office may accept staff or other administrative support from other entities—

(A) through interagency details; or

(B) as contractors.

(4) QUALIFICATIONS.—The staff of the National Fish Habitat Conservation Partnership Office shall include members with education and experience relating to the principles of fish, wildlife, and aquatic habitat conservation.

(5) WAIVER OF REQUIREMENT.—The Secretary may waive all or part of the non-Federal contribution requirement under section 6(e)(1) if the Secretary determines that—

(A) no reasonable means are available through which the affected applicant can meet the requirement; and

(B) the probable benefit of the relevant fish habitat conservation project outweighs the public interest in meeting the requirement.

(e) REPORTS.—Not less frequently than once each year, the Director shall provide to the Board a report describing the activities of the National Fish Habitat Conservation Partnership Office.

**SEC. 8. TECHNICAL AND SCIENTIFIC ASSISTANCE.**

(a) IN GENERAL.—The Director, the Assistant Administrator, and the Director of the United States Geological Survey, in coordination with the Forest Service and other appropriate Federal departments and agencies, shall provide scientific and technical assistance to the Partnerships, participants in fish habitat conservation projects, and the Board.

(b) INCLUSIONS.—Scientific and technical assistance provided pursuant to subsection (a) may include—

(1) providing technical and scientific assistance to States, Indian tribes, regions, local communities, and nongovernmental organizations in the development and implementation of Partnerships;

(2) providing technical and scientific assistance to Partnerships for habitat assessment, strategic planning, and prioritization;

(3) supporting the development and implementation of fish habitat conservation projects that are identified as high priorities by Partnerships and the Board;

(4) supporting and providing recommendations regarding the development of science-based monitoring and assessment approaches for implementation through Partnerships;

(5) supporting and providing recommendations for a national fish habitat assessment; and

(6) ensuring the availability of experts to conduct scientifically based evaluation and reporting of the results of fish habitat conservation projects.

**SEC. 9. CONSERVATION OF AQUATIC HABITAT FOR FISH AND OTHER AQUATIC ORGANISMS ON FEDERAL LAND.**

To the extent consistent with the mission and authority of the applicable department or agency, the head of each Federal department and agency responsible for acquiring, managing, or disposing of Federal land or water shall cooperate with the Assistant Administrator and the Director to conserve the aquatic habitats for fish and other aquatic organisms within the land and water of the department or agency.

**SEC. 10. COORDINATION WITH STATES AND INDIAN TRIBES.**

The Secretary shall provide a notice to, and coordinate with, the appropriate State agency or tribal agency, as applicable, of each State and Indian tribe within the boundaries of which an activity is planned to be carried out pursuant to this Act by not later than 30 days before the date on which the activity is implemented.

**SEC. 11. ACCOUNTABILITY AND REPORTING.**

(a) IMPLEMENTATION REPORTS.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter, the Board shall submit to the appropriate congressional committees a report describing the implementation of—

(A) this Act; and

(B) the National Fish Habitat Action Plan.

(2) CONTENTS.—Each report submitted under paragraph (1) shall include—

(A) an estimate of the number of acres, stream miles, or acre-feet (or other suitable measure) of aquatic habitat that was protected, restored, or enhanced under the National Fish Habitat Action Plan by Federal, State, or local governments, Indian tribes, or other entities in the United States during the 2-year period ending on the date of submission of the report;

(B) a description of the public access to aquatic habitats protected, restored, or established under the National Fish Habitat Action Plan during that 2-year period;

(C) a description of the opportunities for public fishing established under the National Fish Habitat Action Plan during that period; and

(D) an assessment of the status of fish habitat conservation projects carried out with funds provided under this Act during that period, disaggregated by year, including—

(i) a description of the fish habitat conservation projects recommended by the Board under section 6(b);

(ii) a description of each fish habitat conservation project approved by the Secretary under section 6(f), in order of priority for funding;

(iii) a justification for—

(I) the approval of each fish habitat conservation project; and

(II) the order of priority for funding of each fish habitat conservation project;

(iv) a justification for any rejection or reordering of the priority of each fish habitat conservation project recommended by the Board under section 6(b) that was based on a factor other than the criteria described in section 6(c); and

(v) an accounting of expenditures by Federal, State, or local governments, Indian tribes, or other entities to carry out fish habitat conservation projects.

(b) STATUS AND TRENDS REPORT.—Not later than December 31, 2012, and every 5 years thereafter, the Board shall submit to the appropriate congressional committees a report describing the status of aquatic habitats in the United States.

(c) REVISIONS.—Not later than December 31, 2013, and every 5 years thereafter, the Board shall revise the goals and other elements of the National Fish Habitat Action Plan, after consideration of each report required by subsection (b).

**SEC. 12. REGULATIONS.**

The Secretary may promulgate such regulations as the Secretary determines to be necessary to carry out this Act.

**SEC. 13. EFFECT OF ACT.**

(a) WATER RIGHTS.—Nothing in this Act—

(1) establishes any express or implied reserved water right in the United States for any purpose;

(2) affects any water right in existence on the date of enactment of this Act;

(3) preempts or affects any State water law or interstate compact governing water; or

(4) affects any Federal or State law in existence on the date of enactment of the Act regarding water quality or water quantity.

(b) STATE AUTHORITY.—Nothing in this Act—

(1) affects the authority, jurisdiction, or responsibility of a State to manage, control, or regulate fish and wildlife under the laws and regulations of the State; or

(2) authorizes the Secretary to control or regulate within a State the fishing or hunting of fish and wildlife.

(c) EFFECT ON INDIAN TRIBES.—Nothing in this Act abrogates, abridges, affects, modifies, supersedes, or alters any right of an Indian tribe recognized by treaty or any other means, including—

(1) an agreement between the Indian tribe and the United States;

(2) Federal law (including regulations);

(3) an Executive order; or

(4) a judicial decree.

(d) ADJUDICATION OF WATER RIGHTS.—Nothing in this Act diminishes or affects the ability of the Secretary to join an adjudication of rights to the use of water pursuant to subsection (a), (b), or (c) of section 208 of the Department of Justice Appropriation Act, 1953 (43 U.S.C. 666).

(e) EFFECT ON OTHER AUTHORITIES.—

(1) ACQUISITION OF LAND AND WATER.—Nothing in this Act alters or otherwise affects the authorities, responsibilities, obligations, or powers of the Secretary to acquire land, water, or an interest in land or water under any other provision of law.

(2) PRIVATE PROPERTY PROTECTION.—Nothing in this Act permits the use of funds made available to carry out this Act to acquire real property or a real property interest without the written consent of each owner of the real property or real property interest.

(3) MITIGATION.—Nothing in this Act permits the use of funds made available to carry

out this Act for fish and wildlife mitigation purposes under—

(A) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(B) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(C) the Water Resources Development Act of 1986 (Public Law 99–662; 100 Stat. 4082); or

(D) any other Federal law or court settlement.

**SEC. 14. NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.**

The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to—

(1) the Board; or

(2) any Partnership.

**SEC. 15. FUNDING.**

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) FISH HABITAT CONSERVATION PROJECTS.—There is authorized to be appropriated to the Secretary $7,200,000 for each of fiscal years 2012 through 2016 to provide funds for fish habitat conservation projects approved under section 6(f), of which 5 percent shall be made available for each fiscal year for projects carried out by Indian tribes.

(2) NATIONAL FISH HABITAT CONSERVATION PARTNERSHIP OFFICE.—

(A) IN GENERAL.—There is authorized to be appropriated to the Secretary for each of fiscal years 2012 through 2016 for the National Fish Habitat Conservation Partnership Office, and to carry out section 11, an amount equal to 5 percent of the amount appropriated for the applicable fiscal year pursuant to paragraph (1).

(B) REQUIRED TRANSFERS.—The Secretary shall annually transfer to other Federal departments and agencies such percentage of the amounts made available pursuant to subparagraph (A) as is required to support participation by those departments and agencies in the National Fish Habitat Conservation Partnership Office pursuant to the interagency operational plan under section 7(c).

(3) TECHNICAL AND SCIENTIFIC ASSISTANCE.—There are authorized to be appropriated for each of fiscal years 2012 through 2016 to carry out, and provide technical and scientific assistance under, section 8—

(A) $500,000 to the Secretary for use by the United States Fish and Wildlife Service;

(B) $500,000 to the Assistant Administrator for use by the National Oceanic and Atmospheric Administration; and

(C) $500,000 to the Secretary for use by the United States Geological Survey.

(4) PLANNING AND ADMINISTRATIVE EXPENSES.—There is authorized to be appropriated to the Secretary for each of fiscal years 2012 through 2016 for use by the Board, the Director, and the Assistant Administrator for planning and administrative expenses an amount equal to 3 percent of the amount appropriated for the applicable fiscal year pursuant to paragraph (1).

(b) AGREEMENTS AND GRANTS.—The Secretary may—

(1) on the recommendation of the Board, and notwithstanding sections 6304 and 6305 of title 31, United States Code, and the Federal Financial Assistance Management Improvement Act of 1999 (31 U.S.C. 6101 note; Public Law 106–107), enter into a grant agreement, cooperative agreement, or contract with a Partnership or other entity for a fish habitat conservation project or restoration or enhancement project;

(2) apply for, accept, and use a grant from any individual or entity to carry out the purposes of this Act; and

(3) make funds available to any Federal department or agency for use by that department or agency to provide grants for any fish habitat protection project, restoration project, or enhancement project that the Secretary determines to be consistent with this Act.

(c) DONATIONS.—

(1) IN GENERAL.—The Secretary may—

(A) enter into an agreement with any organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that is exempt from taxation under section 501(a) of that Code to solicit private donations to carry out the purposes of this Act; and

(B) accept donations of funds, property, and services to carry out the purposes of this Act.

(2) TREATMENT.—A donation accepted under this section—

(A) shall be considered to be a gift or bequest to, or otherwise for the use of, the United States; and

(B) may be—

(i) used directly by the Secretary; or

(ii) provided to another Federal department or agency through an interagency agreement.

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By Mr. LEAHY (for himself, Mr. LEVIN, Mr. AKAKA, and Mr. DURBIN):

S. 1202. A bill to amend the Immigration and Nationality Act to reaffirm the United States' historic commitment to protecting refugees who are fleeing persecution or torture; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today, I am pleased to introduce the Refugee Protection Act. This bill, which is cosponsored by Senators LEVIN, AKAKA, and DURBIN, will reaffirm the commitments our Nation made in ratifying the 1951 Refugee Convention, and help to restore the United States as a global leader on human rights. This bill would repeal the most harsh and unnecessary elements of current law, and restore the United States to its rightful role as a safe and welcoming home for those suffering from persecution around the world.

During this challenging economic time, it can be tempting to look inward rather than to fulfill our global humanitarian commitments. However, this bill is necessary now more than ever. Millions of refugees remain displaced and warehoused in refugee camps in Eastern Africa, Southeast Asia, and other parts of the world. The ''Arab Spring'' is helping to move governments of the Middle East toward democracy, but some governments have responded to peaceful demonstrations with violence. We will continue to see genuine refugees who are in need of protection. I was pleased to be able to protect funding for refugee assistance and resettlement programs in the fiscal year 2011 appropriations continuing resolution, when many other programs were cut.

In my home state of Vermont, I have seen how the admission of refugees and asylum seekers has revitalized and enriched communities, resulting in the creation of new businesses, safer neighborhoods, and stronger schools. Since Senator Ted Kennedy authored the 1980 Refugee Act, more than 2.6 million refugees and asylum seekers have been granted protection in the United States. And since 1989, almost 5,600 refugees have been resettled in Vermont. We are fortunate to have the Vermont Refugee Resettlement Program, with its decades of experience and award-wining volunteer program, leading this effort. Over the last five years, many of these new Vermonters have come from Bhutan, Burma, and the Congo. Their culture is enriching my historically Anglo Saxon and French Canadian state.

Once resettled, these refugees have become nursing assistants, soccer coaches, and small business owners. In Burlington's Old North End, there are two thriving halal markets, side by side. The Nadia International Halal Market is run by an Iraqi refugee. Next door is the Banadir Market, run by a Somali Bantu refugee. Vermonters enjoy these new additions to the culture, and these thriving small businesses create local jobs in a historically disadvantaged neighborhood.

Equally important are the family- and community-based values of these new Vermonters. The Burlington Chief of Police has commented that refugees have reduced crime in some historically troubled areas, creating more family oriented neighborhoods.

Vermonters have played a tremendous role in welcoming refugees and asylees to their communities. Many have hosted refugee families in their homes until suitable housing could be found. The Ohavi Zedek Synagogue has made an effort to help all refugee families, regardless of their faith. The synagogue offers free English language classes so that refugees can improve their English skills. In this year's Passover service, refugees were encouraged to share their own personal tales of exodus.

The synagogue also runs a thrift shop where refugees who have been in the country for less than a year are allowed to take whatever they need without charge. Yet, a refugee from Bhutan has offered to help make physical improvements to the building's foundation, a testament to his desire to give back to the communities that have helped refugees build new lives. Many other places of worships have also reached out to these new Vermonters.

The Association for Africans Living in Vermont, AALV, which now assists any refugee in Vermont regardless of the country of origin, helps refugees access social services, organizes community cultural events, and provides cross-cultural training to Vermont service providers. The organization offers workforce development programs to ensure refugees can find meaningful work that sustains their families. The AALV New Farms for New Americans program enables refugees, many of whom farmed in their home countries, to learn to grow crops well suited to the Vermont climate. This program can connect such refugees to their heritage, and invites them to become part of Vermont's longstanding and vibrant agricultural tradition.

In cooperation with Vermont Adult Learning, AALV offers the Personal

Care Assistant Workforce Training Program, which trains refugees to serve as personal care assistants, the first level of service in the nursing profession. Graduates are able to pursue additional training as a licensed nursing assistant.

Vermont's resettlement program and the community support are not without their challenges. We experience many of the same hurdles faced by resettlement efforts and receiving communities across the Nation. The Refugee Protection Act of 2011 includes provisions that will help the nationwide resettlement effort operate more effectively. I want to acknowledge the leadership of Senator LUGAR who has investigated the resettlement program and called for a GAO study to obtain recommendations for improvement. I also appreciate the efforts of Representative GARY PETERS of Michigan, who introduced a resettlement bill in the House of Representatives to improve communication among all stakeholders.

In addition to support and improvement of the resettlement program, this bill addresses several areas of domestic asylum adjudication that are in need of significant reform. This bill would repeal the one-year filing deadline for asylum seekers, removing an unnecessary barrier to protection. The bill would allow arriving aliens and minors to seek asylum first before the Asylum Office rather than referring those cases immediately to immigration court. The Asylum Office is well trained to screen for fraud and able to handle a slight increase in its caseload. Meanwhile, as we learned in a May 18, 2011, hearing before the Judiciary Committee, the immigration courts are overburdened, under-resourced, and facing steady increases in their caseloads.

The Refugee Protection Act ensures that persons who were victims of terrorism or persecution by terrorist groups will not be doubly victimized with a denial of protection in the United States. Vermont Immigration and Asylum Advocates, a legal aid and torture treatment provider, continues to see cases where persons granted asylum are later blocked from bringing their families to the United States or applying for permanent residency by overly broad definitions in current law. This bill would help such persons prove their cases without taking any shortcuts on national security. The bill also gives the President the authority to designate certain groups of particularly vulnerable groups for expedited consideration. All refugees would still have to complete security and background checks prior to entry to the United States.

Finally, the bill addresses the need to treat genuine asylum seekers as persons in need of protection, not as criminals. It calls for asylum seekers who can prove their identity and who pose no threat to the United States to be released from immigration detention. Vermont Immigration and Asylum Advocates, like other legal aid providers across the Nation, struggle to visit detention facilities located at a distance from urban centers, or to reach clients who have been transferred to far away locations. I appreciate efforts made by the Obama administration to parole eligible asylum seekers and to improve the conditions of detention overall, but more must be done. The Refugee Protection Act will improve access to counsel so that asylum seekers with genuine claims can gain legal assistance in presenting their claims. It will require the Government to codify detention standards so that reforms are meaningful and enforceable.

There is no question that the United States is a leader among nations in refugee protection, but we can do better. The refugees we welcome to our shores contribute to the fabric of our Nation, and enrich the communities where they settle. I urge all Senators to support the Refugee Protection Act of 2011.

Mr. President, I ask unanimous consent that a section by section analysis and a list of support organizations be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE LEAHY-LEVIN-AKAKA-DURBIN REFUGEE PROTECTION ACT OF 2011

SECTIONAL ANALYSIS

The Refugee Act of 1980 was a landmark piece of legislation that sought to fulfill the United States' obligations under the 1951 Refugee Convention. Unfortunately, in the intervening years, U.S. law has fallen short of those obligations. Last year, on the thirtieth anniversary of the Refugee Act of 1980, Senator Leahy, introduced the Refugee Protection Act of 2010 (S. 3113, 111th Congress), a comprehensive package of improvements to our law. On June 15, 2011, Senator Leahy, along with Senators Levin, Akaka, and Durbin, introduced a new version of the bill for the 112th Congress. The Refugee Protection Act of 2011 will ensure that refugees and asylum seekers with bona fide claims are protected by the United States, restoring the United States as a beacon of hope for those who suffer from persecution.

*Sec. 1. Short Title.*

The short title is the Refugee Protection Act of 2011.

*Sec. 2. Definitions.*

This section defines the terms ''asylum seeker'' and ''Secretary of Homeland Security.''

*Sec. 3. Elimination of Time Limits on Asylum Applications.*

This section eliminates the one-year time limit for filing an asylum claim. The stated intent of Congress in 1996 in enacting the one-year deadline was to prevent fraud, not to deprive bona fide applicants from securing protection under our laws. Yet, even in 1996, problems related to fraud had been resolved through administrative reform implemented by the Immigration & Naturalization Service, which opposed the implementation of an application deadline. Since the one-year deadline was enacted, and despite exceptions available in the law for extraordinary or changed circumstances that may prevent the timely filing of an application, many asylum seekers with genuine claims have been denied protection. The exceptions to the one-year deadline are not uniformly applied to applicants, leading to unfair treatment of those who have legitimate reasons for applying after the one-year deadline. Moreover, a significant number of applicants have subsequently met the higher standard for withholding of removal, demonstrating that their claims were valid. This section allows such an asylum seeker to reopen his asylum claim if he is still in the United States, has not subsequently been awarded lawful permanent residence status, is not subject to a bar to asylum, and should not be denied asylum as a matter of discretion.

*Sec. 4. Protecting Victims of Terrorism from Being Defined as Terrorists.*

Under current law, any asylum seeker or refugee who is individually culpable of engaging in terrorist conduct, or direct support for it, is barred under prohibitions to entry for a threat to national security, serious non-political crime, persecution of others, or engaging in terrorist activity. Changes in the law since September 11, 2001, have resulted in innocent activity, or coerced actions, being labeled as ''material support'' for terrorism, a determination that can render genuine refugees ineligible for protection in the United States. This section would amend the law to ensure that asylum seekers and refugees are not barred from admission to the United States under an overly broad definition of ''terrorist organization'' in the Immigration and Nationality Act (INA).

This section would define the term ''material support'' to mean support that is significant and of a kind directly relevant to terrorist activity. This section also gives the Secretary of Homeland Security discretion to waive application of the terrorism bars for certain applicants.

This section clarifies that those who committed certain acts (such as military-type training, solicitation, or other non-violent actions) under duress may not be deemed inadmissible if they pose no threat to the United States. It gives the Secretary discretion to consider the age of the applicant at the time the acts were committed in determining whether those acts were committed under duress.

This section also creates an exception for those who were forced to recruit child soldiers under duress, or who engaged in such recruitment under the age of 18. Finally, this section would repeal an unduly harsh provision in current law that makes spouses and children inadmissible for the acts of a spouse or parent.

All applicants for asylum or refugee status must meet all of the other traditional background and security checks.

*Sec. 5. Protecting Certain Vulnerable Groups of Asylum Seekers.*

To be eligible for asylum under the Refugee Convention and domestic law, an applicant must show that he or she has experienced persecution or have a well-founded fear of future persecution on account of race, religion, nationality, political opinion, or membership in a particular social group. This section makes several modifications to current law to ensure that particularly vulnerable groups of asylum seekers have a full and fair opportunity to seek protection in the United States.

Subsection (a) codifies the holding of the landmark Board of Immigration Appeals (BIA) decision in Matter of Acosta, 19 I. & N. Dec. 211 (BIA 1985). That holding defined the basis of persecution based on membership in a ''particular social group'' as one comprised of individuals who share a common characteristic they either cannot change, or should not be required to change because the

characteristic is fundamental to their identity or conscience. The Acosta precedent has been clouded in recent years by BIA opinions that require asylum applicants to prove additional factors, some of which are unnecessary or contrary to the spirit of domestic law and the Refugee Convention. Most damaging is a requirement that the social group in question be ''socially visible,'' a factor that could endanger certain categories of refugees, such as victims of gender persecution or LGBT asylum seekers. These are groups that, as Judge Posner of the Seventh Circuit Court of Appeals described, are at great pains to remain socially invisible. This subsection codifies the definition of social group in Matter of Acosta such that inappropriate, additional factors such as social visibility cannot be required by the BIA.

Subsection (b) makes additional changes to current law. Paragraph (1): United States law has long recognized that persecutors may have mixed motives for harming their victims. For example, a militia that operates outside government control may persecute a particular race of persons because of xenophobia and also because it seeks to deprive the persecuted race of valuable land and property. The fact that the persecutor is motivated by two intertwined goals should not prevent the victims from obtaining protection. Nonetheless, the REAL ID Act of 2005 raised the burden of proof that asylum seekers must meet in order to show that they fear persecution on account of one of the five grounds enumerated in the Refugee Convention and in U.S. law. (The five grounds are race, religion, nationality, membership in a particular social group, or political opinion.) The REAL ID Act requires that the asylum seeker demonstrate that harm on account of a protected ground is ''at least one central reason'' for the feared persecution. See INA §208(b)(1)(B)(i). The ''one central reason'' language is modified in this section, which does not fully repeal the notion of persecutor intent but applies it in a manner that is both realistic and fair. This paragraph strikes the language that requires the protected ground (e.g., race) to be one central reason for the persecution and requires instead that the protected ground ''was or will be a factor in the applicant's persecution or fear of persecution.''

Paragraph (2): The REAL ID Act of 2005 added requirements to the INA with regard to an asylum seeker's duty to provide corroborating evidence when it is requested by an immigration judge. The REAL ID Act stated that ''such evidence must be provided unless the applicant does not have the evidence and cannot reasonably obtain the evidence.'' Corroborating evidence can be an important component of an asylum claim, but asylum seekers must have a fair opportunity to respond to requests for corroboration. In addition, as courts have noted, it is sometimes virtually impossible for asylum seekers to obtain certain types of corroborating evidence. Therefore, this paragraph requires that when the trier of fact seeks corroborating evidence, the trier of fact must provide notice and allow the asylum applicant a reasonable opportunity to file such evidence unless the applicant does not have the evidence and cannot reasonably obtain the evidence.

Paragraph (3) renumbers text in the statute.

Paragraph (4): As noted above, an asylum seeker must show that his or her well-founded fear of persecution is on account of one of the five grounds of asylum. This link is often called the nexus requirement. Some genuine asylum seekers have been denied asylum because of a lack of clear guidance on how the nexus requirement may be established when the persecutor is a non-state actor. The Department of Justice issued draft regulations in 2000 that made clear that an asylum seeker can demonstrate nexus through either ''direct or circumstantial'' evidence. This draft regulation was consistent with the U.S. Supreme Court's decision in INS v. Elias-Zacarias, 502 U.S. 478, 483 (1992). This paragraph would codify the draft regulation by making clear that either direct or circumstantial evidence may establish that persecution is on account of one of the five grounds.

Paragraph (5): The REAL ID Act also modified the INA with regard to factors that an immigration judge may consider in determining the asylum seeker's credibility. In short, the REAL ID gave heightened importance to inconsistencies in an asylum seeker's claim, even if those inconsistencies were minor or immaterial to the heart of the claim. In practice, an asylum seeker with limited English skills, with post-traumatic stress disorder, or with other conditions, may make simple, minor errors in the telling and retelling of their story. This paragraph modifies the INA to state that if the immigration judge determines that there are inconsistencies or omissions in the claim, the asylum seeker should be given an opportunity to explain and to provide support or evidence to clarify such inconsistencies or omissions. Subsection (c) makes identical corrections to the corroboration and credibility determinations for removal proceedings that are described in paragraphs (2) and (5) above.

*Sec. 6. Effective Adjudication of Proceedings.*

This section authorizes the Attorney General to appoint counsel to an alien in removal proceedings where fair resolution or effective adjudication of the case would be served by doing so. In certain cases, such as those involving highly complex asylum claims, unaccompanied minors, mentally impaired persons, or individuals who are incapable of pro se representation, delays in adjudication may result while an alien prepares a case or searches for pro bono representation. The immigration courts will operate more efficiently (with savings to taxpayers) if the Attorney General is provided explicit authority to exercise discretion to appoint counsel in certain instances, such as those described above.

*Sec. 7. Scope and Standard for Review.*

This section prevents the removal of an alien during the 30-day period an alien has to file a petition for review to a Federal Circuit Court of Appeals after the alien has been ordered removed. Staying the removal during this period will enable an applicant to carefully consider whether to file an appeal rather than rush to file in order to preserve his or her rights. In weak cases, the alien will likely decline to appeal, and deport voluntarily or via government removal. This section also restores judicial review to a fair and reasonable standard consistent with principles of administrative law. The standard in this section is that the Court of Appeals shall sustain a final decision ordering the removal of an alien unless that decision is contrary to law, an abuse of discretion, or not supported by substantial evidence. The decision must be based on the administrative record on which the order of removal is based.

*Sec. 8. Efficient Asylum Determination Process for Arriving Aliens.*

Under current law, an alien who requests asylum as they attempt to enter the United States (an ''arriving alien'') is subject to detention for part or all of the time that they await an asylum hearing. Such asylum seekers are provided an initial interview with an asylum officer to determine whether they have a credible fear of persecution, but then must pursue their asylum case in immigration court, rather than in a non-adversarial proceeding. Generally speaking, the adversarial immigration hearing is considerably lengthier and costlier than a non-adversarial asylum hearing. Under this section, the DHS asylum office would be given jurisdiction over an asylum case after a positive credible fear determination. The alien would then undergo a non-adversarial asylum interview. If the asylum officer is unable to recommend a grant of asylum, the case will be referred to an immigration judge and the asylum seeker placed in removal proceedings. This structure mirrors the current process for asylum seekers who apply for asylum from within the United States.

*Sec. 9. Secure Alternatives Program.*

This section requires the Secretary of Homeland Security to establish a secure ''alternatives to detention'' program. The program will allow certain aliens in civil immigration custody to be released under enhanced supervision to prevent the alien from absconding and to ensure that the alien makes all required appearances associated with his or her immigration case. The program is to be designed as a continuum of alternatives based on the alien's need for supervision, which may include placement of the alien with an individual or organizational sponsor, or in a supervised group home. The program shall restrict the use of ankle monitoring devices to cases in which there is a demonstrated need for enhanced monitoring, and the use of ankle monitors shall be reviewed periodically. The program shall be designed to include individualized case management and referrals to community based organizations. In designing the program, the Secretary is instructed to consider prior successful programs, such the Vera Institute of Justice's Appearance Assistance Program.

The Secretary of Homeland Security currently has discretion to detain asylum seekers. This section maintains such discretion but clarifies that, consistent with a DHS policy announced in December 2009, it is the policy of the United States to release (''parole'') asylum seekers who have established a credible fear of persecution. Under this section, asylum seekers who have established identity will be released within 7 days of a positive credible fear determination unless DHS can show that the asylum seeker poses a risk to public safety (which may include a risk to national security) or is a flight risk. If parole is denied, DHS must provide the asylum seeker with written notification for the reason for denial conveyed in a language the asylum seeker claims to understand.

*Sec. 10. Conditions of Detention.*

Regulations regarding conditions for detention shall be promulgated, and must address several issues including access to legal service providers, group legal orientation presentations, translation services, recreational programs and activities, access to law libraries, prompt case notification requirements, access to working telephones, access to religious services, notice of transfers, and access to facilities by nongovernmental organization. This section also limits the use of solitary confinement, shackling, and strip searches. This section requires that, after the date of enactment, facilities first used by ICE to detain alien detainees must be located within 50 miles of a community in which there is a demonstrated capacity to provide free or low-cost legal representation.

*Sec. 11. Timely Notice of Immigration Charges.*

This section requires the Department of Homeland Security to file a charging document with the immigration court closest to

the location at which an alien was apprehended within 48 hours of the alien being taken into custody by the Department. The Department is also required to serve a copy of the charging document on the alien within 48 hours of apprehension. This section will serve multiple purposes. It will prevent asylum seekers and other aliens from languishing in detention at taxpayer expense without being charged. It will encourage efficient handling of cases by both the Department of Homeland Security and the immigration courts, which are operated by the Department of Justice. Finally, it will ensure that if an asylum seeker or other alien is transferred from one detention facility to another, jurisdictional and due process protections will attach.

*Sec. 12. Procedures for Ensuring Accuracy and Verifiability of Sworn Statements Taken Pursuant to Expedited Removal Authority.*

This section modifies current policy to ensure that asylum seekers are not harmed by error in the production of sworn statements taken during the expedited removal process. It requires that the Secretary of Homeland Security establish a procedure whereby the interviews of asylum seekers are recorded. The recording may be a video, audio or other reliable form of recording. The recording must include a written statement, in its entirety, being read back to the alien in a language that the alien claims to understand, and include the alien affirming the accuracy of the statement or making any corrections thereto. If an interpreter is necessary, such interpreter must be competent in the language of the asylum seeker. Once a record is produced and signed by the asylum seeker under these conditions, it may be considered part of the record. The Secretary may exempt facilities from the requirements of this section under certain circumstances.

*Sec. 13. Study on the Effect of Expedited Removal Provisions, Practices, and Procedures on Asylum Claims.*

A 2005 study by the United States Commission on International Religious Freedom (USCIRF) documented widespread problems in the implementation of expedited removal policy by U.S. Customs and Border Protection immigration officers at ports of entry. A few months prior to release of the Study, the Secretary of Homeland Security expanded expedited removal authority from immigration inspectors at Ports of Entry—as applied to arriving aliens without proper documentation—to Border Patrol agents who apprehend an alien within 100 miles of the border within 14 days after an entry without inspection. The 2005 USCIRF Study did not analyze the implementation of expedited removal by the Border Patrol, as USCIRF's data collection had been completed by that point in time. This section authorizes the Commission to conduct a new study to determine whether Border Patrol officers exercising expedited removal authority in the interior of the United States are improperly encouraging aliens to withdraw or retract claims for asylum. The Commission is also authorized to study whether immigration officers incorrectly fail to refer asylum seekers for credible fear interviews by asylum officers; incorrectly remove such aliens to a country where the alien may be persecuted; and/or detain such asylum seekers improperly or in inappropriate conditions.

*Sec. 14. Refugee Opportunity Promotion.*

The immigration statute requires a refugee who is resettled in the United States to remain on U.S. soil for a full year before adjusting to lawful permanent residence. For many, this requirement presents no obstacles, as resettled refugees immediately begin to work, learn English, and contribute to their local communities. Yet, the one-year physical presence requirement poses a significant barrier to resettled refugees who are eager and willing to serve the United States Government overseas. This section waives the continuous presence requirement for any refugee who, during their first year of residence in the United States, accepts employment overseas to aid the United States Government, such as by working as a translator or in another professional capacity.

*Sec. 15. Protections for Minors Seeking Asylum.*

The William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (TVPRA) amended the immigration statute to exempt unaccompanied alien children from the safe third country and one-year filing deadline bars to asylum. This section will amend the statute to expand these TVPRA exemptions to all child applicants for asylum. This section also expands the exemption to the bar to asylum for applicants under 18 years of age who were previously denied asylum. The proposed language also clarifies that unaccompanied alien children who have previously been removed, or who departed voluntarily, should not have their removal orders reinstated, but should instead be placed in removal proceedings. Finally, this section states that all cases of children seeking asylum be adjudicated in the first instance by an asylum officer in a non-adversarial proceeding. These protections, which were provided to unaccompanied minors in the TVPRA, are expanded in the bill to all child asylum seekers.

*Sec. 16. Legal Assistance for Refugees and Asylees.*

The Immigration and Nationality Act authorizes the Secretary of Health and Human Services to make grants to non-profit organizations to assist resettled refugees with mental health counseling, social services, education (including English as a Second Language, or ESL), and other assistance to help refugees assimilate into American communities. This section would authorize the Secretary to make similar grants to assist lawfully resettled refugees with legal advice on applications for immigration benefits to which they may be eligible after residing in the United States for certain periods of time, e.g., family reunification, adjustment of status, or naturalization.

*Sec. 17. Protection of Stateless Persons in the United States.*

This section will enable individuals who are de jure stateless to obtain lawful status in the United States. De jure stateless persons are individuals who are not considered to be citizens under the laws of any country. They do not have a nationality and therefore cannot be returned anywhere. (These individuals are not rendered stateless by any negative action of their own, such the commission of crimes that leads the country of origin to deny return, but generally by forces beyond their control, such as the collapse of the country of origin (e.g. the Soviet Union) and the succession of a state or states that will not recognize certain former nationals.) De jure stateless persons are ineligible for lawfully recognized status in the United States based on the fact that they are stateless. This section would make such persons eligible to apply for conditional lawful status if they are not inadmissible under criminal or security grounds and if they pass all standard background checks. After five years in conditional status, de jure stateless persons would be eligible to apply for lawful permanent status.

*Sec. 18. Authority to Designate Certain Groups of Refugees for Consideration.*

This section authorizes the President to designate certain groups as eligible for expedited adjudication as refugees. The authority would address situations in which a group is targeted for persecution in their country of origin or country of first asylum. The designation by the President would be sufficient, if proved to the satisfaction of the Secretary of Homeland Security, to establish a well-founded fear of persecution for members of the designated group. However, each individual applicant would still have to be admissible to the United States and pass security and background checks before being admitted. Refugees admitted under this authority would not be exempt from the annual limit on refugee admissions. This section simply enables the President to call for expedited adjudication where necessary and appropriate. This section explicitly includes groups previously protected under the Lautenberg Amendment, which include, among others, Jews and Evangelical Christians from the former Soviet Union, and religious minorities from Iran.

*Sec. 19. Multiple Forms of Relief.*

This section simply allows individuals applying for refugee protection to simultaneously apply for other forms of admission to the United States, such as through a family-based petition. All applicants for admission must pass security and background checks. This modification to current law would not allow would-be refugees from gaming the system, but simply enable them to escape harm or persecution at the first opportunity a visa becomes available. This section also allows the very small number of asylum applicants who win the opportunity to apply for a green card through the diversity lottery the ability to apply for that diversity visa from within the United States. Typically, diversity visa applicants must apply from their home country, a requirement that would subject a genuine asylum seeker to risk of harm.

*Sec. 20. Protection of Refugee Families.*

This modification to current law would enable the spouse or child of a refugee (a ''derivative'') to bring their children to the United States when they accompany or follow to join the spouse or parent who was originally awarded refugee status (a ''principal''). Current law does not allow a derivative's child to be admitted as a refugee, yet given the long waits and often unsafe conditions that many derivative applicants and their children face in camps overseas, the United States should provide this group protection. This section also aids children who were orphaned or abandoned by their blood relatives and are living in the care of extended family, friends, or neighbors who are granted admission to the United States as refugees or asylees. Where it is in the best interest of such a child to join that refugee or asylee in the United States, this section creates a mechanism whereby they may be admitted. This section also repeals an unnecessary time limit in regulations on the filing of family petitions related to refugee and asylee family reunification. Finally, to facilitate the admission of eligible family members, this section requires that U.S. Citizenship and Immigration Services adjudicate family reunification petitions for those following to join refugees and asylees within 90 days of filing.

*Sec. 21. Reform of Refugee Consultation Process.*

Each year, the executive branch is charged with consulting with Congress over the annual allocation of refugees to be admitted to the United States. This section requires meaningful consultation to take place between Cabinet-level officers and the committees of jurisdiction of the Congress by May 1 of each year.

*Sec. 22. Admission of Refugees in the Absence of the Annual Presidential Determination.*

This section states that for a fiscal year in which the executive branch does not determine the allocation of refugees for that year, the admission of refugees is not delayed. Rather, until a determination is announced for the new fiscal year, in each quarter of the new fiscal year, the number of refugees equal to one-quarter for the prior fiscal year's allocation may be admitted.

*Sec. 23. Update of Reception and Placement Grants.*

When a refugee is resettled in the United States, the federal government assists him or her through Reception and Placement Grants to non-governmental organizations (NGOs) that help refugees find housing, place their children in school, enroll in ESL classes, and take other initial steps toward building a new life in the United States. Early in 2010, the administration increased the per capita grant level to $1800 per refugee, up to $1100 of which may be awarded directly to the refugee for immediate costs, and up to $700 of which is used by the NGO to cover the cost of dedicated staff and expenses. Prior to 2010, the per capita level had not kept pace with inflation. For years it was set at a level so low that refugees were effectively consigned to poverty upon arrival in the United States, and NGOs were only able to offset the cost of basic support services to the refugees by raising additional funds. To ensure that the per capita amount does not fall behind the minimum level required for basic needs, this section requires the per capita amount to be adjusted on an annual basis for inflation and the cost of living. It also calls for better forecasting of financial needs with regard to the number of refugees expected to be resettled each year and allows for additional amounts to be paid out in the event that a higher than anticipated number of refugees is admitted in a fiscal year.

*Sec. 24. Protection for Aliens Interdicted at Sea.*

The U.S. government should apply one standard, consistent with the Refugee Convention, to all asylum seekers interdicted at sea, regardless of their nationality. Yet a patchwork of policies has evolved over the past two decades often in response to mass migrations at sea. The result is disparate treatment of Cubans, Chinese and Haitians. This section will require the Secretary of Homeland Security to develop uniform policies to identify asylum seekers among those interdicted at sea and to treat those individuals fairly and in a non-discriminatory manner.

*Sec. 25. Modification of Physical Presence Requirements for Aliens Serving as Translators.*

Under current law, in order to be naturalized, most non-U.S. citizens must have continuous residence in the United States for five years and physical presence for periods totaling half that time (2½ years). This section would permit absence from the United States while serving as a translator for the U.S. government in Iraq or Afghanistan to count toward the 2½ years physical presence required for naturalization.

*Sec. 26. Assessment of the Refugee Domestic Resettlement Program.*

This section directs GAO to conduct a study on the effectiveness of the domestic refugee resettlement program operated by the Office of Refugee Resettlement (ORR) of the Department of Health and Human Services. The study will analyze issues pertaining to the definition of self sufficiency, the effectiveness of ORR in helping refugees to attain self-sufficiency, the unmet needs of the program, and the role of community-based organizations. The GAO study will issue statutory recommendations.

*Sec. 27. Refugee Assistance.*

This section revises the formula for social services funding allocated to states to include projections of future refugee arrivals, as well as refugee data from prior years. This section requires an annual report on secondary migration and its impact on states.

*Sec. 28. Resettlement Data.*

This section expands and improves data collection and reporting within ORR with regard to the mental health and housing needs of refugees. It will also collect long term employment and self-sufficiency data on resettled refugees.

*Sec. 29. Protections for Refugees.*

Current law makes refugees resettled in the United States eligible to apply for lawful permanent residence after one year. However, current law also suggests that a refugee who does not adjust status after one year may be taken into custody by DHS. (See Section 209 of the INA, 8 U.S.C. 1159). The agency recently issued guidance to clarify interpretation of the law, stating that detention of an unadjusted refugee who is found to be inadmissible or deportable should be determined under the statute relating to apprehension and detention of aliens. (See Section 236 of the INA, 8 U.S.C. 1226.) Accordingly, this section of the bill strikes language in current law that suggests that refugees may be taken into custody simply for remaining unadjusted. This section also allows a refugee to apply for lawful permanent residence up to three months prior to obtaining a year of presence in the United States.

*Sec. 30. Extension of Eligibility Period for Social Security Benefits for Certain Refugees.*

This section extends social security benefits to elderly and disabled refugees who have not yet naturalized. Typically, certain eligible refugees may receive social security for seven years. That period was extended for two years in 2008 by a bipartisan bill supported by President Bush. This section extends the social security funding for one additional year.

*Sec. 31. Authorization of Appropriations.*

This section authorizes such sums as are necessary to carry out the Act.

*Sec. 32. Determination of Budgetary Effects.*

This section contains standardized ''PAYGO'' language.

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THE LEAHY-LEVIN-AKAKA-DURBIN REFUGEE PROTECTION ACT OF 2011

ENDORSEMENTS AS OF JUNE 15, 2011

American Bar Association; American Civil Liberties Union; American Humanist Association; American Immigration Lawyers Association; American Jewish Committee; Amnesty International USA; Association of Africans Living in Vermont; Asylum Access; Center for American Progress Action Fund; Center for Gender & Refugee Studies; Center for Victims of Torture; CenterLink: The Community of LGBT Centers; Church World Service, Immigration and Refugee Program; The Episcopal Church; Family Equality Council; Golden Door Coalition of Illinois; Hebrew Immigrant Aid Society; Hebrew Immigrant Aid Society Chicago; Heartland Alliance for Human Needs & Human Rights; Human Rights Campaign; Human Rights First; Human Rights Watch; Immigrant Child Advocacy Project at the University of Chicago; Immigration Equality Action Fund; International Rescue Committee; Jewish Child and Family Services (Metropolitan Chicago); Kids in Need of Defense (KIND); Lutheran Immigration and Refugee Service; National Center for Transgender Equality; National Immigrant Justice Center; National Immigration Forum; National Immigration Law Center; National Council of Jewish Women; National Latina Institute for Reproductive Health; Organization for Refuge, Asylum & Migration; PFLAG National (Parents, Families and Friends of Lesbians and Gays); RefugeeOne; Refugee Women's Network, Inc.; Refugees International; State Coordinators of Refugee Resettlement (SCORR); Tahirih Justice Center; United African Organization; U.S. Committee for Refugees and Immigrants; U.S. Conference of Catholic Bishops; Vermont Immigration and Asylum Advocates; Women's Refugee Commission.

The U.S. Commission on International Religious Freedom supports the Refugee Protection Act of 2011.

*Deborah Anker, Clinical Professor of Law and Director, Harvard Immigration and Refugee Clinical Program, Harvard Law School.

*Sabi Ardalan, Lecturer on Law, Harvard Immigration and Refugee Clinical Program.

*Regina Germain, Adjunct Professor of Asylum Law and the Asylum Practicum, University of Denver Sturm College of Law.

*Philip G. Schrag, Delaney Family Professor of Public Interest Law, Georgetown University.

*Shoba Sivaprasad Wadhia, Clinical Professor of Law & Director, Center for Immigrants' Rights, Penn State Dickinson School of Law.

*Title and affiliation listed for informational purposes only.

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By Ms. SNOWE (for herself, Mr. KERRY, Mr. ISAKSON, Ms. KLOBUCHAR, and Mr. INOUYE):

S. 1203. A bill to amend title XVIII of the Social Security Act to provide for the coverage of home infusion therapy under the Medicare Program; to the Committee on Finance.

Ms. SNOWE. Mr. President, today I join my colleague on the Senate Finance Committee, Senator JOHN KERRY of Massachusetts, to introduce the Medicare Home Infusion Coverage Act, which will help us improve care and reduce costs. We are joined by Senator ISAKSON, Senator KLOBUCHAR, and Senator INOUYE, who also recognize the tremendous value offered by home infusion therapy.

Today many serious conditions, including some cancers and drug-resistant infections—requires the use of infusion therapy. Such treatment involves the administration of medication directly into the bloodstream via a needle or catheter. Specialized equipment, supplies, and professional services, such as sterile drug compounding, care coordination, and patient education and monitoring, are part of such therapy. The course of infusion treatment often lasts for several hours per day over a 6-to-8 week period.

The regrettable fact is that Medicare patients requiring infusion therapy must either bear that cost themselves, or endure hospitalization in order to receive coverage. Though Medicare pays for infusion drugs, it does not pay for the services, equipment, and supplies necessary to safely provide infusion therapy in the home. Not surprisingly, even though home infusion therapy may cost as little as $100 a day, too few seniors can afford that cost.

The result is that patients are hospitalized needlessly, driving costs of treatment as much as 10–20 times higher than treatment in the home. These unnecessary hospitalizations are not only wasteful to Medicare, but they may even place the patient at risk of contracting a health care-acquired infection.

Private coverage for home infusion therapy is commonplace. Private plans also recognize that patients benefit from avoiding hospitalization. At home they have familiar, comfortable surroundings, and family conveniently at hand, no small concerns when fighting a serious illness. In fact, according to a June 2010 Government Accountability Office report, ''Health insurers contend that the benefit has been cost-effective, that is, providing infusion therapy at home generally costs less than treatment in other settings. They also contend that the benefit is largely free from inappropriate utilization and problems in quality of care.''

By extending coverage of infusion therapy to the home, we will correct this unintended and unnecessary gap in Medicare coverage. I hope my colleagues will join us in support of this legislation so we may further the goals of improving patient safety and reducing our escalating health care costs.

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By Mr. UDALL of Colorado:

S. 1204. A bill to amend title 10, United States Code, to reform Department of Defense energy policy, and for other purposes; to the Committee on Armed Services.

Mr. UDALL of Colorado. Mr. President, I rise to speak about the Department of Defense Energy Security Act of 2011 or DODESA, that I am introducing today.

This bill takes a number of important steps toward addressing some of our most critical national energy security challenges. It authorizes increased development of alternative fuels and increased usage of hybrid drive systems and electric vehicles. The bill streamlines communication between agencies responsible for energy programs across the DOD, and authorizes DOD to examine where the greatest potential exists for renewable energy programs. And it authorizes DOD to determine how best to incorporate smart grid technology and to work with local communities to develop contingency plans in the event of a power outage caused by cyber attacks or natural disasters.

Simply put, this bill addresses the military's single largest vulnerability: Its dependence on fossil fuel. When you talk about that dependency in theater—you're talking about putting service members' lives at risk. During the wars in Iraq and Afghanistan, thousands of service men and women have been injured and killed each year in attacks on fuel convoys. Osama bin Laden reportedly called those convoys our military's ''umbilical cord.'' In the words of the Chairman of the Joint Chiefs of Staff, Admiral Mike Mullen: ''Saving energy saves lives.'' He said: ''Energy needs to be the first thing we think about before we deploy another soldier, before we build another ship or plane.''

That dependence on oil also costs taxpayers a staggering amount of money. But our military's reliance on vulnerable energy resources is not just on the battlefield. At home, defense facilities rely on a fragile national grid, leaving critical assets vulnerable. The Defense Science Board found in its 2008 report, ''More Fight—Less Fuel'' that, ''critical national security and homeland defense missions are at an unacceptably high risk of extended outage from failure of the grid.''

All told, the military spends $20 billion on energy each year, consuming a whopping 135 million barrels of oil and 30 million megawatt-hours of electricity. It consumes more fuel and electricity each year than most countries.

The Pentagon's energy consumption has serious national security implications, but it also presents opportunities. As the Logistics Management Institute wrote, ''Aggressively developing and applying energy-saving technologies to military applications would potentially do more to solve the most pressing long-term challenges facing DOD and our national security than any other single investment area.''

That is why we have introduced this legislation. I say ''we'' because this bill is the product of a joint effort with Congresswoman GIFFORDS' office. GABBY is a great friend, and we introduced this bill together last Congress. This year, my staff has worked closely with hers on this updated version. This is an issue that is near and dear to GABBY's heart, and I know that she is eager to continue her work on it in the House.

I am very proud of this legislation for a number of reasons.

First and foremost, DODESA will help the Department of Defense cut fuel consumption and long-term costs.

Secondly, it provides authorization that will expand existing renewable energy studies and pilot programs through a Joint Contingency Base Resource Security Project. This project will help the service branches share lessons learned as they study the best ways to incorporate renewable energy sources and fuel reduction initiatives, such as the Marine Corps' outstanding Experimental Forward Operating Base, and the Army's Net Zero Installations.

Third, Colorado is leading the way in this commonsense area of energy security. In particular, I would like to highlight the leadership of Fort Carson, in my home state, which has been chosen as one of two bases to participate in the Army's ''Triple Net Zero'' pilot program. They are truly pioneers in this important work, and I appreciate all of their efforts.

In sum, our legislation will make America more secure, will save taxpayer dollars, and it will save lives. There is no single solution to our energy security challenges. DODESA is not a silver bullet that will solve all of our problems. However, it's part of a silver buckshot solution that will require multiple changes in the way that we do business.

We owe it to our service members and the American people to find ways to use energy smarter and more efficiently, and I believe this bill takes a number of important steps in the right direction.

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. 1204

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

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) SHORT TITLE.—This Act may be cited as the ''Department of Defense Energy Security Act of 2011''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Congressional defense committees defined.
Sec. 3. Sense of Congress on Department of Defense energy savings initiatives.
Sec. 4. Waiver authority.

TITLE I—OPERATIONAL ENERGY SECURITY

Sec. 101. Joint contingency base resource pilot project.
Sec. 102. Research and development activities to incorporate hybrid-drive technology into current and future tactical fleet of military ground vehicles.
Sec. 103. Conversion of Department of Defense fleet of non-tactical motor vehicles to electric and hybrid motor vehicles.
Sec. 104. Ten-year extension of authorized initial term of contracts for storage, handling or distribution of liquid fuels and natural gas.
Sec. 105. Establishment of Department of Defense Joint Task Force for Alternative Fuel Development.

TITLE II—INSTALLATION ENERGY SECURITY

Sec. 201. Funding for Installation Energy Test Bed.
Sec. 202. Funding for energy conservation projects.
Sec. 203. Report on energy-efficiency standards.
Sec. 204. Identification of energy-efficient products for use in construction, repair, or renovation of Department of Defense facilities.
Sec. 205. Core curriculum and certification standards for Department of Defense energy managers.
Sec. 206. Requirement for Department of Defense to capture and track data generated in metering department facilities.
Sec. 207. Establishment of milestones for achieving Department of Defense 2025 renewable energy goal.
Sec. 208. Development of renewable energy sources on military lands.
Sec. 209. Development of renewable energy on military installations.

Sec. 210. Report on cross-agency renewable energy development efforts.
Sec. 211. Elimination of approval requirement for long-term contracts for energy or fuel for military installations.
Sec. 212. Consideration of energy security in developing energy projects on military installations using renewable energy sources.
Sec. 213. Study on installation energy security and societal impacts.

**SEC. 2. CONGRESSIONAL DEFENSE COMMITTEES DEFINED.**

In this Act, the term ''congressional defense committees'' means the Committees on Armed Services and Appropriations of the Senate and the House of Representatives.

**SEC. 3. SENSE OF CONGRESS ON DEPARTMENT OF DEFENSE ENERGY SAVINGS INITIATIVES.**

It is the sense of Congress that—

(1) the Department of Defense should develop, test, field, and maintain operationally-effective technologies that reduce the energy needs of forward-deployed forces;

(2) the Secretary of Defense should ensure the energy security of Department of Defense facilities;

(3) the Assistant Secretary of Defense for Operational Energy Plans and Programs and the Deputy Under Secretary of Defense for Installations and Environment should act in concert to implement strategies and coordinate activities across the services to meet Department-wide and service energy goals, including service initiatives such as the Navy's Great Green Fleet, the Air Force's alternative fuel certification program, the Army's Net Zero installation pilot program, and the Marine Corps experimental forward operating base project; and

(4) in general, the Department of Defense should aggressively pursue opportunities to save energy, reduce energy-related costs, decrease reliance on foreign oil, decrease the energy-related logistics burden for deployed forces, ensure the long-term sustainability of military installations, and strengthen United States energy security.

**SEC. 4. WAIVER AUTHORITY.**

(a) IN GENERAL.—The Secretary of Defense may waive the implementation or operation of a provision of this Act or an amendment made by this Act if the Secretary certifies to Congress that implementation or continued operation of such provision would adversely impact the national security of the United States.

(b) INTELLIGENCE ACTIVITY WAIVER.—The Director of National Intelligence may, in consultation with the Secretary of Defense, exempt an intelligence activity of the United States, and related personnel, resources, and facilities, from a provision of this Act or an amendment made by this Act to the extent the Director and Secretary determine necessary to protect intelligence sources and methods from unauthorized disclosure.

## TITLE I—OPERATIONAL ENERGY SECURITY

**SEC. 101. JOINT CONTINGENCY BASE RESOURCE PILOT PROJECT.**

(a) PILOT PROJECT AUTHORIZED.—

(1) IN GENERAL.—The Secretary of Defense shall, in consultation with the Secretary of Energy, as appropriate, carry out a pilot project to assess the feasibility and advisability of various joint and multi-service mechanisms to decrease energy usage by deployed military units, including by minimizing at forward operating bases the production of waste water, consumption of drinking water, energy, and materials, and reducing impacts on habitat and perimeter security and by maximizing capacity and effectiveness at such bases while promoting operational independence from supply lines and minimizing the resource footprint. The Secretary of Defense shall designate a lead officer for the pilot project.

(2) MECHANISMS TO BE ASSESSED.—The mechanisms assessed under the pilot project shall include new energy and energy-efficiency technologies and such other systems, components, and technologies as the Secretary shall identify for purposes of the pilot project.

(3) UTILIZATION OF SMALL BUSINESS.—In carrying out the pilot project, the Secretary shall, to the extent practicable, seek to work with small businesses through small-scale procurement of systems, components, and technologies described in paragraph (2).

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for fiscal year 2012 $4,000,000 to carry out the pilot project authorized by subsection (a).

**SEC. 102. RESEARCH AND DEVELOPMENT ACTIVITIES TO INCORPORATE HYBRID-DRIVE TECHNOLOGY INTO CURRENT AND FUTURE TACTICAL FLEET OF MILITARY GROUND VEHICLES.**

(a) IDENTIFICATION OF USABLE HYBRID-DRIVE TECHNOLOGY.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretaries of the military departments and the Secretary of Energy, as appropriate, shall submit to Congress a report identifying hybrid-drive technologies suitable for incorporation into the next reset and recap of motor vehicles of the current tactical fleet of the military services. In identifying suitable hybrid-drive technologies, the Secretary shall consider the feasibility and costs and benefits of incorporating a hybrid-drive technology into each type and variant of vehicle, including fuel savings, and the design changes and amount of time required for incorporation.

(b) HYBRID-DRIVE TECHNOLOGY DEFINED.—In this section, the term ''hybrid-drive technology'' means a propulsion system, including the engine and drive train, that draws energy from onboard sources of stored energy that involve—

(1) an internal combustion or heat engine using combustible fuel; and

(2) a rechargeable energy storage system.

**SEC. 103. CONVERSION OF DEPARTMENT OF DEFENSE FLEET OF NON-TACTICAL MOTOR VEHICLES TO ELECTRIC AND HYBRID MOTOR VEHICLES.**

(a) CONVERSION REQUIRED.—

(1) IN GENERAL.—Subchapter II of chapter 173 of title 10, United States Code, is amended by inserting after section 2922c the following new section:

**''§ 2922c-1. Conversion of Department of Defense non-tactical motor vehicle fleet to motor vehicles using electric or hybrid propulsion systems**

''(a) DEADLINE FOR CONVERSION.—Beginning on October 1, 2017, the Secretary of Defense, the Secretary of a military department, or the head of a Defense Agency may not procure non-tactical motor vehicles or buses unless such vehicles use—

''(1) electric propulsion;

''(2) hybrid propulsion; or

''(3) an alternative propulsion system sufficient to make such non-tactical motor vehicles and buses meet or exceed applicable Corporate Average Fuel Economy standards.

''(b) PREFERENCE.—In procuring motor vehicles for use by a military department or defense agency after the date of the enactment of this section, the Secretary concerned or the head of the defense agency shall provide a preference for the procurement of non-tactical motor vehicles with a propulsion system described in paragraph (1), (2), or (3) of subsection (a), including plug-in hybrid systems, if the motor vehicles—

''(1) will meet the requirement or the need for the procurement; and

''(2) are commercially available at a cost reasonably comparable, on the basis of life-cycle cost, to motor vehicles containing only an internal combustion or heat engine using combustible fuel.

''(c) WAIVER AUTHORITY.—The Secretary of Defense may waive the prohibitions under subsection (a) with respect to a class of non-tactical vehicles if the Secretary determines that there is a lack of commercial availability for the class of vehicles or if the acquisition of such vehicles is cost prohibitive.

''(d) HYBRID DEFINED.—In this section, the term 'hybrid', with respect to a motor vehicle, means a motor vehicle that draws propulsion energy from onboard sources of stored energy that are both—

''(1) an internal combustion or heat engine using combustible fuel; and

''(2) a rechargeable energy storage system.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 2922c the following new item:

''2922c-1. Conversion of Department of Defense non-tactical motor vehicle fleet to motor vehicles using electric or hybrid propulsion systems.''.

(b) APPLICABILITY.—The prohibition under section 2922c–1(a) of title 10, United States Code, as added by subsection (a), does not apply to contracts for the procurement of non-tactical vehicles entered into before the date of the enactment of this Act.

**SEC. 104. TEN-YEAR EXTENSION OF AUTHORIZED INITIAL TERM OF CONTRACTS FOR STORAGE, HANDLING OR DISTRIBUTION OF LIQUID FUELS AND NATURAL GAS.**

Section 2922 of title 10, United States Code, is amended—

(1) in subsection (a), by adding at the end the following: ''Contracts for the procurement of liquid fuels, or natural gas entered into pursuant to this section shall comply with the requirements of section 526 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17142).''.

(2) in subsection (b), in the first sentence, by striking ''5 years'' and inserting ''15 years''.

**SEC. 105. ESTABLISHMENT OF DEPARTMENT OF DEFENSE JOINT TASK FORCE FOR ALTERNATIVE FUEL DEVELOPMENT.**

(a) ESTABLISHMENT OF TASK FORCE.—The Assistant Secretary of Defense for Operational Energy, Plans, and Programs shall chair a joint task force for alternative fuel development, consisting of the Secretaries of the military departments, or their designees, the Assistant Secretary for Research and Engineering, and other members determined appropriate. The task force shall—

(1) lead the military departments in the development of alternative fuel;

(2) streamline the current investments of each of the military departments and ensure that such investments account for the requirements of the military departments;

(3) collaborate with and leverage investments made by the Department of Energy and other Federal agencies to advance alternative fuel development;

(4) coordinate proposed alternative fuel investments in accordance with section 138c(e) of title 10, United States Code; and

(5) focus its efforts on fuels that are compliant with the provisions of section 526 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17142).

(b) IMPLEMENTATION.—The Assistant Secretary of Defense for Operational Energy, Plans, and Programs shall prescribe policy

for the task force established pursuant to subsection (a) and certify the budget associated with alternative fuel investments of the Department of Defense.

(c) NOTIFICATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a copy of the policy prescribed under subsection (b).

## TITLE II—INSTALLATION ENERGY SECURITY

### SEC. 201. FUNDING FOR INSTALLATION ENERGY TEST BED.

There is authorized to be appropriated $47,000,000 for each of fiscal years 2012 through 2016 for research, development, test, and evaluation, Defense-wide, for the Installation Energy Test Bed (PE 0603XXXD8Z). As appropriate, all Department of Defense projects funded through this program shall be open and available to the Department of Energy and its commercialization team.

### SEC. 202. FUNDING FOR ENERGY CONSERVATION PROJECTS.

(a) AUTHORIZATION TO OBLIGATE FUNDS.—The Secretary of Defense may obligate, from amounts appropriated for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments) and available to carry out energy conservation projects, $135,000,000 for fiscal year 2012 to carry out energy conservation projects under chapter 173 of title 10, United States Code, to accelerate implementation of the energy performance plan of the Department of Defense and achievement of the energy performance goals established under section 2911 of such title, as amended by this Act.

(b) AUTHORIZATION OF APPROPRIATIONS TO COMPENSATE FOR DEFICIENCY.—There is authorized to be appropriated to the Secretary of Defense for fiscal year 2012 an amount equal to the difference between—

(1) the amount that may be obligated by the Secretary of Defense under subsection (a); and

(2) the amount appropriated for such fiscal year for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments) and available to carry out energy conservation projects.

### SEC. 203. REPORT ON ENERGY-EFFICIENCY STANDARDS.

(a) REPORT REQUIRED.—Not later than January 30, 2013, the Secretary of Defense shall submit to the congressional defense committees a report on the energy-efficiency standards utilized by the Department of Defense for military construction.

(b) CONTENTS OF REPORT.—The report shall include the following:

(1) A cost-benefit analysis, on a life cycle basis, of adopting American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) building standard 189.1 versus 90.1 for sustainable design and development for the construction and renovation of non-temporary buildings and structures for the use of the Department of Defense.

(2) Department of Defense policy prescribing a comprehensive strategy for the development of design and building standards across the Department that include specific energy-efficiency standards and sustainable design attributes for military construction based on the cost-benefit analysis required by paragraph (1), and consistent with the requirement under subsection (c).

(c) ENERGY EFFICIENCY STANDARDS.—The Secretary of Defense shall prescribe Department-wide standards, to be effective no later than January 1, 2014, for the design, construction, and renovation of Department of Defense facilities that mandate energy efficiency standards equivalent, at a minimum, to ASHRAE building standard 189.1.

### SEC. 204. IDENTIFICATION OF ENERGY-EFFICIENT PRODUCTS FOR USE IN CONSTRUCTION, REPAIR, OR RENOVATION OF DEPARTMENT OF DEFENSE FACILITIES.

(a) RESPONSIBILITY OF SECRETARY OF DEFENSE.—Section 2915(e) of title 10, United States Code, is amended by striking paragraph (2) and inserting the following new paragraph:

''(2)(A) Not later than December 31, 2012, the Secretary of Defense shall prescribe a definition of the term 'energy-efficient product' for purposes of this subsection and establish and maintain a list of products satisfying the definition. The definition and list shall be developed in consultation with the Secretary of Energy to ensure, to the maximum extent practicable, consistency with definitions of the term used by other Federal agencies.

''(B) The Secretary shall modify the definition and list of energy-efficient products as necessary, but not less than annually, to account for emerging or changing technologies.

''(C) The list of energy-efficient products shall be included as part of the energy performance master plan developed pursuant to section 2911(b)(2) of this title. The Secretary of Defense shall report any research on topics related to technologies covered in this subsection being funded at national laboratories to the relevant program management offices of the Department of Energy to ensure research agendas are coordinated, where appropriate.''.

(b) CONFORMING AMENDMENT TO ENERGY PERFORMANCE MASTER PLAN.—Section 2911(b)(2) of such title is amended by adding at the end the following new subparagraph:

''(F) The up-to date list of energy-efficient products maintained under section 2915(e)(2) of this title.''.

### SEC. 205. CORE CURRICULUM AND CERTIFICATION STANDARDS FOR DEPARTMENT OF DEFENSE ENERGY MANAGERS.

(a) TRAINING PROGRAM AND ISSUANCE OF GUIDANCE.—

(1) IN GENERAL.—Subchapter I of chapter 173 of title 10, United States Code, is amended by inserting after section 2915 the following new section:

**''§ 2915a. Facilities: department of defense energy managers**

''(a) TRAINING PROGRAM REQUIRED.—The Secretary of Defense shall establish a training program for Department of Defense energy managers designated for military installations—

''(1) to improve the knowledge, skills, and abilities of energy managers; and

''(2) to improve consistency among energy managers throughout the Department in the performance of their responsibilities.

''(b) CURRICULUM AND CERTIFICATION.—(1) The Secretary of Defense shall identify core curriculum and certification standards required for energy managers. At a minimum, the curriculum shall include the following:

''(A) Details of the energy laws that the Department of Defense is obligated to comply with and the mandates that the Department of Defense is obligated to implement.

''(B) Details of energy contracting options for third-party financing of facility energy projects.

''(C) Details of the interaction of Federal laws with State and local renewable portfolio standards.

''(D) Details of current renewable energy technology options, and lessons learned from exemplary installations.

''(E) Details of strategies to improve individual installation acceptance of its responsibility for reducing energy consumption.

''(F) Details of how to conduct an energy audit and the responsibilities for commissioning, recommissioning, and continuous commissioning of facilities.

''(2) The curriculum and certification standards shall leverage the best practices of each of the military departments.

''(3) The certification standards shall identify professional qualifications required to be designated as an energy manager.

''(c) USE OF EXISTING ENERGY CERTIFICATION PROGRAMS.—The Deputy Under Secretary for Installations and Environment may determine that an existing Federal energy certification program is suitable to be used instead of the program described in subsection (b) to improve the knowledge, skills, and abilities of energy managers designated for military installations.

''(d) INFORMATION SHARING.—The Secretary of Defense shall ensure that there are opportunities and forums, not less than annually, for energy managers to exchange ideas and lessons learned within each military department, as well as across the Department of Defense.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 2915 the following new item:

''2915a. Facilities: Department of Defense energy managers.''.

(b) ISSUANCE OF GUIDANCE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall issue guidance for the implementation of the core curriculum and certification standards for energy managers required by section 2915a of title 10, United States Code, as added by subsection (a).

(c) BRIEFING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, or designated representatives of the Secretary, shall brief the Committees on Armed Services of the Senate and House of Representatives regarding the details of the energy manager core curriculum and certification requirements.

### SEC. 206. REQUIREMENT FOR DEPARTMENT OF DEFENSE TO CAPTURE AND TRACK DATA GENERATED IN METERING DEPARTMENT FACILITIES.

(a) STUDY.—The Secretary of Defense shall conduct a study on the collection of data generated in the energy metering of Department of Defense facilities, including an assessment of what data is most relevant to energy efficiency determinations and an examination of methods to collect such data. The study shall include recommendations for transmitting metering data electronically in a way that ensures protection from cyberthreats.

(b) DATA CAPTURE REQUIREMENT.—The Secretary of Defense shall require that the information generated by the installation energy meters be captured and tracked to determine baseline energy consumption and facilitate efforts to reduce energy consumption. The data shall be made available to procurement officials to enable decisions regarding technology acquisitions to include consideration of relevant energy efficiency information.

### SEC. 207. ESTABLISHMENT OF MILESTONES FOR ACHIEVING DEPARTMENT OF DEFENSE 2025 RENEWABLE ENERGY GOAL.

Section 2911(e) of title 10, United States Code, is amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1) the following new paragraph:

''(2) In achieving the goal specified in paragraph (1) regarding the use of renewable energy by the Department of Defense—

''(A) after September 30, 2015, the Department shall produce or procure from renewable energy sources not less than 12 percent

of the total quantity of facility energy it consumes within its facilities;

''(B) after September 30, 2018, the Department shall produce or procure from renewable energy sources not less than 16 percent of the total quantity of facility energy it consumes within its facilities; and

''(C) after September 30, 2021, the Department shall produce or procure from renewable energy sources not less than 20 percent of the total quantity of facility energy it consumes within its facilities.''.

**SEC. 208. DEVELOPMENT OF RENEWABLE ENERGY SOURCES ON MILITARY LANDS.**

(a) EXPANSION OF CURRENT GEOTHERMAL AUTHORITY.—Section 2917 of title 10, United States Code, is amended—

(1) by striking ''The Secretary'' and inserting ''(a) IN GENERAL.—The Secretary'';

(2) by striking ''geothermal energy resource'' and inserting ''renewable energy source''; and

(3) by adding at the end the following new subsections:

''(b) CONSIDERATION OF ENERGY SECURITY.—The development of a renewable energy resource under subsection (a) shall include consideration of energy security in the design and development of the project to ensure that it does not have an adverse impact on mission needs.

''(c) DEFINITIONS.—In this section:

''(1) RENEWABLE ENERGY.—The term 'renewable energy' means electric energy generated from—

''(A) solar energy;

''(B) wind energy;

''(C) marine and hydrokinetic renewable energy;

''(D) geothermal energy;

''(E) qualified hydropower;

''(F) biomass; or

''(G) landfill gas.

''(2) BIOMASS.—The term 'biomass' has the meaning given the term in section 203(b) of the Energy Policy Act of 2005 (42 U.S.C. 15852(b)).

''(3) QUALIFIED HYDROPOWER.—

''(A) IN GENERAL.—The term 'qualified hydropower' means—

''(i) incremental hydropower;

''(ii) additions of capacity made on or after January 1, 2001, or the effective commencement date of an existing applicable State renewable electricity standard program at an existing non-hydroelectric dam, if—

''(I) the hydroelectric project installed on the non-hydroelectric dam—

''(aa) is licensed by the Federal Energy Regulatory Commission, or is exempt from licensing, and is in compliance with the terms and conditions of the license or exemption; and

''(bb) meets all other applicable environmental, licensing, and regulatory requirements, including applicable fish passage requirements;

''(II) the non-hydroelectric dam—

''(aa) was placed in service before the date of enactment of this section;

''(bb) was operated for flood control, navigation, or water supply purposes; and

''(cc) did not produce hydroelectric power as of the date of enactment of this section; and

''(III) the hydroelectric project is operated so that the water surface elevation at any given location and time that would have occurred in the absence of the hydroelectric project is maintained, subject to any license requirements imposed under applicable law that change the water surface elevation for the purpose of improving the environmental quality of the affected waterway, as certified by the Federal Energy Regulatory Commission; and

''(iii) in the case of the State of Alaska—

''(I) energy generated by a small hydroelectric facility that produces less than 50 megawatts;

''(II) energy from pumped storage; and

''(III) energy from a lake tap.

''(B) STANDARDS.—Nothing in this paragraph or the application of this paragraph shall affect the standards under which the Federal Energy Regulatory Commission issues licenses for and regulates hydropower projects under part I of the Federal Power Act (16 U.S.C. 791a et seq.).''.

(b) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

**''§ 2917. Development of renewable energy sources on military lands''.**

(2) TABLE OF SECTIONS.—The table of sections at the beginning of subchapter I of chapter 173 of such title is amended by striking the item relating to section 2917 and inserting the following new item:

''2917. Development of renewable energy sources on military lands.''.

**SEC. 209. DEVELOPMENT OF RENEWABLE ENERGY ON MILITARY INSTALLATIONS.**

(a) MILITARY INSTALLATIONS STUDY.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Energy, and the heads of other Federal agencies, as appropriate, shall complete a study identifying locations on military installations and ranges, including military installations and ranges composed in whole or in part from lands withdrawn from the public domain or subject to a special use permit issued by the United States Forest Services that—

(A) exhibit a high potential for solar, wind, geothermal, and other renewable energy production; and

(B) could be developed for renewable energy production in a manner consistent with—

(i) all present and reasonably foreseeable military training and operational mission needs and research, development, testing, and evaluation requirements; and

(ii) all applicable environmental requirements.

(2) NOTICE OF INTENT TO PREPARE ENVIRONMENTAL IMPACT ANALYSIS.—Not later than 1 year after the completion of the study required under paragraph (1), the Secretary of Defense, in consultation with the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Energy, and the heads of other Federal agencies, as appropriate, shall prepare and publish in the Federal Register a Notice of Intent initiating the process to prepare an environmental impact analysis document to support a program to develop renewable energy on any lands identified in the study as suitable for such production.

(3) USE OF EXISTING STUDIES AND ASSESSMENTS.—The study required by paragraph (1) shall, to the extent possible, draw from existing studies and assessments of the Department of Defense, other Federal agencies, and such other studies as may be determined by the Secretary of Defense to be relevant.

(b) ADDITIONAL MATTERS.—The Secretary of Defense, in consultation with the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Energy, and the heads of other Federal agencies, as appropriate, shall, not later than 2 years after the date of the enactment of this Act, prepare a report that—

(1) addresses the legal authorities governing authorization for the development of renewable energy facilities on military installations and ranges, including those composed in whole or in part from lands withdrawn from the public domain or subject to a special use permit issued by the United States Forest Service, and identifies Federal and State statutory and regulatory constraints to the development of renewable energy facilities on installations and ranges designed to produce power in excess of the current or projected requirements of the military installation or range concerned;

(2) contains recommendations to facilitate and incentivize large-scale renewable development on military installations and ranges, including those composed in whole or in part from lands withdrawn from the public domain or subject to a special use permit issued by the United States Forest Service; and

(3) contains recommendations on—

(A) necessary changes in any law or regulation;

(B) whether the authorization for the use of such lands for development of renewable energy projects should be pursuant to lease, contract, right-of-way, permit, or other form of authorization;

(C) methods of improving coordination among the Federal, State, and local agencies, if any, involved in authorizing renewable energy projects; and

(D) the disposition of revenues resulting from the development of renewable energy projects on such lands.

(c) SUBMISSION OF STUDY AND REPORT.—The Secretary shall, upon their completion, submit the study required by paragraph (a) and the report required by paragraph (b) to the Committee on Armed Services, the Committee on Energy and Natural Resources, and the Committee on Appropriations of the Senate and the Committee on Armed Services, the Committee on Natural Resources, and the Committee on Appropriations of the House of Representatives.

**SEC. 210. REPORT ON CROSS-AGENCY RENEWABLE ENERGY DEVELOPMENT EFFORTS.**

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Energy, the Secretary of the Interior, and the heads of other Federal agencies, as appropriate, shall submit to Congress a report addressing cross-jurisdictional issues involved with the development of renewable energy on military installations and ranges, including military installations and ranges composed in whole or in part from lands withdrawn from the public domain or subject to a special use permit issued by the United States Forest Service. The report shall include a description of the authority to approve such development and options for disposition or use of funds generated from these renewable energy projects.

**SEC. 211. ELIMINATION OF APPROVAL REQUIREMENT FOR LONG-TERM CONTRACTS FOR ENERGY OR FUEL FOR MILITARY INSTALLATIONS.**

Section 2922a of title 10, United States Code, is amended—

(1) in subsection (a), by striking ''Subject to subsection (b), the Secretary of a military department'' and inserting ''The Secretary of a military department'';

(2) by striking subsection (b); and

(3) by redesignating subsection (c) as subsection (b).

**SEC. 212. CONSIDERATION OF ENERGY SECURITY IN DEVELOPING ENERGY PROJECTS ON MILITARY INSTALLATIONS USING RENEWABLE ENERGY SOURCES.**

(a) POLICY OF PURSUING ENERGY SECURITY.—

(1) POLICY REQUIRED.—The Secretary of Defense shall establish a policy under which favorable consideration is given for energy security in the design and development of renewable energy projects on military installations and ranges.

(2) NOTIFICATION.—The Secretary of Defense shall provide notification to Congress within 30 days after entering into any agreement for a facility energy project described in paragraph (1) that excludes pursuit of energy security on the grounds that inclusion of energy security is cost prohibitive. The Secretary shall also provide a cost-benefit analysis of the decision.

(3) ENERGY SECURITY DEFINED.—In this subsection, the term ''energy security'' has the meaning given that term in section 2924 of title 10, United States Code, as added by subsection (d).

(b) ADDITIONAL CONSIDERATION FOR DEVELOPING AND IMPLEMENTING ENERGY PERFORMANCE GOALS AND ENERGY PERFORMANCE MASTER PLAN.—Section 2911(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(12) Opportunities for improving energy security for facility energy projects that will use renewable energy sources.''.

(c) REPORTING REQUIREMENT.—Section 2925(a)(3) of such title is amended by inserting ''whether the project incorporates energy security into its design,'' after ''through the duration of each such mechanism,''.

(d) ENERGY SECURITY DEFINED.—

(1) IN GENERAL.—Subchapter III of chapter 173 of title 10, United States Code, is amended by inserting before section 2925 the following new section:

**''§ 2924. Energy security defined**

''(a) IN GENERAL.—In this chapter, the term 'energy security' means having assured access to reliable supplies of energy and the ability to protect and deliver sufficient energy to meet operational needs.

''(b) PURSUIT OF ENERGY SECURITY.—In selecting facility energy projects on a military installation that will use renewable energy sources, pursuit of energy security means the installation will give favorable consideration to projects that provide power directly into the installation electrical distribution network. In such cases, this power should be prioritized to provide the power necessary for critical assets on the installation in the event of a disruption in the commercial grid.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting before the item relating to section 2925 the following new section:

''2924. Energy security defined.''.

(e) STUDY ON USE OF RENEWABLE ENERGY TO IMPROVE ENERGY SECURITY.—

(1) STUDY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a contract with an independent entity to conduct a study on the use of renewable energy generation to improve energy security at military installations.

(2) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Chief Information Officer and the relevant energy offices within the Department of Defense, shall submit to the congressional defense committees a report on the study conducted under paragraph (1), together with the Secretary's recommendations for using renewable energy generation to improve energy security at military installations.

**SEC. 213. STUDY ON INSTALLATION ENERGY SECURITY AND SOCIETAL IMPACTS.**

(a) STUDY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a contract with an independent entity to conduct a study on energy security issues at military installations and related societal impacts.

(b) ELEMENTS.—The study required under subsection (a) shall include the following elements:

(1) A discussion of policy considerations, including engagement with utilities, transmission companies, and other entities involved in the incorporation of microgrids or other secure power generation infrastructure on military installations designed to assure continued mission-critical power in the event of a failure or extended interruption in the commercial power grid.

(2) An analysis of—

(A) whether, in the event a military installation has the continued use of a secure microgrid during a power disruption in an adjacent community lasting more than 36 hours, the military installation should have the capability and energy-generating capacity in excess of that required to assure continuation of mission-critical power in order to allow delivery of emergency power support to non-Department of Defense facilities and users providing emergency services and other critical functions in an adjacent community;

(B) the policy and other implications of not developing the capability and capacity described in subparagraph (A);

(C) the budgetary implication of developing the capability and capacity described in subparagraph (A); and

(D) the potential sources of funding from entities outside the Department of Defense required to develop the capability and capacity described in subparagraph (A).

(c) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the study conducted under this section, together with a plan for implementing the recommendations of the study.

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By Mr. ROCKEFELLER (for himself, Mr. BINGAMAN, Ms. STABENOW, Mr. BLUMENTHAL, Mr. BROWN of Ohio, Mrs. BOXER, Mr. FRANKEN, and Mr. MERKLEY):

S. 1206. A bill to amend title XVIII of the Social Security Act to require drug manufacturers to provide drug rebates for drugs dispensed to low-income individuals under the Medicare prescription drug benefit program; to the Committee on Finance.

Mr. ROCKEFELLER. Mr. President, I rise today to introduce the Medicare Drug Savings Act of 2011. I am proud to be joined by my colleagues Senator JEFF BINGAMAN of New Mexico, Senator DEBBIE STABENOW of Michigan, Senator RICHARD BLUMENTHAL of Connecticut, Senator SHERROD BROWN of Ohio and Senator BARBARA BOXER of California, in introducing this important piece of legislation.

The Republican budget would end Medicare as we know it, replacing it with a voucher program that would double seniors' out of pocket costs and leave them at the mercy of private insurance companies. It would also decimate the Medicaid program, leaving millions of vulnerable individuals including seniors, children, and people with disabilities with nowhere to turn for care. We need to responsibly reduce our deficit, but taking away health care for seniors and other vulnerable people should be off the table. Rather than dismantling Medicare and Medicaid, we can save hundreds of billions of dollars by holding drug companies accountable and using the purchasing power of the federal government to negotiate lower drug prices.

That is why we are introducing the Medicare Drug Savings Act. The bill will eliminate a special deal from the 2003 Medicare prescription drug law that allows drug companies to charge Medicare higher prices for some seniors' prescription drugs. It would require prescription drug manufacturers to pay rebates to Medicare for dually eligible beneficiaries in Medicare and Medicaid. This proposal would reduce the deficit, saving taxpayers an estimated $112 billion over the next ten years, according to the Congressional Budget Office. Similar proposals were also included in the recommendations from the President's Commission on Fiscal Responsibility and Reform, and the President's framework for deficit reduction.

Prior to the creation of the Medicare prescription drug program, brand-name drug manufacturers paid a drug rebate for dually eligible beneficiaries in Medicare and Medicaid. However, when the new Medicare drug program was established, drug companies no longer had to provide these rebates, resulting in windfall profits for prescription drug manufacturers, at taxpayers' expense.

The Medicare Drug Savings Act would require prescription drug manufacturers to provide a rebate for drugs provided to dually eligible beneficiaries as well as all other enrollees in the low-income-subsidy, LIS, plan in the Medicare Part D Prescription Drug Program. Manufacturers would be required to pay the difference between the lowest current rebates they are paying to private Part D drug plans, and, the percentage of Average Manufacture Price, AMP, they currently pay under Medicaid, plus an additional rebate if their prices grow additional inflation. They would be required to participate in the rebate program in order for their drugs to be covered by Medicare Part D.

I urge my colleagues to support this bill. In doing so, we will protect Medicare for seniors, and end a giveaway to drug companies that is costing taxpayers hundreds of billions of dollars.

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By Mr. PRYOR (for himself and Mr. ROCKEFELLER):

S. 1207. A bill to protect consumers by requiring reasonable security policies and procedures to protect data containing personal information, and to provide for nationwide notice in the event of a security breach; to the Committee on Commerce, Science, and Transportation.

Mr. ROCKEFELLER. Mr. President, I rise to say a few words on the introduction of the Data Security and Breach Notification Act. Senator PRYOR and I introduced this bill in the 111th Congress, and given the recent high-profile data breaches that have endangered the well-being of millions of ordinary American consumers, today's reintroduction of this comprehensive bill is

timely. I want to thank and commend Senator PRYOR for his leadership on this issue and for his terrific work as Chairman of the Consumer Protection Subcommittee on the Commerce Committee.

As the recent breaches at Citigroup, Sony, and Epsilon have taught us, companies that collect and store sensitive consumer information should have two important obligations: to maintain that information in a manner that is safe and secure; and to notify affected consumers as quickly as possible in the wake of a security breach in order to allow them to take necessary steps to protect themselves. Senator PRYOR's and my bill addresses both of these obligations. Currently, 47 States have data breach notification laws on the books, but very few address how companies should secure their data from the outset to prevent such breaches.

Our bill calls on the Federal Trade Commission to promulgate regulations that direct companies to establish and maintain reasonable protocols to secure consumer data from unauthorized access. In this regard, the bill also has specific provisions addressing data brokers, which are companies that collect and sell massive amounts of information on individuals, largely without their knowledge. The Data Security and Breach Notification Act would allow consumers to access and, if necessary, correct the personal information that these data brokers maintain and sell.

Furthermore, if a security breach occurs, our bill requires companies to notify affected consumers unless there is no reasonable risk of identity theft, fraud or unlawful conduct. This breach notification standard is very important and reflects the most consumer-protective standard in the country. The presumption is that companies should notify consumers of a breach. However, if the breached entity determines that there is no reasonable risk of harm, for instance, if the company has made the data unusable through advanced encryption technology, then they are spared this obligation. The FTC and state Attorneys General are tasked with enforcing the law.

The Commerce Committee has a long, well-established history of addressing data security issues, and the Committee has reported data security bills in past Congresses. As Chairman of the Commerce Committee, I intend to work with Senator PRYOR to enact this bill into law. Majority Leader REID has introduced a cyber-security bill that provides for the inclusion of a data security section, and the Obama Administration has also released a cybersecurity proposal that contains a breach notification provision. The bill that Senator PRYOR and I have introduced is a carefully balanced bill that protects consumers, but also addresses the legitimate needs of business and does not impose needless regulations and obligations. This bill has wide support from both the consumer groups and many sectors in the business community, and I will work with Senator PRYOR to address further concerns in order to garner consensus.

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By Mr. WYDEN (for himself, Ms. MURKOWSKI, Mrs. MURRAY, Mr. BEGICH, and Ms. CANTWELL):

S. 1208. A bill to provide an election to terminate certain capital construction funds without penalties; to the Committee on Finance.

Mr. WYDEN. Mr. President, today I am reintroducing a bill to reform the Capital Construction Fund to address major changes in the Nation's fisheries and to allow the Nation's fishers to have access to needed funds to prevent overfishing and to help create jobs.

The Capital Construction Fund, CCF, program was originally developed at a time when American fishers were having a hard time competing with highly efficient foreign fishing vessels, modern boats that often harvested U.S. fishery resources within sight of our own shores. The initial idea behind the CCF Program was to enable U.S. fishers to accumulate the funds necessary to develop a modern fishing fleet by allowing them to deposit a portion of their fishing-related earnings into a CCF savings account on a tax-deferred basis. Under the CCF program, monies subsequently withdrawn from the CCF accounts would remain tax free as long as they were invested in new or rebuilt fishing vessels. At the same time, any unauthorized withdrawals from CCF accounts were subject to severe interest and other penalties.

The program was a success; the CCF program helped the U.S. industry build a modern state-of-the-art fishing fleet. Unfortunately, that fleet has now become overcapitalized, a problem that has been exacerbated as managers have become more and more concerned about potential overfishing and have begun to reduce the amount of fish that they allow fishers to catch each year. As a result, the U.S. commercial fishing fleet now has more harvesting capacity than the U.S. fishery resource can sustainably support. The problem now is that the monies that remain on deposit in CCF accounts represent a potential for further overcapitalization at a time when less capitalization is needed. Yet the CCF regulations currently penalize withdrawals made for anything other than a bigger or better boat.

The issue now is what to do about the money that remains ''stranded'' in existing CCF accounts. Ironically, just as the current generation of fishers is getting ready to retire, the program puts heavy penalties on them if they take money out of their CCF accounts without using it for anything other than to further capitalize an already overcapitalized fleet.

The resulting situation is problematic for the fishers, the industry and the resource. That's why I am reintroducing legislation today along with my colleague Senator MURKOWSKI—to address the problem of stranded capital still on deposit in various CCF accounts and to relieve the pressure to increase further capitalization of the fishing fleet. My legislation will enable CCF fundholders to make a one-time withdrawal from their CCF accounts without requiring them to reinvest it in the fishing industry. Instead, they will be required to pay the taxes due on the monies withdrawn, but without having to pay interest or other penalties on such withdrawals. Those funds would be freed up for other purposes, including starting a new business and finding other ways to support and create jobs. An income-averaging formula would be applied to the withdrawals so as to avoid an excessive tax rate on the one-time withdrawal. The fishers taking advantage of such an opportunity to take money out of their CCF accounts penalty free would then be required to close their CCF accounts and would be prohibited from further participation in the program. This is a win-win-win situation. The fisher gets to take the money out of his CCF without having to pay penalties and interest, but still pays the taxes when due; the government gets taxes on the withdrawals; and the resource and the fishers who remain in the fishery avoid further capitalization of an already overcapitalized industry.

I look forward to working with Senator MURKOWSKI, the fishing community, and the bill's other supporters to advance this legislation to the President's desk.

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By Mrs. FEINSTEIN (for herself, Ms. COLLINS, Mr. REED, and Mrs. BOXER):

S. 1211. A bill amend the Federal Food, Drug, and Cosmetic Act to preserve the effectiveness of medically important antibiotics used in the treatment of human and animal diseases; to the Committee on Health, Education, Labor, and Pensions.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce the Preservation of Antibiotics for Medical Treatment Act of 2011.

Introducing this bill today is bittersweet. As my colleagues know, we have been working to pass this bill for almost a decade now. But for all those years it was one of our dearest colleagues, Senator Ted Kennedy, who stood before this body to introduce the legislation.

We certainly miss Senator Kennedy's leadership, his passion, his dedication and his political skill.

But as I stand here today to introduce the Preservation of Antibiotics for Medical Treatment Act, I know that he would be proud to see the continued work and support for this bill.

Today, I am joined by Senator COLLINS, Senator REED of Rhode Island and Senator BOXER as original cosponsors of this legislation.

It is my hope that in this Congress we can make some positive changes in this important area.

Let me start by explaining what the Preservation of Antibiotics for Medical Treatment Act does.

The Preservation of Antibiotics for Medical Treatment Act directs the Food and Drug Administration to regulate the misuse of antibiotics in agriculture. It requires drug companies and producers to demonstrate that they are using antibiotics to treat clinically diagnosable diseases in farm animals. It requires that companies defend the process of adding gross amounts of antibiotics to the feed and water of livestock and it requires them to prove that this practice does not contribute to antibiotic-resistance among humans.

Unfortunately, it has become a common practice in industrial agriculture to use antibiotics for ''growth promotion.'' This practice allows for animals kept in cramped quarters to grow artificially fast, and artificially fat.

The most concerning part is that the low doses of antibiotics fed to these animals breed antibiotic resistant pathogens. These pathogens make their way into our food, our water, and our communities.

Antibiotic resistance is one of the most significant public health challenges facing us today, and numerous peer-reviewed studies have concluded that the overuse of antibiotics in animal agriculture is making the problem worse.

A recent study published in the medical journal Clinical Infectious Diseases found that nearly 50 percent of grocery store meat was contaminated with antibiotic resistant pathogens. Even more concerning, 25 percent of all meat was contaminated with pathogens that were resistant to three or more types of antibiotics.

I have heard for years that antibiotics were the closest thing to a ''silver bullet'' in human medicine. But today, tens of thousands of people in the U.S. die each year from antibiotic resistant infections. So unfortunately we are learning the hard way that these precious, life saving drugs no longer work as well as they once did.

Antibiotic resistance is a real and growing problem, and its causes are man-made.

As our use of antimicrobial drugs has increased, so has the ability of bacteria to withstand their effects. The only way to preserve the effectiveness of antibiotics is to use them responsibly.

In human medicine, this means that doctors must use better discretion when prescribing antibiotics. As patients, we must do our part and finish the prescriptions given to us.

But antibiotics are also used in animal medicine, so veterinarians and farmers must also ensure that antibiotics are used responsibly.

I was surprised to learn that the Union of Concerned Scientists estimates that 84 percent of all antibiotic usage in this country is in animals such as chickens, pigs, and cattle. Even more surprising is the vast majority of antibiotic consumption by livestock is by animals that show no clinical signs of illness.

This type of treatment, referred to by doctors and veterinarians as non-therapeutic, creates the perfect breeding ground for antibiotic resistant bacteria. Unlike therapeutic doses of medicine that are prescribed when we, or any other animal gets sick, non-therapeutic doses of antibiotics are routinely added to the food or water of livestock that are not ill.

These doses are not large enough, or powerful enough, to eliminate all the bacteria inside their bodies. Instead, the small dose of antibiotics only kills off the weakest bacteria; leaving the strongest, most resistant bacteria behind to reproduce.

Recognizing the impending health crisis, some have taken dramatic action. In 1998, Denmark became the first country to ban the routine use of antibiotics in the food and water of livestock. The entire European Union followed suit in 2006. Australia, New Zealand, Chile, Korea, Thailand, the Philippines, and Japan have also implemented full or partial bans on non-therapeutic uses of antibiotics.

But the majority of producers in the U.S. have not followed suit; and it is time for a wakeup call.

That is why I am reintroducing the Preservation of Antibiotics for Medical Treatment Act. This legislation implements a precautionary principle when it comes to using antibiotics and requires that producers and drug companies affirmatively demonstrate that the non-therapeutic antibiotics in livestock production do not contribute to the incidence of antibiotic resistant infections in humans.

Put simply, if growth promoting antibiotics can't be used safely, they shouldn't be used at all.

The real strength of this legislation is that it takes an incremental approach. The new regulations regarding antibiotic use under PAMTA would only apply to the limited number of antibiotics that are critical to human health and are used non-therapeutically.

This means that any drug not used in human medicine is left untouched by this legislation.

PAMTA also preserves the ability of farmers to use all available antibiotics to treat sick animals.

By focusing on only the most egregious misuses of medically important antibiotics, PAMTA tackles the problem of antibiotic resistance where we know we can make the most difference.

I understand that some question the need for this legislation; they say that there is no evidence that antibiotic use in agriculture leads to infections in humans.

Unfortunately they are wrong.

Rear Admiral Ali S. Khan, MD, MPH, Assistant Surgeon General and Director of the Office of Public Health Preparedness and Response at the Centers for Disease Control and Prevention recently testified in front of the House Energy Committee that ''studies related to Salmonella as both a human and animal pathogen, including many studies in the United States, have demonstrated that use of antibiotic agents in food animals results in antibiotic resistant bacteria in food animals, resistant bacteria are present in the food supply and are transmitted to humans, and resistant bacterial infections result in adverse human health consequences, e.g., increased hospitalization.

Doctor Joshua Sharfstein, Principal Deputy Commissioner of the Food and Drug Administration also testified at the hearing and agreed with Rear Admiral Khan. The FDA, he said, ''supports the conclusion that using medically important antimicrobial drugs for production purposes is not in the interest of protecting and promoting the public health.''

Quantitative evidence from the EU and Canada also support these conclusions. In response to public health concerns about the rise of cephalosporin, an antibiotic, resistance in Salmonella and E. coli, chicken hatcheries in Québec voluntarily stopped using the drug in February 2005. Following the ban, the public health agency of Canada reported a dramatic 89 percent decrease in the incidence of resistant salmonella in chicken meat and 77 percent decrease in related human infections. Once the drug was partially reintroduced in 2007, antibiotic resistant infections in people jumped back up 50 percent.

Unfortunately we are fighting an uphill battle with antibiotic resistant infections. Our tools and resources are diminishing even while the number and severity of these infections are increasing.

One example is Methicillin-resistant Staphylococcus aureus, or MRSA. According to the Centers for Disease Control and Prevention, CDC, MRSA infections in 1974 accounted for only two percent of the total number of staph infections; in 1995 it was 22 percent; and by 2004 it was 63 percent.

CDC estimates that by 2005, there were 94,360 MRSA infections in the United States. Tragically, about 19,000 of them, 20 percent, were fatal because MRSA is nearly immune to almost every antibiotic used in modern medicine.

By comparison, in 2005 there were 17,011 deaths due to AIDS; so the scope and consequence of this problem is stunning.

Of course not all MRSA is derived from the overuse of antibiotics on the farm. Many infections are acquired in the hospital, and it is believed that these bacteria became resistant to antibiotics due to the misuse of drugs in human medicine.

But MRSA is also infecting individuals who have not been in a hospital setting.

There is strong evidence that at least one strain of MRSA infecting people is

coming directly from livestock. This strain, known as ST398, has been shown to disproportionately infect farmers and their families. Like all MRSA, ST398 is resistant to the antibiotics methicillin and oxacillin. But resistance to other antibiotics is also common among ST398 strains, which makes treatment especially challenging.

A recent study by the CDC in December 2009 showed that hospital acquired strains of MRSA and community acquired MRSA strains such as ST398 are trending in opposite directions.

The study found that community acquired MRSA, a type of MRSA that did not emerge in the hospital setting and is not contracted there, increased 700 percent between 1999 and 2006.

By contrast, hospital acquired MRSA cases declined roughly 10 percent over this same time period.

Over the past decade, it has become clear that MRSA is not just a problem for hospital administrators. More and more individuals are acquiring this devastating infection in their homes, at their gyms or in restaurants.

While it is exceedingly difficult to determine the exact extent that antibiotic use in agriculture influences individual MRSA cases, we know for certain that statistical evidence overwhelmingly suggests that a reduction of antibiotic use in agriculture will result in a reduction of highly resistant MRSA cases.

Since the Union of Concerned Scientists estimates that as much as 84 percent of all antibiotic usage in this country is in veterinary medicine, one can reasonably conclude that a reduction of antibiotic use in agriculture will result in a reduction of highly resistant MRSA cases.

The reason I am so committed to this legislation is that a reduction in highly resistant infections will save lives. One of my constituents shared a truly heartbreaking story.

The Don family, from Ramona, California, is a tight knit family. They are active in the community, and loved by their neighbors. Until recently, like most happy, healthy families, antibiotic resistant infections just wasn't a subject that came up much.

So when Mr. and Mrs. Don sent their son Carlos off to sixth grade camp in 2007, they never expected that an antibiotic resistant infection would change their lives.

Carlos was the picture of health. He was a bright, vibrant, athletic 12-year old, who loved to play football.

When he returned home from camp, he had a 104 degree fever and could barely walk. It was the sickest his parents had ever seen him.

When Carlos didn't get better the next day, they took him to Urgent Care. He was given a dose of antibiotics that the doctors said would knock the bug out in a few days.

But the drugs didn't work.

The next day Carlos was in even worse shape and he had to be rushed to the hospital by an ambulance. His new doctors put him on every single antibiotic the hospital had to offer.

Even at the extremely high levels prescribed to Carlos, the drugs still didn't work.

It took doctors 48 hours to find and acquire an antibiotic that was strong enough to kill the infection.

By that time Carlos' lungs, kidneys, liver, intestines and heart had all failed.

The only thing left, doctors told his parents, was his brain. The doctors said that Carlos knew his body was failing and that he was in a fight for his life.

It pains me to say that this story does not have a happy ending. Carlos lost his life because the antibiotics that we have relied on for 80 years didn't work.

No parents should ever have to undergo the heartbreak and the tragedy that the Dons went through in 2007.

Their son was as healthy and happy as any 12-year-old could be, but he was cruelly taken away from them because of a disease that we could not fight.

I believe that with this bill we have an opportunity to prevent other families from suffering from this same tragic story.

There are some who believe this legislation may actually make our food supply less safe. Their argument is that antibiotics keep our animals healthy, and healthy animals make for healthy food.

But research shows us that these concerns are misguided. Over 375 public, consumer, and environmental health groups including the American Medical Association, the American Public Health Association, and the Infectious Diseases Society of America, support the legislation because they believe that reducing antibiotic use in agriculture will protect the health and safety of Americans.

It is not just health groups that support this approach. The fact is that farmers and meat producers can keep their animals healthy without adding hundreds of pounds of antibiotics to the food and water of their animals.

In Denmark, one of the world's largest exporters of pork, producers have made modest changes to their husbandry practices and reduced overall antibiotic use by over 50 percent. Pork production has grown, and other animal health indicators such as litter size and average daily weight gain have improved.

In Iowa, hog farmers like Paul Willis and Jude Becker have shown that antibiotic-free production is possible in the heartland of America too.

In California, companies like Niman Ranch in Alameda have proved that Beef, Pork, Poultry and Lamb can be produced profitably in America on a large scale without the routine use of antibiotics. In fact, fast-food chain Chipotle Mexican Grill has grown a highly successful business based on meats raised without antibiotics, much of it supplied by Niman Ranch.

This bipartisan bill makes incremental changes to ensure that our actions on the farm do not negatively impact the health and well being of our farmers, their families, and every one of us who consumes the food they produce.

I look forward to working with my colleagues to pass these critical reforms.

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. 1211

*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 ''Preservation of Antibiotics for Medical Treatment Act of 2011''.

**SEC. 2. FINDINGS.**

The Congress finds the following:

(1) In January 2001, a Federal interagency task force—

(A) released an action plan to address the continuing decline in effectiveness of antibiotics against common bacterial infections, referred to as antibiotic resistance;

(B) determined that antibiotic resistance is a growing menace to all people and poses a serious threat to public health; and

(C) cautioned that if current trends continue, treatments for common infections will become increasingly limited and expensive, and, in some cases, nonexistent.

(2) Antibiotic resistance, resulting in a reduced number of effective antibiotics, may significantly impair the ability of the United States to respond to terrorist attacks involving bacterial infections or a large influx of hospitalized patients.

(3)(A) Any overuse or misuse of antibiotics contributes to the spread of antibiotic resistance, whether in human medicine or in agriculture.

(B) Recognizing the public health threat caused by antibiotic resistance, Congress took several steps to curb antibiotic overuse in human medicine through amendments to the Public Health Service Act (42 U.S.C. 201 et seq.) made by section 102 of the Public Health Threats and Emergencies Act (Public Law 106–505, title I; 114 Stat. 2315), but has not yet addressed antibiotic overuse in agriculture.

(4) In a March 2003 report, the National Academy of Sciences stated that—

(A) a decrease in antimicrobial use in human medicine alone will have little effect on the current situation; and

(B) substantial efforts must be made to decrease inappropriate overuse in animals and agriculture.

(5) In 2010, the FDA determined that—

(A) 1,300,000 kilograms of antibacterial drugs were sold for use on food animals in the United States in 2009;

(B) 3,300,000 kilograms of antibacterial drugs were used for human health in 2009; and

(C) therefore, 80 percent of antibacterial drugs disseminated in the United States in 2009 were sold for use on food animals, rather than being used for human health.

(6)(A) Large-scale, voluntary surveys by the Department of Agriculture's Animal and Plant Health Inspection Service in 1999, 2001, and 2006 revealed that—

(i) 84 percent of grower-finisher swine farms, 83 percent of cattle feedlots, and 84 percent of sheep farms administer

antimicrobials in the feed or water for health or growth promotion reasons; and

(ii) many of the antimicrobials identified are identical or closely related to drugs used in human medicine, including tetracyclines, macrolides, Bacitracin, penicillins, and sulfonamides; and

(B) these drugs are used in people to treat serious diseases such as pneumonia, scarlet fever, rheumatic fever, venereal disease, skin infections, and even pandemics like malaria and plague, as well as bioterrorism agents like smallpox and anthrax.

(7) Many scientific studies confirm that the nontherapeutic use of antibiotics in agricultural animals contributes to the development of antibiotic-resistant bacterial infections in people.

(8) The periodical entitled ''Clinical Infectious Diseases'' published a report in June 2002, that—

(A) was based on a 2-year review by experts in human and veterinary medicine, public health, microbiology, biostatistics, and risk analysis, of more than 500 scientific studies on the human health impacts of antimicrobial use in agriculture; and

(B) recommended that antimicrobial agents should no longer be used in agriculture in the absence of disease, but should be limited to therapy for diseased individual animals and prophylaxis when disease is documented in a herd or flock.

(9) The United States Geological Survey reported in March 2002 that—

(A) antibiotics were present in 48 percent of the streams tested nationwide; and

(B) almost half of the tested streams were downstream from agricultural operations.

(10) An April 1999 study by the General Accounting Office concluded that resistant strains of 3 microorganisms that cause foodborne illness or disease in humans (Salmonella, Campylobacter, and E. coli) are linked to the use of antibiotics in animals.

(11) Epidemiological research has shown that resistant Salmonella and Campylobacter infections are associated with increased numbers of ill patients and bloodstream infections, and increased death.

(12) In 2010, the peer-reviewed journal Molecular Cell published a study demonstrating that low-dosage use of antibiotics causes a dramatic increase in genetic mutation, raising new concerns about the agricultural practice of using low-dosage antibiotics in order to stimulate growth promotion and routinely prevent disease in unhealthy conditions.

(13)(A) In January 2003, Consumer Reports published test results on poultry products bought in grocery stores nationwide showing disturbingly high levels of Campylobacter and Salmonella bacteria that were resistant to the antibiotics used to treat food-borne illnesses.

(B) The Food and Drug Administration's National Antimicrobial Resistance Monitoring System routinely finds that retail meat products are contaminated with bacteria (including the foodborne pathogens Campylobacter and Salmonella) that are resistant to antibiotics important in human medicine.

(C) In December 2007, the USDA issued a fact sheet on the recently recognized link between antimicrobial drug use in animals and Methicillin Resistant Staphylococcus Aureas (MRSA) infections in humans.

(14) In October 2001, the New England Journal of Medicine published an editorial urging a ban on nontherapeutic use of medically important antibiotics in animals.

(15)(A) In 1998, the National Academy of Sciences noted that antibiotic-resistant bacteria generate a minimum of $4,000,000,000 to $5,000,000,000 in costs to United States society and individuals yearly.

(B) In 2009, Cook County Hospital and the Alliance for Prudent Use of Antibiotics estimated that the total health care cost of antibiotic resistant infections in the United States was between $16,600,000,000 and $26,000,000,000 annually.

(16) The American Medical Association, the American Public Health Association, the National Association of County and City Health Officials, and the National Campaign for Sustainable Agriculture are among the more than 300 organizations representing health, consumer, agricultural, environmental, humane, and other interests that have supported enactment of legislation to phase out nontherapeutic use in farm animals of medically important antibiotics.

(17) In 2010, the Danish Veterinary and Food Administration testified that the Danish ban of the non-therapeutic use of antibiotics in food animal production resulted in a marked reduction in antimicrobial resistance in multiple bacterial species, including Campylobacter and Enterococci.

(18) In 2009, the Congressional Research Service concluded that restrictions overseas on the use of antimicrobial drugs in the production of livestock could impact U.S. export markets for livestock and poultry.

(19) The Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.)—

(A) requires that all drugs be shown to be safe before the drugs are approved; and

(B) places the burden on manufacturers to account for health consequences and prove safety.

(20)(A) The Food and Drug Administration recently modified the drug approval process for antibiotics to recognize the development of resistant bacteria as an important aspect of safety, but most antibiotics currently used in animal production systems for nontherapeutic purposes were approved before the Food and Drug Administration began considering resistance during the drug-approval process.

(B) The Food and Drug Administration has not established a schedule for reviewing those existing approvals.

(21) Certain non-routine uses of antibiotics in animal agriculture are legitimate to prevent animal disease.

(22) An April 2004 study by the General Accounting Office—

(A) concluded that Federal agencies do not collect the critical data on antibiotic use in animals that they need to support research on human health risks; and

(B) recommends that the Department of Agriculture and the Department of Health and Human Services develop and implement a plan to collect data on antibiotic use in animals.

**SEC. 3. PURPOSE.**

The purpose of this Act is to preserve the effectiveness of medically important antibiotics used in the treatment of human and animal diseases by reviewing the safety of certain antibiotics for nontherapeutic purposes in food-producing animals.

**SEC. 4. PROOF OF SAFETY OF CRITICAL ANTIMICROBIAL ANIMAL DRUGS.**

(a) DEFINITIONS.—Section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321) is amended by adding at the end the following:

''(ss) CRITICAL ANTIMICROBIAL ANIMAL DRUG.—The term 'critical antimicrobial animal drug' means a drug that—

''(1) is intended for use in food-producing animals; and

''(2) is composed wholly or partly of—

''(A) any kind of penicillin, tetracycline, macrolide, lincosamide, streptogramin, aminoglycoside, or sulfonamide; or

''(B) any other drug or derivative of a drug that is used in humans or intended for use in humans to treat or prevent disease or infection caused by microorganisms.

''(tt) NONTHERAPEUTIC USE.—The term 'nontherapeutic use', with respect to a critical antimicrobial animal drug, means any use of the drug as a feed or water additive for an animal in the absence of any clinical sign of disease in the animal for growth promotion, feed efficiency, weight gain, routine disease prevention, or other routine purpose.''.

(b) APPLICATIONS PENDING OR SUBMITTED AFTER ENACTMENT.—Section 512(d)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b(d)(1)) is amended—

(1) in the first sentence—

(A) in subparagraph (H), by striking ''or'' at the end;

(B) in subparagraph (I), by inserting ''or'' at the end; and

(C) by inserting after subparagraph (I) the following:

''(J) with respect to a critical antimicrobial animal drug or a drug of the same chemical class as a critical antimicrobial animal drug, the applicant has failed to demonstrate that there is a reasonable certainty of no harm to human health due to the development of antimicrobial resistance that is attributable, in whole or in part, to the nontherapeutic use of the drug;''; and

(2) in the second sentence, by striking ''(A) through (I)'' and inserting ''(A) through (J)''.

(c) PHASED ELIMINATION OF NONTHERAPEUTIC USE IN ANIMALS OF CRITICAL ANTIMICROBIAL ANIMAL DRUGS IMPORTANT FOR HUMAN HEALTH.—Section 512 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b) is amended by adding at the end the following:

''(q) PHASED ELIMINATION OF NONTHERAPEUTIC USE IN ANIMALS OF CRITICAL ANTIMICROBIAL ANIMAL DRUGS IMPORTANT FOR HUMAN HEALTH.—

''(1) APPLICABILITY.—This subsection applies to the nontherapeutic use in a food-producing animal of a drug—

''(A)(i) that is a critical antimicrobial animal drug; or

''(ii) that is of the same chemical class as a critical antimicrobial animal drug; and

''(B)(i) for which there is in effect an approval of an application or an exemption under subsection (b), (i), or (j) of section 505; or

''(ii) that is otherwise marketed for use.

''(2) WITHDRAWAL.—The Secretary shall withdraw the approval of a nontherapeutic use in food-producing animals described in paragraph (1) on the date that is 2 years after the date of enactment of this subsection unless—

''(A) before the date that is 2 years after the date of the enactment of this subsection, the Secretary makes a final written determination that the holder of the approved application has demonstrated that there is a reasonable certainty of no harm to human health due to the development of antimicrobial resistance that is attributable in whole or in part to the nontherapeutic use of the drug; or

''(B) before the date specified in subparagraph (A), the Secretary makes a final written determination, with respect to a risk analysis of the drug conducted by the Secretary and other relevant information, that there is a reasonable certainty of no harm to human health due to the development of antimicrobial resistance that is attributable in whole or in part to the nontherapeutic use of the drug.

''(3) EXEMPTIONS.—Except as provided in paragraph (5), if the Secretary grants an exemption under section 505(i) for a drug that is a critical antimicrobial animal drug, the Secretary shall rescind each approval of a

nontherapeutic use in a food-producing animal of the critical antimicrobial animal drug, or of a drug in the same chemical class as the critical antimicrobial animal drug, as of the date that is 2 years after the date on which the Secretary grants the exemption.

''(4) APPROVALS.—Except as provided in paragraph (5), if an application for a drug that is a critical antimicrobial animal drug is submitted to the Secretary under section 505(b), the Secretary shall rescind each approval of a nontherapeutic use in a food-producing animal of the critical antimicrobial animal drug, or of a drug in the same chemical class as the critical antimicrobial animal drug, as of the date that is 2 years after the date on which the application is submitted to the Secretary.

''(5) EXCEPTION.—Paragraph (3) or (4), as the case may be, shall not apply if—

''(A) before the date on which approval would be rescinded under that paragraph, the Secretary makes a final written determination that the holder of the application for the approved nontherapeutic use has demonstrated that there is a reasonable certainty of no harm to human health due to the development of antimicrobial resistance that is attributable in whole or in part to the nontherapeutic use in the food-producing animal of the critical antimicrobial animal drug; or

''(B) before the date specified in subparagraph (A), the Secretary makes a final written determination, with respect to a risk analysis of the critical antimicrobial animal drug conducted by the Secretary and any other relevant information, that there is a reasonable certainty of no harm to human health due to the development of antimicrobial resistance that is attributable in whole or in part to the nontherapeutic use of the drug.''.

**SEC. 5. COMMITTEE HEARINGS ON IMPLEMENTATION.**

(a) IN GENERAL.—The Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate shall each hold a hearing on the implementation by the Commissioner of Food and Drugs of section 512(q) of the Federal Food, Drug, and Cosmetic Act, as added by section 4 of this Act.

(b) EXERCISE OF RULEMAKING AUTHORITY.—Subsection (a) is enacted—

(1) as an exercise of the rulemaking power of the House of Representatives and Senate, and, as such, they shall be considered as part of the rules of the House or Senate (as the case may be), and such rules shall supersede any other rule of the House or Senate only to the extent that rule is inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 208—EXPRESSING THE SENSE OF THE SENATE REGARDING MONGOLIAN PRESIDENT TSAKHIAGIIN ELBEGDORJ'S VISIT TO WASHINGTON, D.C., AND ITS SUPPORT FOR THE GROWING PARTNERSHIP BETWEEN THE UNITED STATES AND MONGOLIA

Mr. KERRY (for himself, Mr. MCCAIN, Ms. MURKOWSKI, and Mr. WEBB) submitted the following resolution; which was considered and agreed to:

S. RES. 208

Whereas the United States Government established diplomatic relations with the Government of Mongolia in January 1987, followed by the opening of a United States Embassy in Ulaanbaatar in June 1988;

Whereas in 1990, the Government of Mongolia declared an end to 1-party Communist rule and initiated lasting democratic and free market reforms;

Whereas the United States Government has a longstanding commitment, based on its interests and values, to encourage economic and political reforms in Mongolia, having made sizeable contributions to that end since 1991;

Whereas in 1991, the United States—

(1) signed a bilateral trade agreement that restored normal trade relations with Mongolia; and

(2) established a Peace Corps program in Mongolia that has had 869 total volunteers since 1991;

Whereas in 1999, the United States granted permanent normal trade relations status to Mongolia;

Whereas the Government of Mongolia has increasingly participated in the International Monetary Fund, the World Bank, the Asian Development Bank, and the European Bank for Reconstruction and Development, among other international organizations;

Whereas in 2007, the House Democracy Partnership began a program to provide parliamentary assistance to the State Great Khural, the Parliament of Mongolia, to promote transparency, legislative independence, access to information and government oversight;

Whereas on May 24, 2009, the people of Mongolia completed the country's fourth free, fair, and peaceful democratic election, which resulted in the election of opposition Democratic Party candidate Tsakhiagiin Elbegdorj;

Whereas in July 2011, Mongolia will assume the 2-year chairmanship of the Community of Democracies;

Whereas in 2013, Mongolia will host the Seventh Ministerial Meeting of the Community of Democracies in Ulaanbaatar;

Whereas the Government of Mongolia continues to work with the United States Government to combat global terrorism;

Whereas Mongolia deployed about 990 soldiers to Iraq between 2003 to 2008 and currently has 190 troops in Afghanistan;

Whereas in 2010, the Government of Mongolia deployed a United Nations Level II hospital in Darfur, Sudan;

Whereas the Government of Mongolia has actively promoted international peacekeeping efforts by sending soldiers—

(1) to protect the Special Court of Sierra Leone;

(2) to support the North Atlantic Treaty Organization mission in Kosovo; and

(3) to support United Nations missions in several African countries;

Whereas the Government of Mongolia has built a successful partnership since 2003 with the Alaska National Guard that includes humanitarian and peacekeeping exercises and efforts;

Whereas the United States Government and the Government of Mongolia share a common interest in promoting peace and stability in Northeast Asia and Central Asia;

Whereas in 1991 and 1992, the Government of Mongolia signed denuclearization agreements committing Mongolia to remain a nuclear weapons-free state;

Whereas in 2010, Mongolia became the Chair of the Board of Governors of the International Atomic Energy Agency;

Whereas in 2010, the United States and Mongolia signed a Memorandum of Understanding to promote cooperation on the peaceful use of civil nuclear energy;

Whereas the National Nuclear Security Administration and the Nuclear Energy Agency of the Government of Mongolia successfully completed training on response mechanisms to potential terrorist attacks;

Whereas between 1991 and 2011, the United States Government granted assistance to Mongolia—

(1) to advance the legal and regulatory environment for business and financial markets, including the mining sector;

(2) to promote the reduction of greenhouse gas emissions; and

(3) to support good governance programming;

Whereas in 2007, the Millennium Challenge Corporation signed an agreement with Mongolia to promote sustainable economic growth and to reduce poverty by focusing on property rights, vocational education, health, transportation, energy, and the environment;

Whereas Mongolia's plan to enhance its rail infrastructure promises to diversify its trading and investment partners, to open up new markets for its mineral exports, and to position Mongolia as a bridge between Asia and Europe;

Whereas the United States has assisted Mongolia's efforts—

(1) to address the effects of the global economic crisis;

(2) to promote sound economic, trade, and energy policy, with particular attention to the banking and mining sectors;

(3) to facilitate commercial law development; and

(4) to further activities with Mongolia's peacekeeping forces and military;

Whereas in January 2010—

(1) the United States Government and the Government of Mongolia agreed to promote greater academic exchange opportunities;

(2) the Mongolian Ministry of Education, Culture and Science pledged to financially support the U.S.-Mongolia Fulbright Program; and

(3) the United States Department of State announced its intention to increase its base allocation for the U.S.-Mongolia Fulbright Program in fiscal year 2010;

Whereas in 2011, Mongolia is celebrating the 100 year anniversary of its independence;

Whereas on June 16, 2011, President Elbegdorj, during a working visit to the United States, is scheduled to meet with President Barack Obama, Congressional leaders, academics, and representatives of the business community;

Whereas in late 2011, Vice President Joseph Biden is scheduled to travel to Mongolia to highlight our shared interests and values;

Now, therefore, be it

*Resolved*, That it is the sense of the Senate that—

(1) Mongolian President Tsakhiagiin Elbegdorj's historic visit to Washington, D.C. cements the growing friendship between the governments and peoples of the United States and Mongolia;

(2) the continued commitment of the Mongolian people and the Government of Mongolia to advancing democratic reforms, strengthening transparency and the rule of law, and protecting investment deserves acknowledgment and celebration;

(3) the United States Government should—

(A) continue to promote economic cooperation; and

(B) consider next steps in securing increased investment and trade to promote prosperity for both countries;

(4) the United States Government should continue to support the Government of Mongolia as it works with the International

Monetary Fund, the World Bank, the Asian Development Bank, and the European Bank for Reconstruction and Development to improve its economic system and accelerate development; and

(5) the United States Government should continue to expand upon existing academic, cultural, and other people-to-people exchanges with Mongolia.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 472. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table.

SA 473. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill S. 782, supra; which was ordered to lie on the table.

SA 474. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill S. 782, supra; which was ordered to lie on the table.

SA 475. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 782, supra; which was ordered to lie on the table.

SA 476. Mr. REID (for Mrs. FEINSTEIN (for herself and Mr. COBURN)) proposed an amendment to the bill S. 782, supra.

## TEXT OF AMENDMENTS

**SA 472.** Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 22. PROHIBITION ON TRANSFER OR POSSESSION OF LARGE CAPACITY AMMUNITION FEEDING DEVICES.**

(a) DEFINITION.—Section 921(a) of title 18, United States Code, is amended by inserting after paragraph (29) the following:

''(30) The term 'large capacity ammunition feeding device'—

''(A) means a magazine, belt, drum, feed strip, or similar device that has a capacity of, or that can be readily restored or converted to accept, more than 10 rounds of ammunition; and

''(B) does not include an attached tubular device designed to accept, and capable of operating only with, .22 caliber rimfire ammunition.''.

(b) PROHIBITIONS.—Section 922 of title 18, United States Code, is amended by inserting after subsection (u) the following:

''(v)(1)(A)(i) Except as provided in clause (ii), it shall be unlawful for a person to transfer or possess a large capacity ammunition feeding device.

''(ii) Clause (i) shall not apply to the possession of a large capacity ammunition feeding device otherwise lawfully possessed within the United States on or before the date of the enactment of this subsection.

''(B) It shall be unlawful for any person to import or bring into the United States a large capacity ammunition feeding device.

''(2) Paragraph (1) shall not apply to—

''(A) a manufacture for, transfer to, or possession by the United States or a department or agency of the United States or a State or a department, agency, or political subdivision of a State, or a transfer to or possession by a law enforcement officer employed by such an entity for purposes of law enforcement (whether on or off duty);

''(B) a transfer to a licensee under title I of the Atomic Energy Act of 1954 for purposes of establishing and maintaining an on-site physical protection system and security organization required by Federal law, or possession by an employee or contractor of such a licensee on-site for such purposes or off-site for purposes of licensee-authorized training or transportation of nuclear materials;

''(C) the possession, by an individual who is retired from service with a law enforcement agency and is not otherwise prohibited from receiving ammunition, of a large capacity ammunition feeding device transferred to the individual by the agency upon that retirement; or

''(D) a manufacture, transfer, or possession of a large capacity ammunition feeding device by a licensed manufacturer or licensed importer for the purposes of testing or experimentation authorized by the Attorney General.''.

(c) PENALTIES.—Section 924(a) of such title is amended by adding at the end the following:

''(8) Whoever knowingly violates section 922(v) shall be fined under this title, imprisoned not more than 10 years, or both.''.

(d) IDENTIFICATION MARKINGS.—Section 923(i) of title 18, United States Code, is amended by adding at the end the following: ''A large capacity ammunition feeding device manufactured after the date of the enactment of this sentence shall be identified by a serial number that clearly shows that the device was manufactured after the date of enactment of this sentence, and such other identification as the Attorney General may by regulation prescribe.''.

**SA 473.** Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 22. GUN SHOW BACKGROUND CHECK.**

(a) FINDINGS.—Congress finds that—

(1) approximately 5,200 traditional gun shows are held annually across the United States, attracting thousands of attendees per show and hundreds of Federal firearms licensees and nonlicensed firearms sellers;

(2) traditional gun shows, as well as flea markets and other organized events, at which a large number of firearms are offered for sale by Federal firearms licensees and nonlicensed firearms sellers, form a significant part of the national firearms market;

(3) firearms and ammunition that are exhibited or offered for sale or exchange at gun shows, flea markets, and other organized events move easily in and substantially affect interstate commerce;

(4) in fact, even before a firearm is exhibited or offered for sale or exchange at a gun show, flea market, or other organized event, the gun, its component parts, ammunition, and the raw materials from which it is manufactured have moved in interstate commerce;

(5) gun shows, flea markets, and other organized events at which firearms are exhibited or offered for sale or exchange, provide a convenient and centralized commercial location at which firearms may be bought and sold anonymously, often without background checks and without records that enable gun tracing;

(6) at gun shows, flea markets, and other organized events at which guns are exhibited or offered for sale or exchange, criminals and other prohibited persons obtain guns without background checks and frequently use guns that cannot be traced to later commit crimes;

(7) since the enactment of the Brady Handgun Violence Prevention Act (Public Law 103–59; 107 Stat. 1536) in 1993, over 100,000,000 background checks have been performed by Federal firearms licensees, denying guns to more than 1,600,000 illegal buyers;

(8) many persons who buy and sell firearms at gun shows, flea markets, and other organized events cross State lines to attend these events and engage in the interstate transportation of firearms obtained at these events;

(9) gun violence is a pervasive, national problem that is exacerbated by the availability of guns at gun shows, flea markets, and other organized events;

(10) firearms associated with gun shows have been transferred illegally to residents of another State by Federal firearms licensees and nonlicensed firearms sellers, and have been involved in subsequent crimes including drug offenses, crimes of violence, property crimes, and illegal possession of firearms by felons and other prohibited persons; and

(11) Congress has the power, under the interstate commerce clause and other provisions of the Constitution of the United States, to ensure, by enactment of this Act, that criminals and other prohibited persons do not obtain firearms at gun shows, flea markets, and other organized events.

(b) DEFINITIONS.—Section 921(a) of title 18, United States Code, is amended by adding at the end the following:

''(36) GUN SHOW.—The term 'gun show' means any event—

''(A) at which 50 or more firearms are offered or exhibited for sale, transfer, or exchange, if 1 or more of the firearms has been shipped or transported in, or otherwise affects, interstate or foreign commerce; and

''(B) at which—

''(i) not fewer than 20 percent of the exhibitors are firearm exhibitors;

''(ii) there are not fewer than 10 firearm exhibitors; or

''(iii) 50 or more firearms are offered for sale, transfer, or exchange.

''(37) GUN SHOW PROMOTER.—The term 'gun show promoter' means any person who organizes, plans, promotes, or operates a gun show.

''(38) GUN SHOW VENDOR.—The term 'gun show vendor' means any person who exhibits, sells, offers for sale, transfers, or exchanges 1 or more firearms at a gun show, regardless of whether or not the person arranges with the gun show promoter for a fixed location from which to exhibit, sell, offer for sale, transfer, or exchange 1 or more firearms.''.

(c) REGULATION OF FIREARMS TRANSFERS AT GUN SHOWS.—

(1) IN GENERAL.—Chapter 44 of title 18, United States Code, is amended by adding at the end the following:

**''§ 932. Regulation of firearms transfers at gun shows**

''(a) REGISTRATION OF GUN SHOW PROMOTERS.—It shall be unlawful for any person to organize, plan, promote, or operate a gun show unless that person—

''(1) registers with the Attorney General in accordance with regulations promulgated by the Attorney General; and

''(2) pays a registration fee, in an amount determined by the Attorney General.

''(b) RESPONSIBILITIES OF GUN SHOW PROMOTERS.—It shall be unlawful for any person to organize, plan, promote, or operate a gun show unless that person—

''(1) before commencement of the gun show, verifies the identity of each gun show

vendor participating in the gun show by examining a valid identification document (as defined in section 1028(d)(3)) of the vendor containing a photograph of the vendor;

''(2) before commencement of the gun show, requires each gun show vendor to sign—

''(A) a ledger with identifying information concerning the vendor; and

''(B) a notice advising the vendor of the obligations of the vendor under this chapter;

''(3) notifies each person who attends the gun show of the requirements of this chapter, in accordance with such regulations as the Attorney General shall prescribe; and

''(4) maintains a copy of the records described in paragraphs (1) and (2) at the permanent place of business of the gun show promoter for such period of time and in such form as the Attorney General shall require by regulation.

''(c) RESPONSIBILITIES OF TRANSFERORS OTHER THAN LICENSEES.—

''(1) IN GENERAL.—If any part of a firearm transaction takes place at a gun show, it shall be unlawful for any person who is not licensed under this chapter to transfer a firearm to another person who is not licensed under this chapter, unless the firearm is transferred through a licensed importer, licensed manufacturer, or licensed dealer in accordance with subsection (e).

''(2) CRIMINAL BACKGROUND CHECKS.—A person who is subject to the requirement of paragraph (1)—

''(A) shall not transfer the firearm to the transferee until the licensed importer, licensed manufacturer, or licensed dealer through which the transfer is made under subsection (e) makes the notification described in subsection (e)(3)(A); and

''(B) notwithstanding subparagraph (A), shall not transfer the firearm to the transferee if the licensed importer, licensed manufacturer, or licensed dealer through which the transfer is made under subsection (e) makes the notification described in subsection (e)(3)(B).

''(3) ABSENCE OF RECORDKEEPING REQUIREMENTS.—Nothing in this section shall permit or authorize the Attorney General to impose recordkeeping requirements on any nonlicensed vendor.

''(d) RESPONSIBILITIES OF TRANSFEREES OTHER THAN LICENSEES.—

''(1) IN GENERAL.—If any part of a firearm transaction takes place at a gun show, it shall be unlawful for any person who is not licensed under this chapter to receive a firearm from another person who is not licensed under this chapter, unless the firearm is transferred through a licensed importer, licensed manufacturer, or licensed dealer in accordance with subsection (e).

''(2) CRIMINAL BACKGROUND CHECKS.—A person who is subject to the requirement of paragraph (1)—

''(A) shall not receive the firearm from the transferor until the licensed importer, licensed manufacturer, or licensed dealer through which the transfer is made under subsection (e) makes the notification described in subsection (e)(3)(A); and

''(B) notwithstanding subparagraph (A), shall not receive the firearm from the transferor if the licensed importer, licensed manufacturer, or licensed dealer through which the transfer is made under subsection (e) makes the notification described in subsection (e)(3)(B).

''(e) RESPONSIBILITIES OF LICENSEES.—A licensed importer, licensed manufacturer, or licensed dealer who agrees to assist a person who is not licensed under this chapter in carrying out the responsibilities of that person under subsection (c) or (d) with respect to the transfer of a firearm shall—

''(1) enter such information about the firearm as the Attorney General may require by regulation into a separate bound record;

''(2) record the transfer on a form specified by the Attorney General;

''(3) comply with section 922(t) as if transferring the firearm from the inventory of the licensed importer, licensed manufacturer, or licensed dealer to the designated transferee (although a licensed importer, licensed manufacturer, or licensed dealer complying with this subsection shall not be required to comply again with the requirements of section 922(t) in delivering the firearm to the nonlicensed transferor), and notify the nonlicensed transferor and the nonlicensed transferee—

''(A) of such compliance; and

''(B) if the transfer is subject to the requirements of section 922(t)(1), of any receipt by the licensed importer, licensed manufacturer, or licensed dealer of a notification from the national instant criminal background check system that the transfer would violate section 922 or would violate State law;

''(4) not later than 10 days after the date on which the transfer occurs, submit to the Attorney General a report of the transfer, which report—

''(A) shall be on a form specified by the Attorney General by regulation; and

''(B) shall not include the name of or other identifying information relating to any person involved in the transfer who is not licensed under this chapter;

''(5) if the licensed importer, licensed manufacturer, or licensed dealer assists a person other than a licensee in transferring, at 1 time or during any 5 consecutive business days, 2 or more pistols or revolvers, or any combination of pistols and revolvers totaling 2 or more, to the same nonlicensed person, in addition to the reports required under paragraph (4), prepare a report of the multiple transfers, which report shall be—

''(A) prepared on a form specified by the Attorney General; and

''(B) not later than the close of business on the date on which the transfer occurs, forwarded to—

''(i) the office specified on the form described in subparagraph (A); and

''(ii) the appropriate State law enforcement agency of the jurisdiction in which the transfer occurs; and

''(6) retain a record of the transfer as part of the permanent business records of the licensed importer, licensed manufacturer, or licensed dealer.

''(f) RECORDS OF LICENSEE TRANSFERS.—If any part of a firearm transaction takes place at a gun show, each licensed importer, licensed manufacturer, and licensed dealer who transfers 1 or more firearms to a person who is not licensed under this chapter shall, not later than 10 days after the date on which the transfer occurs, submit to the Attorney General a report of the transfer, which report—

''(1) shall be in a form specified by the Attorney General by regulation;

''(2) shall not include the name of or other identifying information relating to the transferee; and

''(3) shall not duplicate information provided in any report required under subsection (e)(4).

''(g) FIREARM TRANSACTION DEFINED.—In this section, the term 'firearm transaction'—

''(1) includes the offer for sale, sale, transfer, or exchange of a firearm; and

''(2) does not include the mere exhibition of a firearm.''.

(2) PENALTIES.—Section 924(a) of title 18, United States Code, is amended by adding at the end the following:

''(8)(A) Whoever knowingly violates section 932(a) shall be fined under this title, imprisoned not more than 5 years, or both.

''(B) Whoever knowingly violates subsection (b) or (c) of section 932, shall be—

''(i) fined under this title, imprisoned not more than 2 years, or both; and

''(ii) in the case of a second or subsequent conviction, fined under this title, imprisoned not more than 5 years, or both.

''(C) Whoever willfully violates section 932(d), shall be—

''(i) fined under this title, imprisoned not more than 2 years, or both; and

''(ii) in the case of a second or subsequent conviction, fined under this title, imprisoned not more than 5 years, or both.

''(D) Whoever knowingly violates subsection (e) or (f) of section 932 shall be fined under this title, imprisoned not more than 5 years, or both.

''(E) In addition to any other penalties imposed under this paragraph, the Attorney General may, with respect to any person who knowingly violates any provision of section 932—

''(i) if the person is registered pursuant to section 932(a), after notice and opportunity for a hearing, suspend for not more than 6 months or revoke the registration of that person under section 932(a); and

''(ii) impose a civil fine in an amount equal to not more than $10,000.''.

(3) TECHNICAL AND CONFORMING AMENDMENTS.—Chapter 44 of title 18, United States Code, is amended—

(A) in the table of sections, by adding at the end the following:

''932. Regulation of firearms transfers at gun shows.'';

and

(B) in the first sentence of section 923(j), by striking ''a gun show or event'' and inserting ''an event''.

(d) INSPECTION AUTHORITY.—Section 923(g)(1) is amended by adding at the end the following:

''(E) Notwithstanding subparagraph (B), the Attorney General may enter during business hours the place of business of any gun show promoter and any place where a gun show is held for the purposes of examining the records required by sections 923 and 932 and the inventory of licensees conducting business at the gun show. Such entry and examination shall be conducted for the purposes of determining compliance with this chapter by gun show promoters and licensees conducting business at the gun show and shall not require a showing of reasonable cause or a warrant.''.

(e) INCREASED PENALTIES FOR SERIOUS RECORDKEEPING VIOLATIONS BY LICENSEES.—Section 924(a)(3) of title 18, United States Code, is amended to read as follows:

''(3)(A) Except as provided in subparagraph (B), any licensed dealer, licensed importer, licensed manufacturer, or licensed collector who knowingly makes any false statement or representation with respect to the information required by this chapter to be kept in the records of a person licensed under this chapter, or violates section 922(m) shall be fined under this title, imprisoned not more than 1 year, or both.

''(B) If the violation described in subparagraph (A) is in relation to an offense—

''(i) under paragraph (1) or (3) of section 922(b), such person shall be fined under this title, imprisoned not more than 5 years, or both; or

''(ii) under subsection (a)(6) or (d) of section 922, such person shall be fined under this title, imprisoned not more than 10 years, or both.''.

(f) INCREASED PENALTIES FOR VIOLATIONS OF CRIMINAL BACKGROUND CHECK REQUIREMENTS.—

(1) PENALTIES.—Section 924(a) of title 18, United States Code, is amended—

(A) in paragraph (5), by striking ''subsection (s) or (t) of section 922'' and inserting ''section 922(s)''; and

(B) by adding at the end the following:

''(9) Whoever knowingly violates section 922(t) shall be fined under this title, imprisoned not more than 5 years, or both.''.

(2) ELIMINATION OF CERTAIN ELEMENTS OF OFFENSE.—Section 922(t)(5) of title 18, United States Code, is amended by striking ''and, at the time'' and all that follows through ''State law''.

(g) EFFECTIVE DATE.—This Act and the amendments made by this section shall take effect 180 days after the date of enactment of this Act.

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**SA 474.** Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 22. GRANTING THE ATTORNEY GENERAL THE AUTHORITY TO DENY THE SALE, DELIVERY, OR TRANSFER OF A FIREARM OR THE ISSUANCE OF A FIREARMS OR EXPLOSIVES LICENSE OR PERMIT TO DANGEROUS TERRORISTS.**

(a) STANDARD FOR EXERCISING ATTORNEY GENERAL DISCRETION REGARDING TRANSFERRING FIREARMS OR ISSUING FIREARMS PERMITS TO DANGEROUS TERRORISTS.—Chapter 44 of title 18, United States Code, is amended—

(1) by inserting after section 922 the following:

**''§ 922A. Attorney General's discretion to deny transfer of a firearm**

''The Attorney General may deny the transfer of a firearm under section 922(t)(1)(B)(ii) of this title if the Attorney General—

''(1) determines that the transferee is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism; and

''(2) has a reasonable belief that the prospective transferee may use a firearm in connection with terrorism.

**''§ 922B. Attorney General's discretion regarding applicants for firearm permits which would qualify for the exemption provided under section 922(t)(3)**

''The Attorney General may determine that—

''(1) an applicant for a firearm permit which would qualify for an exemption under section 922(t) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism; and

''(2) the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.'';

(2) in section 921(a), by adding at the end the following:

''(36) The term 'terrorism' includes international terrorism and domestic terrorism, as those terms are defined in section 2331 of this title.

''(37) The term 'material support or resources' has the same meaning as in section 2339A of this title.

''(38) The term 'responsible person' means an individual who has the power, directly or indirectly, to direct or cause the direction of the management and policies of the applicant or licensee pertaining to firearms.''; and

(3) in the table of sections, by inserting after the item relating to section 922 the following:

''922A. Attorney General's discretion to deny transfer of a firearm.

''922B. Attorney General's discretion regarding applicants for firearm permits which would qualify for the exemption provided under section 922(t)(3).''.

(b) EFFECT OF ATTORNEY GENERAL DISCRETIONARY DENIAL THROUGH THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM (NICS) ON FIREARMS PERMITS.—Section 922(t) of title 18, United States Code, is amended—

(1) in paragraph (1)(B)(ii), by inserting ''or State law, or that the Attorney General has determined to deny the transfer of a firearm pursuant to section 922A of this title'' before the semicolon;

(2) in paragraph (2), in the matter preceding subparagraph (A), by inserting '', or if the Attorney General has not determined to deny the transfer of a firearm pursuant to section 922A of this title'' after ''or State law'';

(3) in paragraph (3)—

(A) in subparagraph (A)—

(i) in clause (i)—

(I) in subclause (I), by striking ''and'' at the end; and

(II) by adding at the end the following:

''(III) was issued after a check of the system established pursuant to paragraph (1);'';

(ii) in clause (ii), by inserting ''and'' after the semicolon; and

(iii) by adding at the end the following:

''(iii) the State issuing the permit agrees to deny the permit application if such other person is the subject of a determination by the Attorney General pursuant to section 922B of this title;'';

(4) in paragraph (4), by inserting '', or if the Attorney General has not determined to deny the transfer of a firearm pursuant to section 922A of this title'' after ''or State law''; and

(5) in paragraph (5), by inserting '', or if the Attorney General has determined to deny the transfer of a firearm pursuant to section 922A of this title'' after ''or State law''.

(c) UNLAWFUL SALE OR DISPOSITION OF FIREARM BASED UPON ATTORNEY GENERAL DISCRETIONARY DENIAL.—Section 922(d) of title 18, United States Code, is amended—

(1) in paragraph (8), by striking ''or'' at the end;

(2) in paragraph (9), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(10) has been the subject of a determination by the Attorney General under section 922A, 922B, 923(d)(3), or 923(e) of this title.''.

(d) ATTORNEY GENERAL DISCRETIONARY DENIAL AS PROHIBITOR.—Section 922(g) of title 18, United States Code, is amended—

(1) in paragraph (8), by striking ''or'' at the end;

(2) in paragraph (9), by striking the comma at the end and inserting ''; or''; and

(3) by inserting after paragraph (9) the following:

''(10) who has received actual notice of the Attorney General's determination made under section 922A, 922B, 923(d)(3) or 923(e) of this title,''.

(e) ATTORNEY GENERAL DISCRETIONARY DENIAL OF FEDERAL FIREARMS LICENSES.—Section 923(d) of title 18, United States Code, is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking ''Any'' and inserting ''Except as provided in paragraph (3), any''; and

(2) by adding at the end the following:

''(3) The Attorney General may deny a license application if the Attorney General determines that the applicant (including any responsible person) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism, and the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.''.

(f) DISCRETIONARY REVOCATION OF FEDERAL FIREARMS LICENSES.—Section 923(e) of title 18, United States Code, is amended—

(1) by inserting ''(1)'' after ''(e)'';

(2) by striking ''revoke any license'' and inserting the following: ''revoke—

''(A) any license'';

(3) by striking ''. The Attorney General may, after notice and opportunity for hearing, revoke the license'' and inserting the following: '';

''(B) the license''; and

(4) by striking ''. The Secretary's action'' and inserting the following: ''; or

''(C) any license issued under this section if the Attorney General determines that the holder of such license (including any responsible person) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism or providing material support or resources for terrorism, and the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.

''(2) The Attorney General's action''.

(g) ATTORNEY GENERAL'S ABILITY TO WITHHOLD INFORMATION IN FIREARMS LICENSE DENIAL AND REVOCATION SUIT.—

(1) IN GENERAL.—Section 923(f)(1) of title 18, United States Code, is amended by inserting after the first sentence the following: ''However, if the denial or revocation is pursuant to subsection (d)(3) or (e)(1)(C), any information upon which the Attorney General relied for this determination may be withheld from the petitioner, if the Attorney General determines that disclosure of the information would likely compromise national security.''.

(2) SUMMARIES.—Section 923(f)(3) of title 18, United States Code, is amended by inserting after the third sentence the following: ''With respect to any information withheld from the aggrieved party under paragraph (1), the United States may submit, and the court may rely upon, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.''.

(h) ATTORNEY GENERAL'S ABILITY TO WITHHOLD INFORMATION IN RELIEF FROM DISABILITIES LAWSUITS.—Section 925(c) of title 18, United States Code, is amended by inserting after the third sentence the following: ''If the person is subject to a disability under section 922(g)(10) of this title, any information which the Attorney General relied on for this determination may be withheld from the applicant if the Attorney General determines that disclosure of the information would likely compromise national security. In responding to the petition, the United States may submit, and the court may rely upon, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.''.

(i) PENALTIES.—Section 924(k) of title 18, United States Code, is amended—

(1) in paragraph (2), by striking ''or'' at the end;

(2) in paragraph (3), by striking the comma at the end and inserting ''; or''; and

(3) by inserting after paragraph (3) the following:

''(4) constitutes an act of terrorism, or providing material support or resources for terrorism,''.

(j) REMEDY FOR ERRONEOUS DENIAL OF FIREARM OR FIREARM PERMIT EXEMPTION.—

(1) IN GENERAL.—Section 925A of title 18, United States Code, is amended—

(A) in the section heading, by striking ''**Remedy for erroneous denial of firearm**'' and inserting ''**Remedies**'';

(B) by striking ''Any person denied a firearm pursuant to subsection (s) or (t) of section 922'' and inserting the following:

''(a) Except as provided in subsection (b), any person denied a firearm pursuant to subsection (t) of section 922 or a firearm permit pursuant to a determination made under section 922B''; and

(C) by adding at the end the following:

''(b) In any case in which the Attorney General has denied the transfer of a firearm to a prospective transferee pursuant to section 922A of this title or has made a determination regarding a firearm permit applicant pursuant to section 922B of this title, an action challenging the determination may be brought against the United States. The petition shall be filed not later than 60 days after the petitioner has received actual notice of the Attorney General's determination under section 922A or 922B of this title. The court shall sustain the Attorney General's determination upon a showing by the United States by a preponderance of evidence that the Attorney General's determination satisfied the requirements of section 922A or 922B, as the case may be. To make this showing, the United States may submit, and the court may rely upon, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security. Upon request of the petitioner or the court's own motion, the court may review the full, undisclosed documents ex parte and in camera. The court shall determine whether the summaries or redacted versions, as the case may be, are fair and accurate representations of the underlying documents. The court shall not consider the full, undisclosed documents in deciding whether the Attorney General's determination satisfies the requirements of section 922A or 922B.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 44 of title 18, United States Code, is amended by striking the item relating to section 925A and inserting the following:

''925A. Remedies.''.

(k) PROVISION OF GROUNDS UNDERLYING INELIGIBILITY DETERMINATION BY THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.—Section 103 of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note) is amended—

(1) in subsection (f)—

(A) by inserting ''or the Attorney General has made a determination regarding an applicant for a firearm permit pursuant to section 922B of title 18, United States Code,'' after ''is ineligible to receive a firearm''; and

(B) by inserting ''except any information for which the Attorney General has determined that disclosure would likely compromise national security,'' after ''reasons to the individual,''; and

(2) in subsection (g)—

(A) the first sentence—

(i) by inserting ''or if the Attorney General has made a determination pursuant to section 922A or 922B of title 18, United States Code,'' after ''or State law,''; and

(ii) by inserting '', except any information for which the Attorney General has determined that disclosure would likely compromise national security'' before the period at the end; and

(B) by adding at the end the following: ''Any petition for review of information withheld by the Attorney General under this subsection shall be made in accordance with section 925A of title 18, United States Code.''.

(l) UNLAWFUL DISTRIBUTION OF EXPLOSIVES BASED UPON ATTORNEY GENERAL DISCRETIONARY DENIAL.—Section 842(d) of title 18, United States Code, is amended—

(1) in paragraph (9), by striking the period and inserting ''; or''; and

(2) by adding at the end the following:

''(10) has received actual notice of the Attorney General's determination made pursuant to subsection (j) or (d)(1)(B) of section 843 of this title.''.

(m) ATTORNEY GENERAL DISCRETIONARY DENIAL AS PROHIBITOR.—Section 842(i) of title 18, United States Code, is amended—

(1) in paragraph (7), by inserting ''; or'' at the end; and

(2) by inserting after paragraph (7) the following:

''(8) who has received actual notice of the Attorney General's determination made pursuant to subsection (j) or (d)(1)(B) of section 843 of this title,''.

(n) ATTORNEY GENERAL DISCRETIONARY DENIAL OF FEDERAL EXPLOSIVES LICENSES AND PERMITS.—Section 843 of title 18, United States Code, is amended—

(1) in subsection (b), by striking ''Upon'' and inserting ''Except as provided in subsection (j), upon''; and

(2) by adding at the end the following:

''(j) The Attorney General may deny the issuance of a permit or license to an applicant if the Attorney General determines that the applicant or a responsible person or employee possessor thereof is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation of, in aid of, or related to terrorism, or providing material support or resources for terrorism, and the Attorney General has a reasonable belief that the person may use explosives in connection with terrorism.''.

(o) ATTORNEY GENERAL DISCRETIONARY REVOCATION OF FEDERAL EXPLOSIVES LICENSES AND PERMITS.—Section 843(d) of title 18, United States Code, is amended—

(1) by inserting ''(1)'' after ''(d)'';

(2) by striking ''if in the opinion'' and inserting the following: ''if—

''(A) in the opinion''; and

(3) by striking ''. The Secretary's action'' and inserting the following: ''; or

''(B) the Attorney General determines that the licensee or holder (or any responsible person or employee possessor thereof) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism, and that the Attorney General has a reasonable belief that the person may use explosives in connection with terrorism.

''(2) The Attorney General's action''.

(p) ATTORNEY GENERAL'S ABILITY TO WITHHOLD INFORMATION IN EXPLOSIVES LICENSE AND PERMIT DENIAL AND REVOCATION SUITS.—Section 843(e) of title 18, United States Code, is amended—

(1) in paragraph (1), by inserting after the first sentence the following: ''However, if the denial or revocation is based upon an Attorney General determination under subsection (j) or (d)(1)(B), any information which the Attorney General relied on for this determination may be withheld from the petitioner if the Attorney General determines that disclosure of the information would likely compromise national security.''; and

(2) in paragraph (2), by adding at the end the following: ''In responding to any petition for review of a denial or revocation based upon an Attorney General determination under subsection (j) or (d)(1)(B), the United States may submit, and the court may rely upon, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.''.

(q) ABILITY TO WITHHOLD INFORMATION IN COMMUNICATIONS TO EMPLOYERS.—Section 843(h)(2) of title 18, United States Code, is amended—

(1) in subparagraph (A), by inserting ''or in subsection (j) of this section (on grounds of terrorism)'' after ''section 842(i)''; and

(2) in subparagraph (B)—

(A) in the matter preceding clause (i), by inserting ''or in subsection (j) of this section,'' after ''section 842(i),''; and

(B) in clause (ii), by inserting '', except that any information that the Attorney General relied on for a determination pursuant to subsection (j) may be withheld if the Attorney General concludes that disclosure of the information would likely compromise national security'' after ''determination''.

(r) CONFORMING AMENDMENT TO IMMIGRATION AND NATIONALITY ACT.—Section 101(a)(43)(E)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)(E)(ii)) is amended by striking ''or (5)'' and inserting ''(5), or (10)''.

(s) GUIDELINES.—

(1) IN GENERAL.—The Attorney General shall issue guidelines describing the circumstances under which the Attorney General will exercise the authority and make determinations under subsections (d)(1)(B) and (j) of section 843 and sections 922A and 922B of title 18, United States Code, as amended by this Act.

(2) CONTENTS.—The guidelines issued under paragraph (1) shall—

(A) provide accountability and a basis for monitoring to ensure that the intended goals for, and expected results of, the grant of authority under subsections (d)(1)(B) and (j) of section 843 and sections 922A and 922B of title 18, United States Code, as amended by this Act, are being achieved; and

(B) ensure that terrorist watch list records are used in a manner that safeguards privacy and civil liberties protections, in accordance with requirements outlines in Homeland Security Presidential Directive 11 (dated August 27, 2004).

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**SA 475.** Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 9, strike lines 12 through 20 and insert the following:

''(A) 125 TO 150-PERCENT HIGHER UNEMPLOYMENT RATE.—The Secretary may increase the Federal share above the percentage specified in subsection (a) up to 60 percent of the cost of a project in the case of a grant made in an area for which—

''(i) the per capita income is not more than 70 percent of the national average;

''(ii) the 24-month unemployment rate is at least 150 percent of the national average; or

''(iii) if the national average 24-month unemployment rate is in excess of 6.5 percent, the 24-month unemployment rate is at least 125 percent of the national average.

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**SA 476.** Mr. REID (for Mrs. FEINSTEIN (for herself and Mr. COBURN)) proposed an amendment to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which

was ordered to lie on the table; as follows:

At the end, add the following:

**TITLE ____—ETHANOL SUBSIDIES AND TARIFF REPEAL**

**SEC. __01. SHORT TITLE.**

This title may be cited as the ''Ethanol Subsidy and Tariff Repeal Act''.

**SEC. __02. REPEAL OF VEETC.**

(a) ELIMINATION OF EXCISE TAX CREDIT OR PAYMENT.—

(1) Section 6426(b)(6) of the Internal Revenue Code of 1986 is amended by striking ''December 31, 2011'' and inserting ''the later of June 30, 2011, or the date of the enactment of the Ethanol Subsidy and Tariff Repeal Act)''.

(2) Section 6427(e)(6)(A) of such Code is amended by striking ''December 31, 2011'' and inserting ''the later of June 30, 2011, or the date of the enactment the Ethanol Subsidy and Tariff Repeal Act''.

(b) ELIMINATION OF INCOME TAX CREDIT.—

(1) IN GENERAL.—The table contained in section 40(h)(2) of the Internal Revenue Code of 1986 is amended—

(A) by striking ''2011'' and inserting ''the later of June 30, 2011, or the date of the enactment of the Ethanol Subsidy and Tariff Repeal Act'', and

(B) by adding at the end the following:

''After such date ..... zero zero''.

(2) CONFORMING AMENDMENT.—Section 40(h)(1) of such Code is amended by striking ''calendar years 2001 through 2011'' and inserting ''the period beginning January 1, 2001, and ending the later of June 30, 2011, or the date of the enactment of the Ethanol Subsidy and Tariff Repeal Act''.

(c) REPEAL OF DEADWOOD.—

(1) Section 40(h) of the Internal Revenue Code of 1986 is amended by striking paragraph (3).

(2) Section 6426(b)(2) of such Code is amended by striking subparagraph (C).

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to any sale, use, or removal for any period after the later of June 30, 2011, or the date of the enactment of the Act.

**SEC. __03. REMOVAL OF TARIFFS ON ETHANOL.**

(a) DUTY-FREE TREATMENT.—Chapter 98 of the Harmonized Tariff Schedule of the United States is amended by adding at the end the following new subchapter:

SUBCHAPTER XXIII

Alternative Fuels

| Heading/Subheading | Article Description | Rates of Duty | | |
|---|---|---|---|---|
| | | 1 | | 2 |
| | | General | Special | |
| 9823.01.01 | Ethyl alcohol (provided for in subheadings 2207.10.60 and 2207.20) or any mixture containing such ethyl alcohol (provided for in heading 2710 or 3824) if such ethyl alcohol or mixture is to be used as a fuel or in producing a mixture of gasoline and alcohol, a mixture of a special fuel and alcohol, or any other mixture to be used as fuel (including motor fuel provided for in subheading 2710.11.15, 2710.19.15 or 2710.19.21), or is suitable for any such uses ..... | Free | Free | 20%. |

(b) CONFORMING AMENDMENTS.—Subchapter I of chapter 99 of the Harmonized Tariff Schedule of the United States is amended—

(1) by striking heading 9901.00.50; and

(2) by striking U.S. notes 2 and 3.

(c) EFFECTIVE DATE.—The amendments made by this section apply to goods entered, or withdrawn from warehouse for consumption, on or after the later of June 30, 2011, or the date of the enactment of this Act.

## 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 has been scheduled before the Subcommittee on Water and Power. The hearing will be held on Thursday, June 23, 2011, at 2:30 p.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing will be to hear testimony on seven items:

S. 500, the South Utah Valley Electric Conveyance Act;

S. 715, the Collinsville Renewable Energy Promotion Act;

S. 802, the Lake Thunderbird Efficient Use Act of 2011;

S. 997, the East Bench Irrigation District Water Contract Extension Act;

S. 1033, to amend the Reclamation Wastewater and Groundwater Study and Facilities act to authorize the Secretary of the Interior to participate in the city of Hermiston, Oregon, water recycling and reuse project, and for other purposes;

S. 1047, the Leadville Mine Drainage Tunnel Act of 2011.

S. __, the Bureau of Reclamation Fish Recovery Programs Reauthorization Act of 2011.

S. __, the Fort Sumner Project Title Conveyance Act.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510–6150, or by e-mail to Meagan_Gins@energy.senate.gov.

For further information, please contact Tanya Trujillo at (202) 224–5479 or Meagan Gins at (202) 224–0883.

## AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. FRANKEN. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on June 15, 2011, at 9:30 a.m. in SR 328A.

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

COMMITTEE ON ARMED SERVICES

Mr. FRANKEN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on June 15, 2011, at 2:30 p.m.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. FRANKEN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on June 15, 2011, at 10 a.m. in Dirksen 406 to conduct a hearing entitled, ''The Clean Air Act and Public Health.''

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. FRANKEN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on June 15, 2011, at 2:30 p.m.

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

SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES

Mr. FRANKEN. Mr. President, I ask unanimous consent that the Subcommittee on Emerging Threats and Capabilities of the Committee on Armed Services be authorized to meet during the session of the Senate on June 15, 2011, at 9:30 a.m.

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

SUBCOMMITTEE ON FINANCIAL INSTITUTIONS AND CONSUMER PROTECTION

Mr. FRANKEN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs, Subcommittee on Financial Institutions and Consumer Protection be authorized to meet during the session of the Senate on June 15, 2011, at 10 a.m.

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

## CONCLUSION OF MORNING BUSINESS

Mr. REID. Mr. President, morning business is closed; is that right?

The PRESIDING OFFICER. The Senator is correct.

## ECONOMIC DEVELOPMENT REVITALIZATION ACT OF 2011—Resumed

Mr. REID. Mr. President, what is the pending business?

The PRESIDING OFFICER. The clerk will report the pending business.

The legislative clerk read as follows:

A bill (S. 782) to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

Pending:

DeMint amendment No. 394, to repeal the Dodd-Frank Wall Street Reform and Consumer Protection Act.

Paul amendment No. 414, to implement the President's request to increase the statutory limit on the public debt.

Cardin amendment No. 407, to require the FHA to equitably treat homebuyers who have repaid in full their FHA-insured mortgages.

Merkley/Snowe amendment No. 428, to establish clear regulatory standards for mortgage servicers.

Kohl amendment No. 389, to amend the Sherman Act to make oil-producing and exporting cartels illegal.

Hutchison amendment No. 423, to delay the implementation of the health reform law in the United States until there is final resolution in pending lawsuits.

Portman amendment No. 417, to provide for the inclusion of independent regulatory agencies in the application of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1501 et seq.).

Portman amendment No. 418, to amend the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1501 et seq.) to strengthen the economic impact analyses for major rules, require agencies to analyze the effect of major rules on jobs, and require adoption of the least burdensome regulatory means.

McCain amendment No. 411, to prohibit the use of Federal funds to construct ethanol blender pumps or ethanol storage facilities.

McCain amendment No. 412, to repeal the wage rate requirements commonly known as the Davis-Beacon Act.

Merkley amendment No. 440, to require the Secretary of Energy to establish an Energy Efficiency Loan Program under which the Secretary shall make funds available to States to support financial assistance provided by qualified financing entities for making qualified energy efficiency or renewable efficiency improvements.

Coburn modified amendment No. 436, to repeal the Volumetric Ethanol Excise Tax Credit.

Brown (MA)/Snowe amendment No. 405, to repeal the imposition of withholding on certain payments made to vendors by government entities.

Inhofe amendment No. 430, to reduce amounts authorized to be appropriated.

Inhofe amendment No. 438, to provide for the establishment of a committee to assess the effects of certain Federal regulatory mandates.

Merkley amendment No. 427, to make a technical correction to the HUBZone designation process.

McCain amendment No. 441 (to Coburn Modified Amendment No. 436), to prohibit the use of Federal funds to construct ethanol blender pumps or ethanol storage facilities.

The PRESIDING OFFICER. The majority leader.

AMENDMENT NO. 476

Mr. REID. Mr. President, I ask unanimous consent to set aside the pending amendment and call up amendment No. 476 on behalf of Senator FEINSTEIN.

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

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mrs. FEINSTEIN, proposes an amendment numbered 476.

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

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

The amendment is as follows:

(Purpose: To repeal the Volumetric Ethanol Excise Tax Credit)

At the end, add the following:

### TITLE ____—ETHANOL SUBSIDIES AND TARIFF REPEAL

**SEC. __01. SHORT TITLE.**

This title may be cited as the ''Ethanol Subsidy and Tariff Repeal Act''.

**SEC. __02. REPEAL OF VEETC.**

(a) ELIMINATION OF EXCISE TAX CREDIT OR PAYMENT.—

(1) Section 6426(b)(6) of the Internal Revenue Code of 1986 is amended by striking ''December 31, 2011'' and inserting ''the later of June 30, 2011, or the date of the enactment of the Ethanol Subsidy and Tariff Repeal Act)''.

(2) Section 6427(e)(6)(A) of such Code is amended by striking ''December 31, 2011'' and inserting ''the later of June 30, 2011, or the date of the enactment the Ethanol Subsidy and Tariff Repeal Act''.

(b) ELIMINATION OF INCOME TAX CREDIT.—

(1) IN GENERAL.—The table contained in section 40(h)(2) of the Internal Revenue Code of 1986 is amended—

(A) by striking ''2011'' and inserting ''the later of June 30, 2011, or the date of the enactment of the Ethanol Subsidy and Tariff Repeal Act'', and

(B) by adding at the end the following:

''After such date ..... zero zero''.

(2) CONFORMING AMENDMENT.—Section 40(h)(1) of such Code is amended by striking ''calendar years 2001 through 2011'' and inserting ''the period beginning January 1, 2001, and ending the later of June 30, 2011, or the date of the enactment of the Ethanol Subsidy and Tariff Repeal Act''.

(c) REPEAL OF DEADWOOD.—

(1) Section 40(h) of the Internal Revenue Code of 1986 is amended by striking paragraph (3).

(2) Section 6426(b)(2) of such Code is amended by striking subparagraph (C).

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to any sale, use, or removal for any period after the later of June 30, 2011, or the date of the enactment of the Act.

**SEC. __03. REMOVAL OF TARIFFS ON ETHANOL.**

(a) DUTY-FREE TREATMENT.—Chapter 98 of the Harmonized Tariff Schedule of the United States is amended by adding at the end the following new subchapter:

''SUBCHAPTER XXIII

Alternative Fuels

| Heading/Subheading | Article Description | Rates of Duty | | |
|---|---|---|---|---|
| | | 1 | | 2 |
| | | General | Special | |
| 9823.01.01 ..... | Ethyl alcohol (provided for in subheadings 2207.10.60 and 2207.20) or any mixture containing such ethyl alcohol (provided for in heading 2710 or 3824) if such ethyl alcohol or mixture is to be used as a fuel or in producing a mixture of gasoline and alcohol, a mixture of a special fuel and alcohol, or any other mixture to be used as fuel (including motor fuel provided for in subheading 2710.11.15, 2710.19.15 or 2710.19.21), or is suitable for any such uses ..... | Free | Free | 20%''. |

(b) CONFORMING AMENDMENTS.—Subchapter I of chapter 99 of the Harmonized Tariff Schedule of the United States is amended—

(1) by striking heading 9901.00.50; and

(2) by striking U.S. notes 2 and 3.

(c) EFFECTIVE DATE.—The amendments made by this section apply to goods entered, or withdrawn from warehouse for consumption, on or after the later of June 30, 2011, or the date of the enactment of this Act.

Mr. REID. Mr. President, I ask unanimous consent that Senator COBURN be listed as the second sponsor of that amendment by Senator FEINSTEIN, No. 476.

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

Mr. REID. Mr. President, I ask unanimous consent that when the Senate resumes consideration of S. 782, on Thursday, June 16, the Feinstein amendment No. 476 and the McCain amendment No. 411 be debated concurrently; that there be up to 4 hours of debate equally divided between the two leaders or their designees; that upon the use or yielding back of time, the Senate proceed to votes in relation to the amendments in the following order: Feinstein No. 476 and McCain No. 411; further, that neither of the amendments be divisible; that there be no amendments, points of order, or motions in order to either amendment prior to the votes other than budget points of order and the applicable motions to waive; that both amendments

be subject to a 60-vote threshold; and the motions to reconsider be considered made and laid upon the table; finally, upon disposition of the McCain amendment, the majority leader be recognized.

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

Mr. REID. Mr. President, I want to thank the Senator from South Carolina for allowing us to go forward with this agreement. Senator DEMINT wanted to ensure that this agreement would in no way limit his ability to offer and get votes on an amendment that he cares about, No. 460, regarding the renewable fuel standards and the estate tax.

Senator DEMINT is correct and this agreement does not preclude the Senate from considering his amendment, and I thank the Senator for his cooperation.

I also very much appreciate the understanding of Senator FEINSTEIN, Senator KLOBUCHAR, Senator THUNE, Senator COBURN. We have worked really hard trying to get to this point. It has not been easy. Most everyone did not get what they wanted. But that is what agreements are all about; we have the opportunity to move forward on other things. We will have to decide what more we can do on this bill. But I appreciate very much their understanding. In many conversations I had with them during the day they were all very courteous and thoughtful and very good advocates of their position.

## MONGOLIAN PRESIDENT TSAKHIAGIIN ELBEGDORJ'S VISIT TO WASHINGTON, DC

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to S. Res. 208.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 208) expressing the sense of the Senate regarding Mongolian President Tsakhiagiin Elbegdorj's visit to Washington, DC and its support for the growing partnership between the United States and Mongolia.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements be printed in the RECORD.

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

The resolution (S. Res. 208) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 208

Whereas the United States Government established diplomatic relations with the Government of Mongolia in January 1987, followed by the opening of a United States Embassy in Ulaanbaatar in June 1988;

Whereas in 1990, the Government of Mongolia declared an end to 1-party Communist rule and initiated lasting democratic and free market reforms;

Whereas the United States Government has a longstanding commitment, based on its interests and values, to encourage economic and political reforms in Mongolia, having made sizeable contributions to that end since 1991;

Whereas in 1991, the United States—

(1) signed a bilateral trade agreement that restored normal trade relations with Mongolia; and

(2) established a Peace Corps program in Mongolia that has had 869 total volunteers since 1991;

Whereas in 1999, the United States granted permanent normal trade relations status to Mongolia;

Whereas the Government of Mongolia has increasingly participated in the International Monetary Fund, the World Bank, the Asian Development Bank, and the European Bank for Reconstruction and Development, among other international organizations;

Whereas in 2007, the House Democracy Partnership began a program to provide parliamentary assistance to the State Great Khural, the Parliament of Mongolia, to promote transparency, legislative independence, access to information and government oversight;

Whereas on May 24, 2009, the people of Mongolia completed the country's fourth free, fair, and peaceful democratic election, which resulted in the election of opposition Democratic Party candidate Tsakhiagiin Elbegdorj;

Whereas in July 2011, Mongolia will assume the 2-year chairmanship of the Community of Democracies;

Whereas in 2013, Mongolia will host the Seventh Ministerial Meeting of the Community of Democracies in Ulaanbaatar;

Whereas the Government of Mongolia continues to work with the United States Government to combat global terrorism;

Whereas Mongolia deployed about 990 soldiers to Iraq between 2003 to 2008 and currently has 190 troops in Afghanistan;

Whereas in 2010, the Government of Mongolia deployed a United Nations Level II hospital in Darfur, Sudan;

Whereas the Government of Mongolia has actively promoted international peacekeeping efforts by sending soldiers—

(1) to protect the Special Court of Sierra Leone;

(2) to support the North Atlantic Treaty Organization mission in Kosovo; and

(3) to support United Nations missions in several African countries;

Whereas the Government of Mongolia has built a successful partnership since 2003 with the Alaska National Guard that includes humanitarian and peacekeeping exercises and efforts;

Whereas the United States Government and the Government of Mongolia share a common interest in promoting peace and stability in Northeast Asia and Central Asia;

Whereas in 1991 and 1992, the Government of Mongolia signed denuclearization agreements committing Mongolia to remain a nuclear weapons-free state;

Whereas in 2010, Mongolia became the Chair of the Board of Governors of the International Atomic Energy Agency;

Whereas in 2010, the United States and Mongolia signed a Memorandum of Understanding to promote cooperation on the peaceful use of civil nuclear energy;

Whereas the National Nuclear Security Administration and the Nuclear Energy Agency of the Government of Mongolia successfully completed training on response mechanisms to potential terrorist attacks;

Whereas between 1991 and 2011, the United States Government granted assistance to Mongolia—

(1) to advance the legal and regulatory environment for business and financial markets, including the mining sector;

(2) to promote the reduction of greenhouse gas emissions; and

(3) to support good governance programming;

Whereas in 2007, the Millennium Challenge Corporation signed an agreement with Mongolia to promote sustainable economic growth and to reduce poverty by focusing on property rights, vocational education, health, transportation, energy, and the environment;

Whereas Mongolia's plan to enhance its rail infrastructure promises to diversify its trading and investment partners, to open up new markets for its mineral exports, and to position Mongolia as a bridge between Asia and Europe;

Whereas the United States has assisted Mongolia's efforts—

(1) to address the effects of the global economic crisis;

(2) to promote sound economic, trade, and energy policy, with particular attention to the banking and mining sectors;

(3) to facilitate commercial law development; and

(4) to further activities with Mongolia's peacekeeping forces and military;

Whereas in January 2010—

(1) the United States Government and the Government of Mongolia agreed to promote greater academic exchange opportunities;

(2) the Mongolian Ministry of Education, Culture and Science pledged to financially support the U.S.-Mongolia Fulbright Program; and

(3) the United States Department of State announced its intention to increase its base allocation for the U.S.-Mongolia Fulbright Program in fiscal year 2010;

Whereas in 2011, Mongolia is celebrating the 100 year anniversary of its independence;

Whereas on June 16, 2011, President Elbegdorj, during a working visit to the United States, is scheduled to meet with President Barack Obama, Congressional leaders, academics, and representatives of the business community;

Whereas in late 2011, Vice President Joseph Biden is scheduled to travel to Mongolia to highlight our shared interests and values;

Now, therefore, be it

*Resolved,* That it is the sense of the Senate that—

(1) Mongolian President Tsakhiagiin Elbegdorj's historic visit to Washington, D.C. cements the growing friendship between the governments and peoples of the United States and Mongolia;

(2) the continued commitment of the Mongolian people and the Government of Mongolia to advancing democratic reforms, strengthening transparency and the rule of law, and protecting investment deserves acknowledgment and celebration;

(3) the United States Government should—

(A) continue to promote economic cooperation; and

(B) consider next steps in securing increased investment and trade to promote prosperity for both countries;

(4) the United States Government should continue to support the Government of Mongolia as it works with the International Monetary Fund, the World Bank, the Asian Development Bank, and the European Bank for Reconstruction and Development to improve its economic system and accelerate development; and

(5) the United States Government should continue to expand upon existing academic,

cultural, and other people-to-people exchanges with Mongolia.

## ORDERS FOR THURSDAY, JUNE 16, 2011

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Thursday, June 16; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate resume consideration of S. 782, the Economic Development Act, under the previous order.

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

## PROGRAM

Mr. REID. There will be two rollcall votes tomorrow around 2 p.m. in relation to the Feinstein and McCain amendments regarding the subject matter of those amendments.

## ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:03 p.m., adjourned until Thursday, June 16, 2011, at 10 a.m.

# EXTENSIONS OF REMARKS

## SALUTING SERVICE ACADEMY STUDENTS BRIANNA BURNSTAD

**HON. SAM JOHNSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 15, 2011*

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to honor an extraordinary group of young men and women who have been chosen as future leaders in our armed forces by the prestigious United States service academies. It is a privilege to send such a fine group from the Third District of Texas to pursue a world-class education and serve our Nation.

As we keep them and their families in our prayers, may we never forget the sacrifices they are preparing to make while defending our freedoms all across the globe. I am so proud of each one. God bless them and God bless America.

Today I salute Brianna Burnstad, a United States Military Academy Appointee. Brianna is a graduate of Plano Senior High School where she played volleyball, while simultaneously participating on a club volleyball team serving as the team captain. Brianna served as a member of student congress, the National Honor Society, and Third District Congressional Youth Advisory Committee. She was also active in her church as a confirmation teacher, youth choir representative, and took part in mission trips. Brianna wants to attend the United States Military Academy following in the footsteps of three generations of her family because she wants to pursue a career in the Army and wants to dedicate herself to something larger than herself. Brianna is not only impressed that West Point challenges its students academically, but also emphasizes the importance of physical and leadership training.

## IN HONOR OF THE LIFE OF CLARA MAE SHEPARD LUPER

**HON. JOHN CONYERS, JR.**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 15, 2011*

Mr. CONYERS. Mr. Speaker, today, we honor Clara Mae Shepard Luper and her lifelong work towards achieving equality for all in the state of Oklahoma. She has been the face of the Oklahoma Civil Rights movement since 1958 and to many she is a treasure to the United States and an icon for the struggle for equality.

In the face of segregation and wide-spread discrimination, Clara Luper decided that enough was enough. Mrs. Luper's courage, determination, and integrity cultivated her strong leadership to organize a sit-in protest at the Katz Drug Store in downtown Oklahoma City, a business that refused to serve black customers. Mrs. Luper was fearless when she organized civil disobedience demonstrations and she unapologetically used these demonstrations to challenge the state of Oklahoma's allowance for discrimination against blacks.

I recall Mrs. Luper spoke about her mother witnessing a Black man who had been hung by a White mob in Texas. Regardless of her experience, however, her mother instilled in her a belief of "loving people, no matter what their color."

Mrs. Luper's mother believed that freedom and equality were guarantees of the Constitution and Mrs. Luper was bound to make sure the state of Oklahoma made good on that promise. Thus, she continued to influence others with the beliefs her parents taught her by including young people in the struggle for civil rights and immersing herself in demonstrations for equality across the country.

Mrs. Luper participated in the march in Selma against segregation in 1965. She was arrested then and many other times for protesting against social injustice. She was even beaten by demonstrators protesting against the movement in Selma. However, she courageously continued.

For over 40 years Mrs. Luper traveled with groups of young people from Oklahoma to conventions across the United States that rallied to end segregation in America. During these conventions, some students witnessed desegregated public bathrooms and restaurants for the first time in their lives. However, I most admire her journey with these young people to the March on Washington in 1963 and her leadership to hundreds of youth in the National Association for the Advancement of Colored People, NAACP, Youth Council in Oklahoma.

As an educator for over 40 years, Mrs. Luper taught American history to Oklahoma youth. Although she retired in 1991, many of her students still credit her for instilling in them a sense of worth and confidence that they could go out and change society for the better. Some of them considered her more than an educator, with many to this day still referring to her as "Mom."

She also had an interest in public service. In 1972, Mrs. Luper threw her hat into the political ring and ran for the U.S. Senate. She stated "as a teacher, I was interested in getting some practical experience in the political realm. And I sure did that." Although she did not win the nomination from the Democratic Party, many current politicians in Oklahoma and abroad have benefited from her courage and significant involvement in Oklahoma politics.

In the years following, Mrs. Luper founded the Miss Black Oklahoma Scholarship Pageant. Attending and affording college and a deep knowledge of American and civil rights history are the foundations of the scholarship pageant program. Young black Oklahoma women have benefited Mrs. Luper's vision to provide educational opportunities and scholarships to rising young leaders in the state and I am grateful for her efforts and investment in America's youth.

53 years ago, civil rights leader and icon Clara Luper displayed the inspiring courage to better this country for all of its citizens. I know that this Congress and the people of this Nation can work to further the ideals of Mrs. Luper and the Civil Rights Movement.

[From the New York Times, Jun. 11, 2011]

CLARA LUPER, A LEADER OF CIVIL RIGHTS SIT-INS, DIES AT 88

(By Dennis Hevesi)

Her name does not resonate like that of Rosa Parks, and she did not garner the kind of national attention that a group of black students did when they took seats at a Woolworth's lunch counter in Greensboro, N.C., in February 1960. But Clara Luper was a seminal figure in the sit-ins of the civil rights movement.

Ms. Luper, who led one of the first sit-ins—at a drugstore in Oklahoma City 18 months before the Greensboro action—died Wednesday at her home in Oklahoma City, her daughter Marilyn Hildreth said. She was 88.

Ms. Luper was a history teacher at Dunjee High School in 1957 when she agreed to become adviser to the Oklahoma City N.A.A.C.P.'s youth council. The youngsters asked what they could do to help the movement.

On Aug. 19, 1958, Ms. Luper led three other adult chaperons and 14 members of the youth council into the Katz Drug Store in Oklahoma City, where they took seats at the counter and asked for Coca-Colas. Denied service, they refused to leave until closing time. They returned on Saturday mornings for several weeks.

The sit-ins received local press coverage. Eventually the Katz chain agreed to integrate lunch counters at its 38 stores in Oklahoma, Missouri, Kansas and Iowa. Over the next six years, the local N.A.A.C.P. chapter held sit-ins that led to the desegregation of almost every eating establishment in Oklahoma City.

"The actions that Ms. Luper and those youngsters took at the Katz Drug Store inspired the rank and file of the N.A.A.C.P. and activists on college campuses across the country," Roslyn M. Brock, the group's national chairwoman, said Friday.

Ms. Luper's activism extended beyond the sit-ins. A week after that first protest, 17 white churches in Oklahoma City let members of her youth group attend services. At another church, a pastor asked two youngsters to leave, The Associated Press reported at the time. "God did not intend Negroes and whites to worship together," he told them.

Ms. Luper was arrested 26 times at civil rights protests. Now a street is named after her in Oklahoma City, and flags flew Friday at half-staff in her honor.

Born Clara Mae Shepard on May 3, 1923, to Ezell and Isabel Shepard, Ms. Luper grew up near Hoffman, Okla. Her father was a brick worker, and her mother was a maid. "When she was a child, her brother got sick and they wouldn't treat him at the hospital," Ms. Hildreth said. "That really triggered her."

Ms. Luper is also survived by another daughter, Chelle Wilson; a son, Calvin; a sister, Oneita Brown; five grandchildren; eight great-grandchildren; and one great-great-grandchild. Her husband, Bert Luper, died before her.

Ms. Luper graduated from Langston University in 1944. In 1951 she earned a master's degree in history from the University of Oklahoma, where she was the first black student admitted to a graduate history program. She taught at Oklahoma City high schools until she retired in 1991.

On the blog Stories in America, she said her father ''had never been able to sit down and eat a meal in a decent restaurant.''

''He used to tell us that someday he would take us to dinner and to parks and zoos,'' she said. ''And when I asked him when was someday, he would always say, 'Someday will be real soon,' as tears ran down his cheeks.''

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[From NewsOK.com, Jun. 9, 2011]

CIVIL RIGHTS LEADER CLARA LUPER HAS DIED

(By Robert Medley and Bryan Painter)

Clara Luper, a civil rights pioneer whose lunch counter sit-ins helped end discrimination in public restaurants, has died. She was 88.

Luper died Wednesday night in Oklahoma City after a long illness, family members confirmed.

Luper has been the face of the Oklahoma civil rights movement since 1958, when she led a sit-in protest inside Katz Drug Store in downtown Oklahoma City, where the owners had refused to serve black customers.

Roosevelt Milton, 66, president emeritus of the NAACP's Oklahoma City and Oklahoma chapters, said she was a primary groundbreaker in the movement.

''I think that Clara was the last great civil rights icon in Oklahoma,'' Milton said. ''She was a very passionate and fearless person when it came to the NAACP mission.''

Oklahoma House Speaker Kris Steele, R-Shawnee, called Luper a civil rights giant.

''Throughout her life, Ms. Luper adhered to the principle that actions speak louder than words,'' Steele said. ''Through her actions, she helped lead Oklahoma and the nation forward by showing courage and courtesy simultaneously, often in the face of unpleasant opposition. A road near the Capitol is now deservedly named in her honor, but perhaps the most fitting tribute to give Ms. Luper is fulfilling her vision that all Oklahomans and Americans are equal, our histories and futures intrinsically linked. She will be greatly missed, but her legacy will never be forgotten.''

HISTORIC SIT-IN

In 1958, she chaperoned a group of black students to New York City. The trip eastward was through the northern states; many of the students experienced, for the first time, treatment equal to whites in public places. On their return through Southern states, they re-entered familiar, segregated territory. That brief taste of equality would help change American history.

In August 1958, a youth council group met in Luper's home and decided to force the issue at downtown eating places that refused to serve blacks. They decided to sit down and sit there until they were served.

With 13 young people, ages 6 to 13, including her two oldest children, Calvin and Marilyn, Luper directed a protest at Katz Drug on Main Street. She taught them courage and self-respect and the nonviolent philosophy of Martin Luther King Jr. She made certain that every day their clothes were clean and ironed, so they would look confident.

The youth endured curses and threats from other customers, were covered with ketchup, hot grease and spit and were kicked and punched. Luper was with them constantly. One black child was served a hamburger at the Katz lunch counter, and the breakthrough opened Oklahoma City restaurants to blacks. Luper and the children demonstrated for better treatment for blacks at John A. Brown's luncheonette, Anna Maude Cafeteria, the Skirvin Hotel and Wedgewood Amusement Park.

LEGACY

Luper helped establish the Youth Council of the Oklahoma City Chapter of the National Association of the Advancement of Colored People (NAACP) in the 1950s and served as its adviser for 50 years. She is credited with directing a new type of nonviolent protest, the sit-in, and for staging the first such publicized event in the nation.

Luper taught American history for 41 years, beginning at Dunjee High School and working at other Oklahoma City schools; she retired from John Marshall in 1989.

Clara Shepard Luper was born May 3, 1923, in Okmulgee County, the middle of five children of Ezell and Isabell Shepherd. She attended Langston University, then became the first black student to enroll in the history department at the University of Oklahoma, where she earned a master's degree.

She marched with Martin Luther King Jr., whom she knew personally. In Selma, Ala., she was injured by a hit to the knee with a club. Luper was arrested 26 times during sit-ins and other nonviolent protests.

Her book, ''Behold the Walls,'' published in 1979, detailed her work in the civil rights movement, much of which drew national attention.

Luper made an unsuccessful run for the U.S. Senate, became the first black vice president for the Oklahoma County Teachers Association and served as a consultant and adviser on school desegregation in Oklahoma City.

In 2000, a 2.7-mile section of NE 23, where she had led young people in walks and marches many times, was renamed the Clara Luper Corridor. In 2002, Edward L. Gaylord, then president of The Oklahoma Publishing Co., initiated a scholarship fund in her name, honoring her life work of giving youngsters self-respect and hope, along with a start on their education.

In later years, Luper directed celebrations of the anniversaries of civil rights landmarks, and produced the Miss Black Oklahoma pageant, which she used as a medium to teach young women social skills. She opened the Freedom Center, the northeast Oklahoma City headquarters for NAACP youth programs and frequently served as a calming, practical influence for cooperation in race relations.

REMEMBERING LUPER

As a 16-year-old, Joyce Henderson, a soon-to-be senior at Dunjee High School, heard the Rev. Martin Luther King Jr. present his ''I Have a Dream'' speech Aug. 28, 1963. With a little cash in her purse and a change of clothes in a small suitcase, Henderson boarded one of two charter buses with fellow students active in the NAACP Youth Council. One of her teachers, Clara Luper, invited her to make the trip to Washington.

Last Friday and again Monday, Henderson went by to see Luper. On Friday, ''I said, 'Mother Luper, this is Joyce.' She nodded her head; she knew who I was.''

Henderson, though not in on the initial sit-in, became involved in the movement. She said Luper's students at Dunjee would call her ''Ms. Luper.''

''As we've grown older many of us began calling her Mother Luper,'' she said. ''She was truly that. For whatever reason she made each of us feel special, like she was our mother.''

Henderson always felt a sense of security knowing of Luper's presence in the world, she said. That made Thursday a sad day for Henderson, who retired in 2006 after 36 years as an educator and administrator.

''You've got to admit that Oklahoma and this world is a better place because of Mother Luper,'' she said.

Bruce Fisher, administrative program officer for the Oklahoma History Center, was emotionally shaken Thursday when he heard the news.

Fisher played a major role in designing an exhibit at the museum featuring a replica of the Katz Drug Store lunch counter. He said Luper's efforts are an important part of Oklahoma history and important to the national civil rights movement as well.

''I wanted to make sure that we never forget that, and what an important role she played in ensuring the rights and freedoms that so many of us now take for granted,'' Fisher said.

Valerie Thompson, president and chief executive officer of the Urban League of Greater Oklahoma City, said Oklahoma has lost an innovative educator and pioneer for change.

''Clara Luper served as a beacon for civil rights and equality,'' Thompson said. ''Her pioneering spirit, tireless commitment to education and advocacy for equal opportunity will never be forgotten.''

Oklahoma City Mayor Mick Cornett said Luper was a great Oklahoman and a great American.

''Her peaceful, resolute sit-in protest at the Katz Drug Store, where the owners at the time refused to serve African-Americans, paved the way for equal rights in Oklahoma City,'' Cornett said. ''If that was the extent of her contribution to Oklahoma and the Nation, it would have been accomplishment enough, but that act came early on, and Clara dedicated the rest of her long and wonderful life to such basic human needs as dignity, honor and respect.''

Cornett requested that flags on city property be flown at half-staff in honor of Luper through sunset Friday.

Gov. Mary Fallin described Luper as a tremendous civil rights activist and a devoted mother.

U.S. Rep. James Lankford, R-Oklahoma City, said, ''The courage of Clara Luper and her children provided the turning point in Oklahoma's race relations, through their dignified and principled stand against discrimination in 1958. A lifetime later, our culture has made great strides, but we still have much work to do to remove barriers that keep Americans from achieving their fullest potential. Today's generation can thank Clara Luper for many of the freedoms they experience today.''

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[From paregien.net, Aug. 6, 2008]

CLARA LUPER: MOTHER OF THE CIVIL RIGHTS MOVEMENT IN OKLAHOMA

(By Stan Paregien Sr.)

Most people would probably try to hide the fact that they had been arrested not just one or twice but 26 times. But there is only one Clara Luper, and she wears those arrests like battle decorations. And so they were. Only the battle was not against an enemy nation but against the ignorance and intolerance that fostered racial problems right here in the good ol' USA.

Clara Shepard was born on May 3, 1923 in Okfuskee County, Oklahoma. Her parents were dirt-poor share croppers with a total of five children. She attended a segregated (all Black) elementary school in Hoffman, Oklahoma. She graduated from Grayson High School in 1942.

''One of my little brothers got very sick. So my parents took him to the only doctor in Henryetta, Oklahoma. But the doctor refused to examine him because he was Black. And he died shortly after that.''

Clara married Bert Luper at Durant, Oklahoma. Clara and Bert had three children—

Calvin, Marilyn, and Chelle. After his death, she married Mr. Wilkerson.

She graduated from a segregated Black college, Langston University (Langston, Oklahoma) with the B.A. degree in math and education.

A TEACHER FOR 41 YEARS

Her first job after graduation was teaching at a Black school for orphans, deaf and blind students. That was at Taft, Oklahoma. She also taught school in Pawnee, Oklahoma. But her longest tenure and greatest impact was at the segregated Dunjee High School in Oklahoma City and, later, at John Marshall High School. She taught history, Human Relations, math and social studies. And, just as important, she instilled in them a sense of worth and a confidence that they could go out and change society for the better. She retired in 1991, after 41 years as an educator and motivator of Black students.

Luper said, ''My students had dreams about what they could become. I looked at them like you'd look at a caterpillar long before it changes to a butterfly. I knew they had skills and abilities down deep that they could not yet see. So I did-my best to develop those gifts, to polish those diamonds in the rough. That is what teaching is really all about.''

OKLAHOMA PRIOR TO 1950

By way of a short history lesson, many promoters convinced Blacks from both the South and the North that the new state of Oklahoma (admitted to the Union in 1907) was a Promised Land for them. And many hundreds of Blacks moved West and developed small, all-Black towns in Oklahoma.

Along with the Black towns came Black-owned newspapapers. And in 1914 one Black newspaper man founded his own newspaper, The Black Dispatch, in the Black area of Oklahoma City. He was outspoken in his calls for Blacks to fight the forced segregation as practiced in most of the nation at the time. And he argued that Blacks should become involved in politics to make sure their voices were heard.

The tensions between the races rose even higher following the tragic race riot in Tulsa in 1921. It was triggered by an incident in which a Black man allegedly made unwelcome advances on a White woman. The end result was that most of the Black business district on the north side of Tulsa was burned to the ground and some 300 people killed.

Clara Luper's own parents had different approaches to dealing with racial segregation and other injustices. ''My dear mother believed in loving people, no matter what their color. She was always a bit afraid of the power of White people. She had actually seen a Black man hung by a White mob in Texas. So she was never eager to step out and challenge the status quo.

''My father, Ezell Shepard, served in the U.S. Army while it was still highly segregated and suffered many injustices. And there he saw new and better relations between the races, where people were judged more by what they could do than by the color of their skin. So he was more willing to challenge the system. He was just a man of great optimism who did not dwell on negative things but looked for the good things.

''One time we all got on a bus, headed somewhere or other. And I asked my parents, 'Why do we have to sit here in the back of the bus?' My mother whispered in my face, 'You just shut up, girl.' But my father laughed and said, 'Oh, that's alright. Don't you worry about it Clara. Times will get better some day.' That is how it was in our family. He was a 'some day' man.''

On Dec. 5, 1955, a young Black girl named Rosa Parks in Montgomery, Alabama set off a furor when she refused to give up her seat on a bus to a White woman. Dr. Martin Luther King, Jr., followed up with a call for a boycott of the bus system until they agreed to end their racist seating rules. That boycott lasted until December of 1956, when the city finally agreed to eliminate their descriminitory rules.

''Oh, I got great strength of courage by seeing the new coverage of those Black people taking action to better their lives,'' Clara Luper said with a wave of her arm. '' And it also filled me with anger that they had to walk to work and elsewhere just to fight for the same seating rights as White people.''

THE FREEDOM CENTER

I interviewed her as we sat in her modest office at the Freedom Center she helped establish at 2609 N. Martin Luther King Avenue in Oklahoma City. That was on August 6, 2006. Her speech was strong and animated, her pronunciation so distinct and precise as to be almost theatrical. It was obvious that her talent in public speaking had been honed by years of teaching and motivating others. And I could imagine how, fifty years ago, many lesser educated Whites and Blacks could feel intimidated or even threatened by her self-confident poise.

''This building has been a blessing to our people,'' she said. ''The National Association for the Advancement of Colored People, NAACP, started meeting in my house at 1818 NE Park Place in 1957. We soon needed a bigger place to meet and we bought and converted what had been an old Mobil gas service station to our Freedom Center. We were able to rally a large number of people, particularly young people, to participate in our motivational activities. And a lot of White folks didn't like that one bit.

''So one night someone threw a torch or a bomb into the building. All my personal correspondence with people like Martin Luther King and Medgar Evers was lost in the fire. But we turned right around and rebuilt the building. The kids at Northwest Classen High School, where I was teaching, helped raise some of the money. No one was ever arrested for the crime.''

THE SIT-IN IN OKLAHOMA CITY

On August 18, 1958, Clara Luper led her students into a Katz Drug Store in downtown Oklahoma City. The drug store also had a lunch counter and soda fountain, but only served White people. So Luper and her young people walked in and placed their orders and, when promptly refused, they sat down and refused to leave. This was a peaceful and orderly and non-violent demonstration to gain the right to eat there. But the police were summoned and escorted the group from the building. But Luper and the students returned time and time again until the store finally gave in and agreed to serve Blacks just as they did everyone else.

INFLUENCE OF RELIGION

She said that she came from a very religious family. ''My Christian faith has always been extremely important to me, both in my personal and professional life and in my experiences in the Civil Rights Movement. It all goes back to my parents and grandparents who taught us to believe for the rain when it didn't fall, to believe for the sun when it didn't shine and to pray to the God we had never seen.

''And I was heavily influenced by the ministers in the Black community. They were largely uneducated or self-taught. But despite their lack of a formal education, they were often the best role models for our children. And most of them did all they could to help our young people.

''You see,'' she said with a big smile, ''those ministers were not dependent on White employers for their incomes, unlike most Black folks. So they could be more vocal on social issues.''

Clara Luper is a long-time member of the Fifth Street Baptist Church in Oklahoma City.

MARCH ON WASHINGTON

In 1963, Dr. Martin Luther King, Jr., called for a march on Washington, D.C., to demand passage of the Civil Rights Bill. About a hundred people, including Clara Luper, loaded onto two buses for the trip to Washington and were present on that historic day, August 28, 1963. Some 250,000 people crowded together to hear the speakers. And all of the U.S. TV networks, as well as many foreign networks, carried to messages to millions of people around the world.

''We had a great time on those buses. We sang freedom songs and talked about what a great gathering it would be. And it was better than we could ever have imagined. There were rows and rows of buses as far as the eye could see, with hundreds of thousands of people gathered together. The highlight was when Dr. King gave his ''I Have a Dream'' speech. That was so simple and yet so powerful. My son, Calvin, got to shake hands with Dr. King and with President John Kennedy.

''We had come to Washington. Then we got back on the bus and it was silent for a long time. Then someone broke out singing 'We Shall Overcome' and we all started singing. It was an enchanting, heavenly feeling that I shall never forget. Yes, yes.''

''You know something?'' she asked, rhetorically and then firmly stated, ''It is hard to love your enemies, those who would walk up to you and spit in your face. But Dr. Martin Luther King said you've got to. And, of course, he got that from the Bible.''

Unfortunately, President Kennedy was assassinated just three months later. But his successor, Lyndon B. Johnson, signed the Civil Rights Act into law on July 2, 1964. The bill gave the federal government absolute power to enforce school desegregation. It even prohibited segregation in public places. And, just as important for the long haul, the Civil Rights Act established a Commission on Equal Employment Opportunity.

''The Civil Rights Bill of 1964,'' Luper noted, ''was also a big help to women. For the most part, and particularly in the Black community, women were taught to be subservient to men. Women had been indoctrinated to believe they were dumb and that whatever men said was the end of the discussion. But that Bill said you cannot discriminate on the basis of race, creed, color or sex. So that was something to really be proud of.''

Times were changing for the better, to be sure. Just like Clara's father had predicted.

MARCH ON SELMA

In 1965, Clara Luper and Eddie Stamps and others drove in vans to Selma, Alabama to march against segregation.

''In Selma it was just like a war. The Civil Rights protesters were on one end of the town and the police and their supporters (''posse men'') were on the other end. Even the highway patrol pointed guns at us as we drove into town.

''When we started our march, one of the 'posse men' as they called themselves, hit me on the leg. My leg started bleeding and the girls, white girls, that were with me started crying and saying, 'Oh, mamma, mamma, you're hurt.' And those posse men or Klu Klux Clan came up and said to the white girls, 'Is she your mamma?' and the white girls said, 'Yes, that's our mamma.'

''So those men came back to me and asked me who the father of those girls were, since they were calling me mamma. So I told them God was their father. And those men began

to cuss and say 'Screw them niggers'. So I knew they were ignorant and it didn't matter what I said to them,'' Luper said.

''About that time Dr. Martin Luther King came up and got us all to walk toward the bridge in an effort to get the local Blacks registered to vote. It was a long, hard day.

''That night we all fanned out to be in different homes to listen to President Lyndon Johnson speak on TV to the Nation. I wound up in a pretty run-down house. We all watched TV as President Johnson said that the very next day he was going up to speak to the Congress and to ask them to pass a voters rights bill. We all just went wild.''

POLITICAL CANDIDATE

In 1972, Luper threw her hat into the political ring. She ran for the U.S. Senate against fellow Democrat Mike Turpen and Republican Dewey Bartlett.

''As a teacher, I was interested in getting some practical experience in the political realm. And I sure did that. I had debates with both Turpen and Bartlett, so it gave me a great platform to express my views. But, of course, Dewey Bartlett won the election. It was still a great educational experience for me and for my students. I really enjoyed that experience more than anything else I have ever done.

''I remember one incident down somewhere in southeast Oklahoma, down there in 'Little Dixie'. I was speaking at a political rally when a White man stood up and asked me what I thought about interracial marriage. I said, 'I'm so happy you asked me that. You see as an educator and a student of history, I have never seen an ant having intercourse with an elephant. What that basically means, sir, is that anything that God did not want to have mate with another of his creations He made it physically impossible. That man got mad and walked out,' she said with a hardy laugh.''

When asked what her typical day is like today, Clara Luper said: ''There really is no 'typical day,' because I am involved in so much and traveling a lot. But when I am home, I usually get up at 6 a.m. I shower, read the newspapers and listen to the news on either the TV or the radio. Then I go down to the little lake behind my house and, every other day, I feed the fish. And then I usually phone my children and talk with my sister. And on Mondays, I try to spend several hours at my office at the Freedom Center.''

She says she also relaxes by playing the word game Scrabble with anyone who is available. And she likes listening to spiritual music and to the blues.

HONORS TO WHOM HONORS ARE DUE

At the time of my interview with her, Clara Luper was 83 years old. Yet she still maintained a heavy speaking schedule all across the country. That is because she is known as a freedom fighter, a true Civil Rights hero, across the nation and not just in Oklahoma.

The Oklahoma House of Representatives passed HB 2715 honored her by naming a portion of NE 23rd Street in Oklahoma City as ''Clara Luper Corridor''. She has been inundated with over 500 other honors as well. And of them she says, ''Every award has been a recognition of the people who worked with me. So all those awards are special. It just shows what people working together for a common cause can do.''

Devon Energy Corporation joined hands with Oklahoma Gas & Electric Company to establish a ''Clara Luper Scholarship'' program at Oklahoma City University. It was set up to help minority students and to honor Luper for her contributions to education in Oklahoma and to the Civil Rights movement here and throughout the Nation. And on May 5, 2007, the first 22 Clara Luper scholars received their diplomas from OCU. They had completed, as a group, some 13,000 hours of community service during their four years at the University.

Clara Luper wrote a 346 page book, Behold the Walls, which is her account of development of the Civil Rights movement during her lifetime. It was published in 1979, and Oklahoma City University reprinted the book in January, 2007.

''Looking back after all these years,'' Luper said. ''I see how the progress we made took the coordinated efforts of so many people. It was not just the work of Clara Luper. It was the work of every person who helped in any way to advance the movement. Some marched and some participated in sit-in's, while others were behind the scenes in prayer and providing food and money for those of us who were out front.

''I have seen in my lifetime the fulfillment of my father's dream that 'Someday it will be alright'. I have seen us get the right to eat in any restaurant or to use any restroom, to stay in any hotel in the country. I am grateful that we are now able to take our family to the zoo on any day, not just on one day a week that was formerly designated for coloreds. But we still have a long way to go.''

## SALUTING SERVICE ACADEMY STUDENT EMILY BOYSON

### HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 15, 2011*

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to honor an extraordinary group of young men and women who have been chosen as future leaders in our armed forces by the prestigious U.S. service academies. It is a privilege to send such a fine group from the Third District of Texas to pursue a world-class education and serve our Nation.

As we keep them and their families in our prayers, may we never forget the sacrifices they are preparing to make while defending our freedoms all across the globe. I am so proud of each one. God bless them and God bless America.

Today I salute Emily Boyson, a U.S. Merchant Marine Academy Appointee. Emily is a graduate of Bishop Lynch High School where she was on the varsity swim team and partook in the breast stroke and individual medley. Emily was also a part of the National Honor Society as the parliamentarian, Mu Alpha Theta as treasurer, and the New Conservatory Dallas as a violinist. Emily was part of a prestigious mathematics program in high school and won several awards in school science fairs. She received the Star Student Award given to her by Bishop Lynch faculty, the Renaissance Program Award and the Dean of Students Letter of Recognition of Perfect Conduct. Emily wants to attend an Academy in order to mold herself into a strong, effective military leader capable of protecting America while fulfilling the mission of the military.

## AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

SPEECH OF

### HON. ALBIO SIRES

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 14, 2011*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2112) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes:

Mr. SIRES. Madam Chair, I rise today to express my deep concern regarding the drastic cuts being made to the Supplemental Nutrition Program for Women, Infants, and Children (WIC) in the Agriculture Appropriations bill for Fiscal Year 2012. While I understand the need to balance the budget, I cannot support cuts made to WIC, which has proven to be an effective tool in improving the health of our Nation's children.

Over nine million low and moderate income women, infants, and children rely on WIC to provide them with quality nutrition education services and access to maternal, prenatal, and pediatric health-care services. WIC is a premier public health nutrition program and makes sure that our Nation's children begin their life as healthy as possible. During early childhood, infants with poor nutrition are susceptible to increased chances of anemia and negatively impact a child's ability to learn. WIC plays a vital role in ensuring that WIC infants are in better health than eligible infants not participating in WIC.

With approximately one out of every two babies born in our country enrolled in WIC, it is a vital service that not only ensures infants' healthy well-being, but also saves health care costs. Up to $3.13 for every WIC dollar spent within the first 60 days of birth results in health care cost savings. Additionally, lower Medicaid costs are tied to prenatal participation in the WIC program. Preterm births cost our country over twenty-six billion dollars every year with the average first year medical costs for premature births costing over forty-nine thousand dollars and first year medical costs for babies without complications cost just over four thousand dollars. It has been proven that for every dollar spent on prenatal WIC participation for low-income Medicaid women, the results included fewer premature births, longer pregnancies, and fewer infant deaths.

In my home state of New Jersey, the number of women, infants, and children that participate in the program is 171,060. Sixty-one percent of WIC participants are families with income below the poverty level—these are our constituents that are most in need. If the bill is passed, and depending upon the rate of food inflation, New Jersey may lose 3,700 to 6,500 WIC participants, and nationwide there may be a loss of 200,000 to 350,000 WIC participants. During the past fifteen years, Congress has been committed to provide enough funding to all eligible women and children who apply for WIC, and this legislation will break this promise. Indeed, if funding for WIC is insufficient, thousands of women and children

will be put on a waiting list to receive the services they deserve.

I urge my colleagues to oppose these devastating cuts, which so many of our constituents rely upon.

## SALUTING SERVICE ACADEMY STUDENTS AMBER LOWMAN

### HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 15, 2011*

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to honor an extraordinary group of young men and women who have been chosen as future leaders in our armed forces by the prestigious United States service academies. It is a privilege to send such a fine group from the Third District of Texas to pursue a world-class education and serve our nation.

As we keep them and their families in our prayers, may we never forget the sacrifices they are preparing to make while defending our freedoms all across the globe. I am so proud of each one. God bless them and God bless America.

Today I salute Amber Lowman, a United States Naval Academy Appointee. Amber is a graduate of McKinney High School where she played volleyball as a right side hitter and a middle blocker and ran track and field participating in the long jump and triple jump. Amber was an active participant in her school's DECA club as their president, a member of Youth Leadership Board at Stonebridge United Methodist Church, and also a member of the McKinney High School Theatre Department taking a lead role in a musical. While balancing academics and extracurricular activities, Amber has also given much of her time to those in need serving as a volunteer for Special Olympics and the elderly at an assisted living center, and served as a camp counselor for those with special needs. Amber believes her readiness for adventure, leadership skills, and competitiveness will allow her to excel at a military academy. Her father is a graduate of the U.S. Naval Academy, and she looks forward to carrying on the tradition in Annapolis.

## IN HONOR OF DR. ROBBIE LATIMORE

### HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 15, 2011*

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to honor a great educator and woman of tremendous class and grace, Dr. Robbie Latimore. Dr. Latimore will retire on June 30, 2011, after more than 30 years of service at South Georgia Technical College in Americus, Georgia. She has played a tremendous role in the development of South Georgia Tech into one of the best technical colleges in Georgia and our Nation.

Dr. Latimore was born in Dublin, Georgia, to the union of the late Mark Smith, Sr. and Katie Smith. She graduated from Northwest Laurens High School in Dublin, received her B.S. degree in Business Education from Fort Valley State College in Fort Valley, Georgia, and her Master's Degree in Business Education from Georgia Southwestern University in Americus, Georgia. And finally, she received her Doctorate of Education in Adult Education from the University of Georgia.

Since joining the faculty in 1981 as a Business Education professor, she has worked tirelessly to make South Georgia Technical College a dynamic institution of higher learning. Throughout her tenure, Dr. Latimore has held several leadership positions, including Vice President for Academic Affairs, Vice President for Student Services, Director of Instruction, Chair of the Business Education Department and Instructor.

The great author Zora Neale Hurston once said that, "There is nothing to make you like other human beings as much as doing things for them." Dr. Latimore has learned this lesson and dedicated her life to helping others to reach their full potential. She is involved with many organizations that aim to make the world a better place for all. Some of her community organizations include the Fort Valley State University National Alumni Association, Zeta Phi Beta Sorority, Inc., Phoebe Sumter Medical Center Board of Directors, the American Technical Education Association, and Education Committee Member for the Americus-Sumter County Chamber of Commerce, to name a few.

Dr. Latimore has also been married to her husband, Mr. Frank A. Latimore, for over 34 years. They have raised a daughter, Kourtney, and two sons, Brandon and Keiva, who are well on their way to making their own mark on society. And they have one grandchild, Bryce Alexander Latimore.

And lastly, Dr. Latimore is committed to her God. A dedicated member of the Bethesda Missionary Baptist Church in Americus, Georgia, Dr. Latimore believes that the Lord has ordered all of her steps and she gives Him all the glory for her successes in life and the ability to raise a productive family.

South Georgia Technical College should consider itself blessed for having a woman with the strength and character of Dr. Robbie Latimore, who gave her all to make the college a success. On behalf of the constituents of the Second Congressional District, I thank her for her service and wish her a happy retirement.

## RARE EARTH POLICY TASK FORCE AND MATERIALS ACT

### HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 15, 2011*

Mr. COFFMAN of Colorado. Mr. Speaker, today I am introducing legislation that would help reestablish a competitive rare earth domestic supply chain as part of my ongoing effort to avert a rare earth supply crisis in the United States.

There are 17 rare earth minerals that are used in many advanced technologies, from computers to precision guided munitions to components necessary for the production of renewable energies. They are dispersed widely around the earth's crust but rarely in concentrations that are commercially viable.

With 97 percent of the world's supply of rare earth metals, China has proven to be an unreliable trading partner. Not only has their government ordered a reduction in exports of rare earth metals, but they have used their near monopoly status as leverage on unrelated issues.

My bill, the Rare Earth Policy Task Force and Materials Act, requires the Department of the Interior to establish a government-wide task force to review and report back on all U.S. laws, regulations or policies that discourage the reestablishment of a domestic rare earth industry.

It also calls for a comprehensive plan for research, development, demonstration, and commercial application to ensure the long-term, secure, and sustainable supply of rare earth materials for the United States. In addition, the plan includes proposals on how to promote recycling possibilities and alternative materials that could act as substitutes. The measures were also part of the RESTART Act of 2011, which I introduced earlier this year.

There is simply no reason to be almost 100 percent reliant on China for rare earth metals when we have such abundant resources here at home. I urge my colleagues to quickly move this legislation.

## SALUTING SERVICE ACADEMY STUDENTS—JAMES KENNINGTON

### HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 15, 2011*

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to honor an extraordinary group of young men and women who have been chosen as future leaders in our armed forces by the prestigious United States service academies. It is a privilege to send such a fine group from the third district of Texas to pursue a world-class education and serve our nation.

As we keep them and their families in our prayers, may we never forget the sacrifices they are preparing to make while defending our freedoms all across the globe. I am so proud of each one. God bless them and God bless America.

Today I salute James Kennington, a United States Naval Academy Appointee. James is a graduate of Plano West Senior High School where he participated in wrestling and earned varsity letters in 2010 and 2011. Extracurricular activities such as weight lifting and running also consumed James' time, including martial arts where he is a blue belt. James was also an active member of the Young Men's Service League as the vice president, and founded his own photography club which received several awards. Academic success has always been a part of James high school career. He received the College Board AP Scholar of Distinction, was a National Merit Commended Scholar, in the French Honor Society and National Honor Society, and scored a perfect score on two sections of the SAT. He stated in his application essay, "I feel deeply compelled to join the fight—to give all of myself for freedom, for brotherhood, and for country."

## CHANCELLOR STEVE KANG RECOGNITION

### HON. DENNIS A. CARDOZA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 15, 2011*

Mr. CARDOZA. Mr. Speaker, it is with great pleasure that I stand before you today to honor Mr. Sung-Mo ''Steve'' Kang for his many years of dedicated service as Chancellor of the University of California, Merced, California's first research institution built in the 21st century and located within the 18th Congressional District of California. Steve Kang was appointed as the second permanent Chancellor of UC Merced on January 17, 2007 and began serving at the beginning of March of the same year. During his four year tenure as chancellor, Steve's leadership made many immense and lasting contributions to the university and to the community. It is an honor to recognize the work of Chancellor Kang—a tireless advocate for education and research, a champion for the community, and a leader and friend to Merced.

Chancellor Kang's insightful vision for the campus, his commitment to cultivating and inspiring students and researchers, and his unyielding devotion to his role as chancellor truly paved the way for the development of an outstanding university. A sample of UC Merced's key accomplishments achieved under Chancellor Kang's leadership include: meeting all of the requirements for initial accreditation by the Western Association of Schools and Colleges, developing and publishing the school's Strategic Academic Vision statement in 2009, continuing its commitment to sustainable development by raising the minimum level of performance for all new buildings to a Gold LEED rating, and seeing the diversity of the campus recognized by the U.S. Department of Education as a Hispanic-Serving Institution. Also under his guidance, UC Merced's Stem Cell Instrumentation Foundry opened in 2011, enabling innovations in biotechnologies that will lead to new discoveries about stem cells. A testament to his belief in providing quality and equal access education to all students, he secured commitments from the UC Office of the President to fund enrollment growth for the next three years. Of special note, Chancellor Kang has supported the vision for UC Merced's future as a medical teaching university and his actions are greatly instrumental in ensuring that it will one day serve as an independently accredited School of Medicine.

Steve's first love is teaching and he has inspired generations of successful students inside the classroom. Prior to taking his position at UC Merced, he served as a professor in electrical and computer engineering at the University of Illinois at Urbana-Champaign from 1985 to 2000, becoming a department head in 1995. He taught as a visiting professor at several international universities, including the Swiss Federal Institute of Technology, the University of Lausanne, and the Technical University of Munich. He also served as the Dean of the Baskin School of Engineering at the University of California, Santa Cruz, during which time he took a budding engineering program to significantly greater levels of achievement, ensuring its place among the nation's top engineering schools.

Steve Kang was raised in South Korea and moved to the United States after receiving a scholarship to the Fairleigh Dickinson University in Teaneck, New Jersey where he graduated summa cum laude with a degree in Electrical Engineering. He received his Masters of Science degree from the State University of New York at Buffalo and his doctorate from UC Berkeley. A master of his field, Kang has co-authored 11 books on the subjects of electrical and computer engineering, written over 350 technical papers, and has well over a dozen patents to his name. He has been recognized with numerous awards in education and research, including the Distinguished Korean-American Award in 2008, the IEEE Third Millennium Medal in 2000, and Outstanding Alumnus Award in Electrical Engineering from UC Berkeley in 2008.

Along with his passion for education, Steve Kang is also an advocate for the community. He is personally dedicated to the principle of providing educational opportunities to children from lower income families and expanding access to a UC-quality education. He serves on the UC Merced Foundation as President, the Great Valley Center as Chairman of the Board, and the Central Valley Higher Education Consortium as an executive board member. He, along with his wife Mia, have long carried the torch for the needs of the region, consistently looking out for the valley as a whole.

Mr. Speaker, at this time, I ask that you and my other distinguished colleagues join me in commending Chancellor Sung-Mo ''Steve'' Kang for his dedication and service as a leader at the University of California, Merced. Without his efforts, the university would not be the outstanding academic institution that it is today. His selflessness and lifelong commitment to education is worthy of the highest praise and it is my great privilege to pay tribute to and offer my sincerest appreciation to him today. Steve will be leaving UC Merced and returning to the classroom and although he will be greatly missed, I wholeheartedly wish him luck in every future endeavor. Steve Kang has made a lasting impression on the entirety of the Merced community, its faculty, and above all, its students. We will forever be indebted to his noble efforts in bringing excellence in education to the Central Valley.

## SALUTING SERVICE ACADEMY STUDENTS—JEFFREY HERRERA

### HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 15, 2011*

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to honor an extraordinary group of young men and women who have been chosen as future leaders in our armed forces by the prestigious United States service academies. It is a privilege to send such a fine group from the third district of Texas to pursue a world-class education and serve our nation.

As we keep them and their families in our prayers, may we never forget the sacrifices they are preparing to make while defending our freedoms all across the globe. I am so proud of each one. God bless them and God bless America.

Today I salute Jeffrey Herrera, a United States Air Force Academy Appointee. Jeff is a graduate of Wylie High School where he ran junior varsity cross country as well as participated in junior varsity track and field. He served as the National Honor Society president and was a Hispanic National Merit Scholar. Jeff was also part of the Air Force Junior ROTC and served as the Deputy Group Commander. Jeff chose to apply to the Air Force Academy because he wanted to receive the exemplary service academy education and experience. Since the beginning of his involvement in his junior ROTC program, he had developed a deep and strong interest in serving his country and becoming an officer in the United States Military. Jeff stated in an essay, ''Nothing would please me more than to give back to my country while leading the future servicemen, servicewomen and protectors of this country.''

## HONORING THE BUFFALO AND ERIE COUNTY LIBRARY SYSTEM'S 175TH YEAR OF SERVICE

### HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 15, 2011*

Mr. HIGGINS. Mr. Speaker, it is with pleasure I acknowledge the Buffalo and Erie County Library system's kick-off of their 175th anniversary celebration and their summer reading initiatives.

The first public library service in Western New York began with the creation of the Young Men's Association (YMA) in 1836. The association circulated 5,500 items to its members in its first year alone.

50 years later the institution was purchased for the City of Buffalo and was re-established as a free circulating reference library open to all City residents. By 1897, there were 32,000 registered borrowers.

Today with over 3.5 million items in circulation and 37 locations, the Buffalo and Erie County libraries have served nearly 4 million patrons.

With a diversity of programs including adult computer training, resume tips and techniques seminars as well as preschool story hour—the libraries continue to serve as centers of information, culture and entertainment for the residents of Erie County.

It is with great pride that I stand today to commemorate the Buffalo and Erie County Library system's 175th year of service. I am grateful for the array of programs and services they offer to the Western New York community and am happy to acknowledge the kick-off to their summer reading initiatives.

## PERSONAL EXPLANATION

### HON. RAÚL M. GRIJALVA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 15, 2011*

Mr. GRIJALVA. Mr. Speaker, on rollcall No. 413, I was unavoidably detained and was unable to cast my vote. Had I been present, I would have voted ''yes.''

## SALUTING SERVICE ACADEMY STUDENTS—JOSEPH HAYS

### HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 15, 2011*

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to honor an extraordinary group of young men and women who have been chosen as future leaders in our armed forces by the prestigious United States service academies. It is a privilege to send such a fine group from the third district of Texas to pursue a world-class education and serve our nation.

As we keep them and their families in our prayers, may we never forget the sacrifices they are preparing to make while defending our freedoms all across the globe. I am so proud of each one. God bless them and God bless America.

Today I salute Joseph Hays, a United States Air Force Academy Appointee. Joseph is a graduate of Plano West Senior High School where he was a part of the varsity wrestling team. While excelling academically, Joseph gave of his time at the St. Elizabeth Ann Seaton's Parish Pastoral Council as a Board Member, and worked as a Lifeguard for the City of Plano and swim teacher. Joseph comes from a military oriented family, where his grandparents served in WWII and Korea. His stepfather served as a Black Hawk pilot and instructor. After life at the Academy, Joseph aspires to attend medical school to serve as a medical doctor in the United States Armed Forces. Joseph feels that his dedication toward his goal of attending a Service Academy reflects his values as both a devout Christian and as an American.

## RECOGNIZING THE 68TH ANNIVERSARY COMMEMORATION OF THE BAKERS CREEK AIR CRASH IN AUSTRALIA DURING WORLD WAR II

### HON. TODD RUSSELL PLATTS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 15, 2011*

Mr. PLATTS. Mr. Speaker, I rise to recognize the Bakers Creek Memorial ceremony being held today at the Selfridge Gate to Arlington National Cemetery at Fort Myer, Virginia.

Sixty-eight years ago today, a Boeing B-17C bomber flying with forty-one soldiers and airmen from Bakers Creek, Australia to New Guinea crashed upon takeoff, killing forty individuals. Due to the Army's subsequent classification of the event, the victims' families were not informed about the details of their loved ones' peril until recently. Thanks to the persistence of the Bakers Creek Memorial Association and the victims' families, the events of Bakers Creek are not only known today, but are honored by a monument in Arlington.

I am proud to have joined the effort to bring the Bakers Creek monument from the Australian Embassy to a permanent home on American soil. Pennsylvanians have a strong connection to this monument, as six of the forty victims of the tragic plane crash called Pennsylvania home. Many of my Congressional colleagues from Pennsylvania, and both Senators, actively supported the effort to move this monument to its rightful home in Arlington. The Pennsylvania State Legislature also passed a resolution designating June 14th as Bakers Creek Memorial Day.

The distinguished speaker at today's ceremony at Selfridge Gate, the Honorable L. Jerry Hansen, Principal Deputy Assistant Secretary of the Army for Installations and Environment, graciously accepted the monument two years ago on behalf of the Secretary of the Army. The Department of the Army pledged to protect and honor the monument at Fort Myer, as a permanent tribute to the brave soldiers and airmen who perished at Bakers Creek, as well as their families.

I am pleased to thank Army Secretary John McHugh and Fort Myer Garrison Commander, Col. Carl R. Coffman, for arranging this appropriate and dignified memorial ceremony—with high standards of military honor. I am confident that this ceremony will be repeated each year on the anniversary date of the tragic crash.

I extend my deepest sympathies to the family members of the heroic American warriors who made the ultimate sacrifice in defense of our nation during World War II. But for their selfless and courageous service, the freedoms we enjoy today would not be. I and all Americans are forever indebted to these true heroes.

## RECOGNIZING THE HONORABLE MILITARY SERVICE OF CAPTAIN THOMAS H. FARRIS

### HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 15, 2011*

Mr. ISSA. Mr. Speaker, I rise today to honor the distinguished career of Captain Thomas H. Farris on the occasion of his retirement from the United States Coast Guard (USCG). I offer Captain Farris my sincerest thanks for his 30 years of dedicated service in protecting our nation and safeguarding its future.

An accomplished aviator, Captain Farris possesses over 6700 hours of flight time in six different aircraft throughout his 30 years of service as a veteran of the U.S. Army and USCG. He most recently served as the Coast Guard's Chief of Aviation Safety. In that capacity he was responsible for the USCG Aviation Safety program and one of only three senior aviators exercising program level oversight over the design, development, implementation, delivery and sustainment of all USCG aviation programs.

Captain Farris has distinguished himself by extraordinary acts of leadership. Among his many achievements, Captain Farris won the U.S. Army's European Helicopter Championship early in his career along with 18 shipboard deployments and extensive airborne Law Enforcement experience in the North Atlantic, Caribbean and Eastern Pacific theatres.

Captain Farris' service in his current position as the USCG Captain of the Port of San Diego is the capstone to his military career. As the Coast Guard Captain for San Diego, he is responsible for the safe conduct of commercial maritime activity on all federally navigable waterways within an area that extends from 200 nautical miles offshore San Diego then east to the Colorado River from the Mexico border to Utah.

Along with his many roles and responsibilities, Captain Farris serves as the designated Federal Maritime Security Coordinator and Chair of the Area Maritime Security Committee overseeing commercial vessel and facilities compliance with the Maritime Transportation Security Act. He also serves as the Operational Commander for the USCG air and surface force carrying out Search and Rescue and Maritime law enforcement authority. Additionally, Captain Farris plays a pivotal role as the Senior Officer Ashore in San Diego as the primary local USCG representative to the San Diego County military, federal and civilian community.

As he enters this new stage of his life, I hope that Captain Farris will benefit from his years of work, just as the United States Military has benefited. I offer him my warmest congratulations and may he enjoy a rewarding retirement.

Mr. Speaker, I ask you to please join me in honoring all the brave men and women who have served in the United States Armed Forces, and the admirable service of Captain Thomas Farris.

## SALUTING SERVICE ACADEMY STUDENTS—ELIZABETH CARPENTER

### HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 15, 2011*

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to honor an extraordinary group of young men and women who have been chosen as future leaders in our armed forces by the prestigious United States service academies. It is a privilege to send such a fine group from the third district of Texas to pursue a world-class education and serve our nation.

As we keep them and their families in our prayers, may we never forget the sacrifices they are preparing to make while defending our freedoms all across the globe. I am so proud of each one. God bless them and God bless America.

Today I salute Elizabeth Carpenter, a United States Air Force Academy Appointee. Elizabeth is a graduate of Plano East Senior High School where she excelled at many things. She was a strong student who participated in National Honor Society and the International Baccalaureate Program. Elizabeth is also an accomplished athlete. She played varsity volleyball and was the team captain at Plano East. She comes from a family of service as her grandfather graduated from the United States Military Academy and retired as a colonel from the Air Force and her sister is currently at the U.S. Naval Academy. Elizabeth has aspirations to become a pilot. Elizabeth chose to apply to the Air Force Academy because she is certain it is only there she can study her interest in aviation and give her a foundation that she can apply in any endeavor.

## MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

SPEECH OF

### HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 2, 2011*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2055) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes:

Mr. DINGELL. Mr. Chair, I rise in support of H.R. 2055, the fiscal year 2012 Military Construction and Department of Veterans Affairs (VA) Appropriations Act. This legislation, which provides $129.7 billion in funding for the VA, is critical for our veterans returning from multiple tours of duty in Iraq, Afghanistan, and around the world, and all those who have so bravely and honorably served our nation in the Armed Forces, including the 46,370 veterans living in the 15th district of Michigan.

There are a number of provisions in this bill with which I am pleased. First, it continues the Democratic-initiated effort to provide advance appropriations for the Veterans Health Administration so the VA may adequately plan for our veterans medical needs. Second, it builds on the previous Democratic Congresses' commitment to our veterans by providing funding to reduce the VA claims backlog, allow for quality medical care, and ensure the promise of a college education.

I am particularly pleased efforts to weaken workers' rights were defeated during consideration of this legislation. Both a proposed ban on implementation of Project Labor Agreement requirements as well as a proposal to bar VA and the Department of Defense from enforcing the Davis-Bacon prevailing wage requirement on contracts would have unjustly harmed middle class working families and led to poor construction on VA and DoD facilities.

Mr. Chair, this legislation continues the Democrats tradition of caring for our veterans. This job is never done and at a time when we are engaged in conflicts around the world, it is imperative our current and former military men and women know that their government supports them.

I urge my colleagues to join me in supporting our veterans by voting "yes" on H.R. 2055.

## HONORING JIM LEHRER

### HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 15, 2011*

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to pay tribute to a distinguished journalist. On May 12, 2011, Jim Lehrer announced that he is leaving the "NewsHour" as a regular anchor effective the week of June 6, the final step in a carefully planned retirement. He said he will still appear many Fridays to moderate an analysis of the week's news.

Born in Wichita, Kansas in 1934, Jim Lehrer received an A.A. degree from Victoria College and a B.J. in 1956 from the University of Missouri before joining the Marine Corps. From 1959 to 1966, he was a reporter for The Dallas Morning News and then the Dallas Times-Herald. He was also a political columnist at the Times-Herald for several years and in 1968 became the city editor.

Lehrer's newspaper career led him to public television, first in Dallas, as KERA–TV's executive director of public affairs, on-air host and editor of a nightly news program. He subsequently moved to Washington, DC to serve as the public affairs coordinator for PBS, and was also a member of PBS's Journalism Advisory Board and a fellow at the Corporation for Public Broadcasting. Lehrer went on to join the National Public Affairs Center for Television. (NPACT) as a correspondent.

Lehrer has been honored with numerous awards for journalism, including the Chairman's Award at the 2010 National Academy of Television Arts & Sciences News & Documentary Emmy Awards, the 1999 National Humanities Medal, presented by President Bill Clinton and First Lady Hillary Rodham Clinton and in October 2011, the National Press Club will present him with their top honor, the Fourth Estate Award. In 1999, Lehrer was inducted into the Television Hall of Fame with Robert MacNeil and into The Silver Circle of the Washington, DC Chapter of The National Academy of Television Arts and Sciences. He has won two Emmys, the Fred Friendly First Amendment Award, the George Foster Peabody Broadcast Award, and the William Allen White Foundation Award for Journalistic Merit and the University of Missouri School of Journalism's Medal of Honor. In 1991, he was elected as a Fellow of the American Academy of Arts and Sciences.

Mr. Speaker, I ask you and my colleagues to join me in congratulating Jim Lehrer on an extraordinary career. This trailblazing journalist has made a lasting impact on his profession. I thank Jim for his important contributions, and wish him a happy and healthy retirement.

## A TRIBUTE TO DR. SUDIE TATUM

### HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 15, 2011*

Ms. MOORE. Mr. Speaker, I rise to give tribute to Dr. Sudie E. Tatum who passed away on June 1, 2011. On Sunday, June 5, 2011, services were held at Greater Galilee Missionary Baptist Church. The church had long planned to celebrate her life on this date; they felt no need to change it and held her funeral as part of "Dr. Tatum Day."

Dr. Tatum was born as Sudie Ethel Ware in Harrell, Arkansas and raised in Milwaukee, Wisconsin. She was a high school dropout, who became an educator. She graduated from UW–Milwaukee with qualifications for both teacher and social work. Dr. Tatum earned a master's degree in education administration and a doctorate in theology. Dr. Tatum taught adult basic education at Milwaukee Area Technical College.

She was active in church leadership and for 38 years served as president of the Women's Auxiliary of the General Baptist State Convention of Wisconsin. As president, she was a strong advocate for women, raising funds for mission work and was quite able of reminding men in authority that women kept the churches going.

Dr. Tatum's work with the church led her to distant La Hatte, Haiti, where she felt compelled to build a new church and school. She asked her family for money to help build the church and school. She contributed money that she had saved to purchase a car and family members donated the rest of the needed $18,000.

Dr. Tatum was preceded in death by her husband of 57 years, Earl Tatum. She never gave birth but raised her late sister's children as her own. Survivors include the children she raised, David Hollins Sr., Jynette Hamilton, Pastor Sudie B. Jones, Shirley Owens, Ruthie L. Darrough and James Hollins Jr.; and their children. Instead of flowers, she requested an offering for home and foreign ministries; therefore, a collection was taken as people left her service.

Mr. Speaker, I rise because Dr. Sudie E. Tatum is an example of the best of what Milwaukee and the Fourth Congressional District has to offer. She will be remembered as a woman who packed plenty of life into her 92 years and, who took the opportunity to combine the joys of her life: love of family, education, social work, guidance and missionary work.

## PERSONAL EXPLANATION

### HON. NIKI TSONGAS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 15, 2011*

Ms. TSONGAS. Mr. Speaker, I missed votes on the evening of June 13, 2011 because of pressing matters in my district. Had I been present, I would have voted for the LaTourette Amendment to the FY 2012 Military Construction and VA Appropriations bill to remove language from the bill which rolls back worker protections by discouraging the use of Project Labor Agreements. In this fragile fiscal climate, Congress should be defending our skilled laborers, whose essential work contributes to our economic recovery. Restricting existing policies which permit the establishment of basic terms and conditions on complex, large scale construction projects is harmful for workers and a distraction from the important programs which are funded in the underlying bill.

Additionally, I would have voted against the Amash Amendment, which would have prohibited compliance with the Davis-Bacon prevailing wage law. The Davis-Bacon Act has been a cornerstone of labor protection for 80 years, and I would have proudly voted to uphold it.

## SALUTING SERVICE ACADEMY STUDENTS—KEVIN CARRINGER

### HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 15, 2011*

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to honor an extraordinary group of

young men and women who have been chosen as future leaders in our armed forces by the prestigious United States service academies. It is a privilege to send such a fine group from the third district of Texas to pursue a world-class education and serve our nation.

As we keep them and their families in our prayers, may we never forget the sacrifices they are preparing to make while defending our freedoms all across the globe. I am so proud of each one. God bless them and God bless America.

Today I salute Kevin Carringer, a United States Military Academy Appointee. Kevin is a graduate of Plano West Senior High School where he ran cross country, and track. Kevin also participated in triathlons, winning a consistent first place amongst his age group, and also achieving fifty miler awards for BSA canoeing and kayaking. Kevin worked hard at various jobs through his summers and serves as an Eagle Scout in the Boy Scouts of America. He served as president of the Plano West Cycling Club and was a member of the National Honor Society. Kevin's personal ambition and motivation to protect freedom inspire him to attend a United States Military Academy. In an essay Kevin stated he aspires to become the best Ranger the Army has seen, and believes that the full four year lifestyle of military discipline and training is required as his first stepping stone to success.

## PERSONAL EXPLANATION

### HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 15, 2011*

Mr. PENCE. Mr. Speaker, I was absent from the House floor during rollcall votes 391, 408, and 409. Had I been present, I would have voted "yea" on rollcall 391, "nay" on rollcall 408, and "yea" on rollcall 409.

## TRIBUTE TO MR. EDWARD HARVEY HOOMES, JR.

### HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 15, 2011*

Mr. BONNER. Mr. Speaker, I rise to honor the memory of Mr. Edward Harvey Hoomes, Jr., of Brewton, Alabama, a respected public servant who passed away after an extended illness on June 9, 2011. He was 76 years old.

During his lifetime, Edward Hoomes was a much beloved member of his community, and spent many years working for the Escambia County Commission. E.H., as he was called by his friends and family, honorably served in the United States Army from 1957 to 1959, reaching the rank of Specialist 3.

Mr. Speaker, E.H. will be remembered for his character, strength, love of the outdoors and his loving heart. All who knew E.H. will surely miss him.

On behalf of the people of South Alabama, I would like to extend my condolences to his wife, Betty, their daughters, Beverly and Sandra, their son Robert, and their families for the loss. You are all in our thoughts and prayers.

## HONORING SUNG MO ''STEVE'' KANG

### HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 15, 2011*

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor Sung Mo "Steve" Kang, Chancellor of the University of California, Merced; and to thank him for his leadership and dedication to the academic advancement of the Central Valley.

Since March 1, 2007, Steve Kang has served as Chancellor of the University of California, Merced, the first American research university of the 20 century. Kang is an experienced educator, researcher and administrator. Previously, he was Dean of the Baskin School of Engineering at UC Santa Cruz. He now serves on the Central Valley Higher Education Consortium Board, MentorNet Advisory Board, the UC President's Advisory Council on Science and Innovation, Business-Education Alliance of Merced County, and the Board of the Great Valley Center as its Chairman. He also serves on international advisory boards for institutions in Canada, Korea, Switzerland, and Taiwan.

He brings a wealth of experience from a long and distinguished career in private industry and higher education. Kang served as a department head (1995–2000) and a professor (1985–2000) in electrical and computer engineering at the University of Illinois at Urbana-Champaign. He was a visiting professor at the Swiss Federal Institute of Technology at Lausanne, the University of Karlsruhe and the Technical University of Munich, and a Chaired Visiting Professor of Electrical Engineering and Computer Science of Korea Advanced Institute of Science and Technology (KAIST). He has also taught at Rutgers University.

Prior to his career in education, Kang worked for AT&T Bell Laboratories, where he led the development of the world's first 32–bit microprocessor chips as a technical supervisor and designed satellite-based private communication networks as a member of technical staff.

His leadership in industry is evidenced by his earlier appointment to the Blue Ribbon Task Force on Nanotechnology, a joint federal-state venture to promote California as the premier center for nanotechnology research, development, and commercialization. He served as president of the Silicon Valley Engineering Council, the alliance for engineering leaders in Silicon Valley, with more than 60,000 engineers.

Kang holds 15 U.S. patents in electrical engineering and has written or co-authored 11 books and 400 technical papers and won numerous awards and fellowships for his work and publications. His current research interests include nanoelectronics, lower-power, very large-scale integrated (VLSI) circuits; modeling and simulation of semiconductor devices and circuits.

Kang is a fellow of IEEE, ACM and AAAS, Foreign Member of National Academy of Engineering of Korea, and is listed in Who's Who in America, Who's Who in Technology, Who's Who in Engineering and Who's Who in Midwest. He received the Alexander von Humboldt U.S. Senior Scientist Award (1996), IEEE Millennium Medal (2000), Chang-Lin Tien Education Leadership Award (2007), Korean-American Leadership Award (2008), IQ Quality Award (2008), and many other accolades. Most recently (2009), Kang was inducted into the Silicon Valley Engineering Hall of Fame.

He earned his bachelor of science degree, graduating summa cum laude, from Fairleigh Dickinson University in Teaneck, N.J.; his master of science from the State University of New York at Buffalo; and his doctorate from UC Berkeley. All his academic degrees are in electrical engineering. Kang and wife, Mia, live in the chancellor's residence in Merced. They have two grown children.

Mr. Speaker, please join me in honoring and commending Sung Mo "Steve" Kang, Chancellor of the University of California, Merced for his numerous years of selfless service to the education of our community.

## HONORING JENNIFER FORSETH

### HON. GEOFF DAVIS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 15, 2011*

Mr. DAVIS of Kentucky. Mr. Speaker, I rise today to recognize Ms. Jennifer Forseth, a teacher at Centerfield Elementary School, and her fourth grade class from Oldham County in the fourth district of Kentucky.

Ms. Forseth and her students have been recognized by the National Energy Education Development Project for their outstanding work on energy programs this year.

Ms. Forseth's class conducted a study detailing how to improve energy efficiency in their school that culminated in a presentation of their findings. Their academic initiative earned them a scholarship and recognition by the NEED Youth Awards.

It is my hope that the accomplishments of Ms. Forseth and the fourth grade students from Centerfield Elementary School serve as inspiration for others to increase their own energy efficiency. I ask my colleagues in the U.S. House of Representatives to join me in recognizing their accomplishments.

## VALENTINA ROSENDO CANTÚ

### HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 15, 2011*

Mr. POE of Texas. Mr. Speaker, on February 16, 2002, 17-year-old Valentina Rosendo Cantú was almost finished doing her washing in a stream when eight soldiers suddenly appeared. They beat her until she passed out. When Valentina came to, she was raped, not once, but twice, as the rest of the soldiers stood by, watching and mocking her.

She was finally able to escape, returning home to her husband and three-month-old daughter, but she hasn't been able to escape from the memories of what happened to her.

For the last 9 years, Valentina has been begging for these bad guys to be punished. Despite her tireless pursuit of justice, the Mexican government refuses to allow her case to be tried under civilian jurisdiction while the military courts have completely dropped the

case. Valentina is not only a victim of a heinous violent crime, she is also a victim of the negligence of members of the Mexican government, and it's time for these outlaws to be brought to justice.

And that's just the way it is.

## SALUTING SERVICE ACADEMY STUDENTS—EMMA DRIDGE

### HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 15, 2011*

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to honor an extraordinary group of young men and women who have been chosen as future leaders in our armed forces by the prestigious United States service academies. It is a privilege to send such a fine group from the third district of Texas to pursue a world-class education and serve our nation.

As we keep them and their families in our prayers, may we never forget the sacrifices they are preparing to make while defending our freedoms all across the globe. I am so proud of each one. God bless them and God bless America.

Today I salute Emma Dridge, a United States Air Force Academy Appointee. Emma is a graduate of Allen High School where she was considered an all-around overachiever in everything she did. She played high school and club volleyball where she earned numerous awards. Emma was active in Fellowship of Christian Athletes, Young Life, and the Chamber Orchestra. One of Emma's teachers said Emma demonstrates confidence, inspiration and perseverance while always giving 100 percent at all times and has the ability to motivate others to do the same. Emma chose to apply to a United States Service Academy so that she may experience a unique and extraordinary education, while also being offered a chance to contribute athletically at the highest collegiate level. Emma knows that an Air Force Academy education will provide a solid foundation for her professional and academic pursuits.

## PERSONAL EXPLANATION

### HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 15, 2011*

Mr. ANDREWS. Mr. Speaker, on rollcall No. 417 for H.R. 2055, I am not recorded because I was absent. Had I been present, I would have voted "aye."

On rollcall No. 418 for H.R. 2055, I am not recorded because I was absent. Had I been present, I would have voted "aye."

On rollcall No. 419 for H. Res. 300, I am not recorded because I was absent. Had I been present, I would have voted "nay."

## TRIBUTE TO FIFTY-FOURTH NATIONAL PUERTO RICAN DAY PARADE

### HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 15, 2011*

Mr. SERRANO. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to the Fifty-Fourth National Puerto Rican Day Parade, which will be held on June 12th, 2011, in New York City. A radiant and star-studded event, this parade proudly recognizes the heritage of Puerto Rican people here in the United States, and year upon year has proven to be one of our nation's largest outdoor festivities.

The National Puerto Rican Day Parade is the successor to the New York Puerto Rican Day Parade, which held its inaugural celebration on Sunday, April 12th, 1958, in "El Barrio," Manhattan. The impact of the first Puerto Rican Day Parade in New York was immediate and resounding. Thousands of New York Puerto Ricans flooded the streets in a very public, very proud demonstration of their emergence in the City as an important and growing ethnic group. For the next 38 years, the New York Puerto Rican Day Parade became a staple of New York's cultural life. In 1995, the overwhelming success of the parade prompted organizers to increase its size and transform it into the national and international affair that it is today.

On June 12th delegates representing over thirty states, including Alaska and Hawaii, will join the roughly 3 million parade goers every year who turn New York's Fifth Avenue into a sea of traditional red, white, and blue flags. It's a picture unlike anything you will see anywhere else in the country. Not only because New York is the most international city in the world, but also because of the relationship that exists between New York and the Puerto Rican community. It's an historic relationship essentially born of mutual benefit and respect. Puerto Ricans have helped transform New York into a dynamic, bilingual city that continues to welcome newcomers from all over the globe, and the City of New York, believed by many to be a place of opportunity, has enabled Puerto Ricans to flourish economically, culturally and politically.

The success that the parade enjoys each year is brought about in large measure by the continued efforts of a choice few individuals—women and men of able leadership who believe, as I do, in the unbound potential of people of Puerto Rican descent. The Parade's march up Fifth Avenue, while certainly the most visible aspect of the celebration, is hardly the only event associated with the National Puerto Rican Day Parade, Inc.'s activities. Each year more than 10,000 people attend a variety of award ceremonies, banquets and cultural events that strengthen the special relationship shared by Puerto Ricans and the City of New York.

Mr. Speaker, the National Puerto Rican Day Parade is an experience unlike any other. It signals to all who witness it that the Puerto Rican community, both in New York and nationally, represents an exquisite tapestry of individuals. Its power can be seen on the faces and heard in the streets, as millions come together to joyously proclaim their heritage. And so, Mr. Speaker, as a Puerto Rican and a New Yorker, and as someone who participates in this parade annually, I stand before you and my colleagues in Congress with a full and proud heart to pay tribute to the sights and sounds and wonder that is the National Puerto Rican Day Parade.

## MARK SMITH GUEST CHAPLAIN

### HON. STEVE AUSTRIA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 15, 2011*

Mr. AUSTRIA. Mr. Speaker, I rise today to say a few words about today's guest chaplain and my dear friend and fellow Ohioan, Dr. Mark A. Smith. Dr. Smith is a leader in faith-based education throughout Ohio and also an important leader in Pickaway County.

Since coming to Ohio Christian University in 2005, he has expanded the University's enrollment from 380 to more than 1,750 students. He has helped fund and build over $10.5 million of projects and led the development of many off campus sites.

Dr. Smith was also appointed by former U.S. Secretary of Education Rod Paige and served on the Fund for the Improvement of Post Secondary Education Board, which managed more than 400 million dollars of projects.

Dr. Smith has experience in nearly every level of education, and he has taught several undergraduate and graduate classes in education, business, leadership, and religion. Prior to coming to Ohio Christian University, he was Vice President for Adult and Graduate Studies at Indiana Wesleyan University for five years. Under his leadership, his division grew from an enrollment of 2,500 students to nearly 10,100 students.

Though he has been anxiously engaged in education his entire life, Dr. Smith has also made community service a priority. In fact, he currently serves on my Economic Advisory Team, and I rely on him for advice to improve our economy and higher education in Ohio. He has lead many community projects and assisted in building education programs for the African-American community. He also served as treasurer of the Pickaway County Community Foundation.

Though he has proved to be an astute businessman that has successfully grown his University, Dr. Smith remains first and foremost a man of great faith. Dr. Smith is marred to his wife Debbie, and they are the parents of two sons, Douglas and Micah.

While serving as an administrator for Management Resources Incorporated at Hopemont Hospital in Terra Alta, West Virginia, Dr. Smith served as senior pastor of the Terra Alta Wesleyan Church and was Assistant Superintendent for the West Virginia District. He has published scores of articles for professional and church organizations, and coauthored "Leading a Change in Your World" with Larry Lindsay.

Dr. Smith graduated with a Bachelor of the Arts degree from Hobe Sound Bible College in West Palm Beach, Florida. He attended Kansas University's Graduate School, and graduated with a Master of Science degree in college teaching from Northeastern State University. In 1995, he graduated from West Virginia University with a Doctor of Education degree,

with a dissertation titled: ''The Role of the College President.'' Later, he completed Harvard University's Institute of Educational Management for Executive Management.

I appreciate Dr. Smith for taking the time to be with us today, and thank him for his thoughtful prayer and the kind words he shared.

## SALUTING SERVICE ACADEMY STUDENTS—CHRISTOPHER GORDON

### HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 15, 2011*

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to honor an extraordinary group of young men and women who have been chosen as future leaders in our armed forces by the prestigious United States service academies. It is a privilege to send such a fine group from the third district of Texas to pursue a world-class education and serve our nation.

As we keep them and their families in our prayers, may we never forget the sacrifices they are preparing to make while defending our freedoms all across the globe. I am so proud of each one. God bless them and God bless America.

Today I salute Christopher Gordon, a United States Military Academy Appointee. Christopher spent the past year at Boston University studying for Mechanical Engineering on an AROTC Scholarship. He is a 2010 graduate of Plano West Senior High where he played varsity soccer as the goalkeeper and participated in JROTC Rifle Team. Christopher also participated in Army JROTC as a platoon leader, served as a member of the patriot booster club, and holds the rank of Eagle Scout within the Boy Scouts of America. Christopher aspires to serve his country and foster a career as an officer in the Army Special Forces. Christopher believes that West Point leadership education will provide him with the proper tools to learn more and more about what it is to be a better, more effective leader.

## RON POWELL'S 50TH ANNIVERSARY WITH THE UNITED FOOD AND COMMERCIAL WORKERS INTERNATIONAL UNION

### HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 15, 2011*

Mr. VISCLOSKY. Mr. Speaker, it is with great sincerity that I take this opportunity to honor and congratulate Ronald E. Powell, who is celebrating fifty years of service with the United Food and Commercial Workers International Union (UFCW) Local 881. For nearly five decades, Ron has dedicated his life's work to the American Labor Movement and has been able to touch the lives of countless workers, families, and communities across the nation. In honor of Ron's fifty years of service, a celebratory reception will be held on June 16, 2011, at Gibson's Steakhouse in Chicago, Illinois.

Ronald Powell began his career with the UFCW in 1961 when he was hired on as a Field Representative for Local 881. Because of his true dedication and strong leadership skills, he was promoted in 1968 to Field Staff Supervisor, and was then appointed Vice President/Director of Field Operations in 1973. In 1983, Ron's hard work and success led him to become President of Local 881. Under Ron's leadership, Local 881 has become an exemplary organization, providing exceptional service in the areas of work-site representation, membership services, benefits, communications, and activities.

In addition to his impressive career with Local 881, Ron serves as a Vice President on the UFCW International Executive Board, and is a Vice President for the Illinois State AFL–CIO. Ron also currently serves as a Trustee for the UFCW Midwest Pension Benefits Fund. In 2010, he was appointed by Governor Pat Quinn to serve on the Metropolitan Pier and Exposition Authority Board. Ron is also a past member of the Board of Directors for the International Employee Benefits Foundation and is the former Chairman of the Illinois State Investment Board. Ron's passion and unwavering devotion to the UFCW and its members is unmatched and he is to be commended.

Ron selflessly gives of his time to many charitable organizations and has been a dynamic force in promoting the union's involvement in numerous civic endeavors. He has been a tremendous asset to the Leukemia & Lymphoma Society and has helped to raise funds to facilitate research toward fmding a cure. He also initiated fundraising campaigns for the Jackson Park Hospital and the Little City Foundation and is a former board member for the United Way of Illinois and Blue Cross Blue Shield of Illinois. Although Ron has served the UFCW and his community with complete dedication, it is his commitment to his family that is most impressive. Ron and his wonderful wife, Lois, have four beloved children and twelve grandchildren.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in commending Mr. Ronald Powell as he is honored for his lifetime of service and dedication to the UFCW, as well as the state of Illinois, Northwest Indiana, and communities nationwide. Ron's complete dedication and uncompromising loyalty are to be admired and he is worthy of the highest praise.

## ''CAN WE AFFORD THE MILITARY BUDGET?''

### HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 15, 2011*

Mr. FRANK of Massachusetts. Mr. Speaker, a leading conservative policy analyst, Bruce Bartlett, on June 14th published a compelling analysis of the great disparity that exists in military spending in the world as a percentage of gross domestic product. Building on the speech Secretary of Defense Gates gave last week, which Mr. Bartlett correctly describes as a speech ''in which he berated our allies in the North Atlantic Treaty Organization for not carrying their weight in terms of providing resources for the common defense,'' Mr. Bartlett offers a very important chart. As he notes, it shows ''that in 2010, the United States spent 5.4 percent of its gross domestic product on its military—twice as much as spent by Britain and three to four times as much as most of our NATO allies . . .'' Mr. Bartlett notes that simply talking about percentages understates the disparity between our military spending and that of the rest of the world—''because the United States has the world's largest economy, its share of world military spending is outsized, accounting for 43 percent of all the military spending on Earth—six times as much as China . . .''

Mr. Bartlett correctly closes by noting that ''With polls showing declining support for the war in Afghanistan and increasing talk in Congress, even among Republicans, about cutting the military budget,'' it is time for us to rethink our worldwide military commitments, and find ways in which we can reduce military spending so that we fully protect the legitimate interests of the United States, but end a situation in which military spending makes impossible demands on any effort to reduce the deficit.

CAN WE AFFORD THE MILITARY BUDGET?

(By Bruce Bartlett)

Bruce Bartlett held senior policy roles in the Reagan and George H.W. Bush administrations and served on the staffs of Representatives Jack Kemp and Ron Paul.

Defense Secretary Robert M. Gates gave a speech in Brussels on Friday in which he berated our allies in the North Atlantic Treaty Organization for not carrying their weight in terms of providing resources for the common defense. ''For all but a handful of allies, defense budgets—in absolute terms, as a share of economic output—have been chronically starved for adequate funding for a long time, with the shortfalls compounding on themselves each year,'' Mr. Gates said.

An examination of the latest NATO data shows that in 2010, the United States spent 5.4 percent of its gross domestic product on its military—twice as much as spent by Britain and three to four times as much as most of our NATO allies, as shown in the following table.

MILITARY EXPENDITURES AS A PERCENTAGE OF G.D.P. IN NATO

| Country | 1985–89, average | 2010 | Country | 1985–89, average | 2010 |
|---|---|---|---|---|---|
| U.S. | 6.0 | 5.4 | Norway | 2.9 | 1.5 |
| Greece | 4.5 | 2.9 | Czech Rep | -- | 1.4 |
| Britain | 4.4 | 2.7 | Denmark | 2.0 | 1.4 |
| Albania | -- | 2.0 | Germany | 2.9 | 1.4 |
| France | 3.7 | 2.0 | Italy | 2.2 | 1.4 |
| Poland | -- | 1.9 | Netherlands | 2.8 | 1.4 |
| Turkey | 2.5 | 1.9 | Romania | -- | 1.3 |
| Estonia | -- | 1.8 | Slovak Rep | -- | 1.3 |

MILITARY EXPENDITURES AS A PERCENTAGE OF G.D.P. IN NATO—Continued

| Country | 1985–89, average | 2010 | Country | 1985–89, average | 2010 |
|---|---|---|---|---|---|
| Bulgaria | -- | 1.7 | Belgium | 2.7 | 1.1 |
| NATO—Europe | 3.1 | 1.7 | Hungary | -- | 1.1 |
| Portugal | 2.5 | 1.6 | Spain | 2.1 | 1.1 |
| Slovenia | -- | 1.6 | Latvia | -- | 1.0 |
| Canada | 2.1 | 1.5 | Lithuania | -- | 0.9 |
| Croatia | -- | 1.5 | Luxembourg | 0.8 | 0.5 |

North Atlantic Treaty Organization.

A crucial reason for this gap is that the United States spends almost as much today as it did during the Cold War. Every other NATO country spends substantially less.

Secretary Gates also made another point about military spending by our allies: they spend much more on personnel and less on equipment than the United States. ''The result is that investment accounts for future modernization and other capabilities not directly related to Afghanistan are being squeezed out—as we are seeing today over Libya,'' he cautioned.

According to NATO, the United States spends 46.7 percent of its military budget on personnel. All but five other NATO countries spend more—often considerably more. The average for all NATO countries other than the United States is 56.7 percent of their military budgets spent on personnel, with a number of countries spending two-thirds to three-quarters.

Consequently, there is little money left over for equipment. The United States spends 24.2 percent of its military budget on equipment and only five NATO countries spend more. The average for all NATO countries other than the United States is 16.7 percent of military spending going to equipment, with a number of countries spending less than 10 percent.

But what about our adversaries? Don't we need to maintain a high level of military spending to counter the capabilities of countries like Russia and China?

For those data, we need to look to a different source. According to the latest yearbook from the Stockholm International Peace Research Institute, the standard nonclassified source, Russia spent 4.3 percent of its G.D.P. on military outlays in 2009, down from 15.8 percent in 1988; China spent just 2.2 percent of its G.D.P. on the military budget, about the same as it has been since 1989.

MILITARY SPENDING IN SELECTED NON-NATO COUNTRIES, 2009

| Country | Spending (millions, $U.S.) | % of G.D.P. | Country | Spending (millions, $U.S.) | % of G.D.P. |
|---|---|---|---|---|---|
| Australia | 18,963 | 1.9 | Japan | 51,008 | 1.0 |
| China | 110,100 | 2.2 | South Korea | 24,372 | 2.9 |
| Cuba | 2,249 | n/a | Libya (2008) | 1,100 | 1.2 |
| Egypt | 4,017 | 2.1 | Pakistan | 5,039 | 2.8 |
| India | 35,819 | 2.8 | Russia | 53,300 | 4.3 |
| Iran (2008) | 7,044 | 1.8 | Saudi Arabia | 41,273 | 11.2 |
| Israel | 12,373 | 6.3 | United States | 668,604 | 4.7 |

Stockholm International Peace Research Institute.

The institute notes that the United States accounted for virtually all of the increase in world military spending in 2010.

And because the United States has the world's largest economy, its share of world military spending is outsized, accounting for 43 percent of all the military spending on Earth—six times as much as China, which has the world's second largest military budget and accounts for 7.3 percent of world military spending. Russia accounts for just 3.6 percent.

With polls showing declining support for the war in Afghanistan and increasing talk in Congress, even among Republicans, about cutting the military budget, it appears certain that the Defense Department is going to be downsized and our foreign military commitments scaled back in coming years.

This is going to require serious rethinking of what we perceive to be our strategic threats and whether the United States can continue to afford to be the world's peacekeeper.

## AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

SPEECH OF

### HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 14, 2011*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2112) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes:

Mr. LANGEVIN. Madam Chair, I rise today in strong opposition to the FY12 Agriculture Appropriations Bill. This measure does not reflect the needs of our constituents, nor the values of our esteemed body.

In Rhode Island, we have the third highest unemployment rate in the nation, and during the past several years our families have dealt with job losses, higher food prices, and turmoil in the housing market.

I have made many visits to the Rhode Island Community Food Bank and have seen the great work they and many other wonderful organizations in our state do to help our families. I have spoken with the working families who are not proud to accept this assistance, but have no better option and need to use all resources available to feed their children.

That is why I am disappointed that this measure includes $2 billion less than the President's request for the Supplemental Nutrition Assistance Program, or SNAP. This measure also cuts the Emergency Food Assistance Program, or TEFAP, by $12 million.

While my colleagues in the majority have touted cuts in this bill that are fiscally responsible, I would like to highlight what would happen if we cut and not maintain these programs.

Four years ago, the Rhode Island Community Food Bank served 80,000 SNAP beneficiaries. This month, they are serving 162,000 Rhode Islanders.

Four years ago, they served 30,000 Rhode Islanders through TEFAP. Now they serve 60,000.

If these funding levels are signed into law, the impact to the Rhode Island families most affected by the economic downturn will be devastating.

I urge my colleagues to vote against this measure, and support legislation that reflects the needs of our constituents and communities who are continuing to feel the effects of the recession.

## HONORING LOVIE MAE KAZEE

### HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 15, 2011*

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in recognition of Ms. Lovie Mae Kazee who will turn 95 on July 1, 2011.

Ms. Lovie Mae Walker Kazee was born July 1, 1916 to Bob and Gertie Walker in Hearne, Texas. She married Lueranze Kazee on November, 3, 1932 in Marland, Texas. They moved to Dallas in 1944, where she began work as the housekeeper and nanny for The Richard Gump family. She served in that capacity for over 50 years. She retired in 1997 to care for her ailing husband who passed away in 1999 after 67 and a half years of marriage.

To this union 10 children, 27 grandchildren, 78 great grandchildren, 138 great great grandchildren and 3 great great great grandchildren have been born. She is blessed to have 5 generations of heirs celebrating her birth.

Ms. Lovie attributes her longevity to living a faithful Christian life, putting God first in all that she does, never drinking alcohol, nor smoking and remaining physically active.

Ms. Lovie has never been sick and remains an active member of Dallas West Church of Christ. She is the last of the original eight founding members of the congregation, which was started in 1947 and presently meets at 3510 North Hampton Road, Dallas, Texas. Elder Sam Berry is the ministering servant.

Mr. Speaker, I rise today in recognition of Ms. Lovie Mae Kazee who turns 95 next month and I encourage my colleagues to join me in this effort and celebration.

## AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

SPEECH OF

### HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 14, 2011*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2112) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes:

Ms. KAPTUR. Mr. Chair, in the Appropriations Committee, the majority accepted an amendment I offered to restore $1.3 million for the Rural Energy for America program. This amendment would place another $1 million back into the program and put the full House of Representatives on record in support of alternative energy in agriculture.

While we continue to incentivize the agriculture of yesterday, we are blindly ignoring the cries of rural America as it attempts to transform itself to meet the growing energy needs of a new century. For the first time, the 2008 farm bill took a different tack. By investing over $1 billion in alternative energy, this House recognized that alternative energy is inextricably linked with the success of American agriculture.

While two critical amendments were accepted during full committee consideration of the Agriculture Appropriations bill, limits on payments for rich farmers and cotton payouts for Brazil, the Rules Committee chose not to protect these provisions on the floor but instead to protect unprecedented cuts to the energy title of the farm bill that by the same logic should be subject to a point of order.

Why has the House protected the Appropriations Committee's raid on the mandatory funds for the Rural Energy for America Program but derailed amendments accepted in the full committee? The answer is simple, defending a transformation in agriculture is less important than protecting the status quo.

At a time when USDA has made important reforms to REAP and has finally begun to implement requirements of the 2008 farm bill, now is not the time to back down. 100 years from now, we will look back and realize that it was the energy title of the farm bill that inspired innovation in agricultural America, not subsidy programs that reward practices of yesterday. The Rural Energy for America Program recognizes the plea from American's rural small businesses and agricultural community and rewards innovation by investing in a future based on innovation.

I commend Representatives FORTENBERRY and WALZ for offering an amendment to restore funds for the REAP program and look forward to working with my colleagues as we continue to fight on for this program as the bill moves toward conference.

## IN RECOGNITION OF THE MARINES OF MOTOR TRANSPORT MAINTENANCE COMPANY

### HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 15, 2011*

Ms. MATSUI. Mr. Speaker, I rise today to honor the Marines and Inspector-Instructor Staff of the Motor Transport Maintenance Company as they gather for a welcome home ceremony in Sacramento. I ask all my colleagues to join me to recognize the dedication that each of these men and women have shown for their country.

Since 2008, this Motor Transport Maintenance Company, also known as MTM Company, has served over 51,000 days of operational support in the Iraq theater. They have done this by conducting motor transport maintenance, force sustainment, administrative, supply, and training support to thousands of Joint Forces troops in theater. The men and women of MTM Company displayed honor, courage, commitment, and teamwork, traits that we have come to expect from those that serve in our nation's military.

Over the last decade our nation's military Reservists have been mobilized to an unprecedented scale. The Marines of the MTM Company have been no exception. One hundred seventy-three members of this unit have been deployed overseas in support of U.S. operations since 2008. Forty-six have been deployed twice to Iraq in support of Operation Iraqi Freedom or Afghanistan as part of Operation Enduring Freedom. Another fourteen have been deployed to Iraq or Afghanistan three times over the last four years.

The Marines of MTM Company drill at the Marine Corps Reserve Center Sacramento. They have left their mark across the nation and across the world. They have provided first class support to their fellow Marines regardless of the hardships they faced or challenges that they have had to overcome.

The Marines of the MTM Company, called up from their civilian lives to serve their nation, have spent a great deal of time away from their families, often at extraordinary personal sacrifice. We must thank and acknowledge the families and friends of these Marines who stood by them while they were deployed. Their sacrifices, along with the sacrifices of their loved ones, should not be lost on Congress or on each of our constituents.

Mr. Speaker, I ask my colleagues to join me in extending my sincere thanks for a job well done and welcome home wishes to the men and women of the Motor Transport Maintenance Company and all Marines that have been called to serve.

## 100 YEAR ANNIVERSARY OF THE INTERNATIONAL BUSINESS MACHINES (IBM) CORPORATION

### HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 15, 2011*

Mr. REED. Mr. Speaker, I rise today to celebrate the 100 year anniversary of the International Business Machines (IBM) Corporation. For the last century, IBM has been on the cutting edge of collecting, quantifying and analyzing information and has served as a bright example of American ingenuity. In 2010 alone, IBM received 5,896 U.S. patents, the 18th consecutive year it has topped the list of the world's most inventive company.

In addition to IBM's long history of technological innovations and computing, the Corporation has a rich history of community service, which needs to be recognized. Thomas Watson founded IBM with the purpose of not only attaining profits, but also with the goal of creating a socially responsible organization that aided its local community. Through its impressive contributions, I believe IBM has honored the goals set out by Mr. Watson.

For example, to celebrate their centennial, members of IBM's staff donated more than 2.5 million hours of skills based volunteering in more than 120 countries over the past several months. More astoundingly, IBM recently surpassed more than thirteen million hours of service to our country and the world. In addition to skills-based donations, IBM has also delivered hundreds of new service grants to support employees' volunteer activities.

IBM provides an exceptional model of a corporation that exemplifies what it means to be a civically responsible organization, and I applaud how IBM has chosen to celebrate their Centennial.

I'm proud to have IBM headquartered in my home State of New York. I look forward to witnessing the technological innovations and volunteerism that I know will continue to flow from IBM in their next 100 years of business.

[From Democrat and Chronicle.com, June 15, 2011]

AFTER 100 YEARS, INNOVATION REMAINS KEY TO IBM'S SUCCESS

(By Sarah Bradshaw)

Cellphone 3–D imaging. Batteries powered by air. Reusing supercomputer-generated heat to power air conditioners.

These aren't the stuff of science fiction, but the innovations that International Business Machines Corp.—which celebrates its 100th anniversary Thursday—is aiming for as it begins its second century.

The Westchester County-based provider of computer services received 5,896 U.S. patents in 2010, marking the 18th consecutive year it topped the list of the world's most inventive companies.

This is the company whose engineers and scientists developed many of the building blocks of modern information technology, including the memory chip, the mainframe, the personal computer and even new fields of mathematics.

IBM is a notable part of the Rochester-area economy, operating a 190,000-square-foot data center in Greece that employs 550 people at the Canal Ponds Business Park. The company is in the midst of a $40 million upgrade of that facility over the next couple of years.

IBM also has given more than $1.75 million over the past decade to the University of Rochester and nearly $500,000 to Rochester Institute of Technology in the form of IBM Faculty Awards and Shared University Research Awards. In 2008, IBM also opened a software Innovation and Collaboration Lab at RIT.

Research and development has been a major component of IBM. The company spent $5.8 billion on R&D in 2009, more than Apple Inc., Cisco Systems Inc. or GoogleInc. Last year, it raised its R&D spending to $6 billion.

In its 100-year history, IBM's transformations and technological breakthroughs have been significant. First came time clocks and typewriters, and eventually supercomputers that have helped Russian railways move freight and passengers, prevented tax fraud in the United States and monitored the health of premature babies in Toronto.

On April 7, 1964, then-Chairman Thomas J. Watson Jr. introduced a new generation of computing equipment—the System/360—that would revolutionize the way the world processed information.

Watson, son of legendary IBM leader Thomas J. Watson Sr., called the event the most important product announcement in company history. ''The result will be more computer productivity at a lower cost than ever before,'' he said.

System/360 succeeded IBM's earlier 700 series, which did not have hard drive space but instead used magnetic tape as memory. The 700 series was used for specific purposes, while System/360 were general purpose computers with interchangeable parts and software.

System/360 was a $5 billion bet to create something unprecedented, said Bernie Meyerson, vice president for innovation at IBM. ''If System/360 had failed, there's a high probability that there wouldn't be an IBM,'' he said.

But the gamble paid off. In 1989, 25 years after Watson introduced it, products based on System/360's architecture accounted for more than half the company's revenue.

Pat Meaney is a senior technical staff member at IBM in Poughkeepsie, Dutchess County, with 25 years of experience at Big Blue, which means he has seen his fair share of changes in technology.

''It's amazing how many changes happened during my career,'' said Meaney, 47. ''When I look back, there was trepidation, but they turned out good.''

Meaney was encouraged to explore his interests within the corporation. His duties today include working on the reliability of the System Z mainframe memory. In 1986, after graduating from Clarkson University, he was hired by IBM as a logic designer, and focused on frequency timing. His interest quickly became how to make sure the machine never goes down.

''It's always exciting,'' he said. ''If you are going to work 40-plus hours a week, make sure it's something you like to do.''

Meaney has submitted 60 patents since 1995, with 40 approved patents and is a member of the patent review board.

He said that for the next generation of IBMers, ''The thing to look at is the trends technology is taking. As you look to the future, there are always things that look like roadblocks. They look like they will hinder us, but we challenge ourselves to get around them.''

THE BUILDER

Thomas J. Watson Sr., the legendary and controversial president of IBM from 1914 to 1956, oversaw the company's growth into an international force. He had strong ties to upstate. Born in Campbell, Steuben County, he worked in Painted Post, Buffalo and Rochester. While in Rochester, starting in 1900, he was a salesman for National Cash Register, using ruthless tactics against competitors and making such an impression on corporate headquarters in Dayton, Ohio, that he was transferred there.

In 1914, Watson was brought in to run the Computing-Tabulating-Recording Co. in New York City, three years after its founding. In 1924, it was renamed IBM.

## IRAN'S ONGOING EFFORTS TO ASSIST THE SYRIAN REGIME

### HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 15, 2011*

Mr. BERMAN. Mr. Speaker, I rise to draw attention to Iran's ongoing efforts to assist the Syrian regime in violently suppressing peaceful protestors.

I submit the articles ''Iran Helping Syrian Regime Crack Down on Protestors, Say Diplomats,'' printed in the May 9, 2011, Guardian, and ''Iran Reportedly Aiding Syrian Crackdown,'' printed in the May 27, 2011, Washington Post.

Press reports indicate that Iran is playing an active role in helping Syrian President Bashar al-Assad brutally crackdown on peaceful democracy protestors. As the Washington Post reports, ''Iran is dispatching increasing numbers of trainers and advisers—including members of its elite Quds Force—into Syria to help crush anti-government demonstrations that are threatening to topple Iran's most important ally in the region.''

Syrians have witnessed an increase in arrests, and door-to-door raids, similar to those that helped to crush Iran's Green Movement protests in 2009.

Human rights groups suggest that more than 7,000 people have been detained since the uprising began. And more than 1100 people are said to have died.

Mr. Speaker, Iran is terrified that it is about to lose its most important ally in the Arab world—they will do everything in their power to prevent that from happening. It appears that human life holds no value to the leaders in Damascus and Tehran.

I encourage all of my colleagues to read these articles and follow this development closely. The Congress must continue to put pressure on Syria and Iran so that freedom, respect for human rights and democracy can emerge in both nations.

[The Guardian, May 9, 2011]

IRAN HELPING SYRIAN REGIME CRACK DOWN ON PROTESTERS, SAY DIPLOMATS

Iran is playing an increasingly active role in helping the Syrian regime in its crackdown on pro-democracy protesters, according to western diplomatic sources in Damascus.

The claim came as Syria's security forces backed by tanks intensified operations to suppress unrest in three new flashpoint towns on Sunday and it was confirmed that four women had been shot dead in the first use of force against an all-female demonstration.

A senior western diplomat in Damascus expanded on assertions, first made by White House officials last month, that Iran is advising president Bashar al-Assad's government on how to crush dissent.

The diplomat pointed to a ''significant'' increase in the number of Iranian personnel in Syria since protests began in mid-March. Mass arrests in door-to-door raids, similar to those that helped to crush Iran's ''green revolution'' in 2009, have been stepped up in the past week.

Human rights groups suggest more than 7,000 people have been detained since the uprising began. More than 800 people are said to have died, up to 50 during last Friday's ''day of defiance''. Last night two unarmed demonstrators were reportedly killed during a night rally in the eastern city of Deir al-Zor.

''Tehran has upped the level of technical support and personnel support from the Iranian Republican Guard to strengthen Syria's ability to deal with protesters,'' the diplomat said, adding that the few hundred personnel were not involved in any physical operations. ''Since the start of the uprising, the Iranian regime has been worried about losing its most important ally in the Arab world and important conduit for weapons to Hezbollah [in Lebanon],'' the diplomat said.

Last month White House officials made similar allegations about Iranian assistance for the regime, particularly in terms of intercepting or blocking internet, mobile phone and social media communications between the protesters and the outside world. But the officials did not provide hard evidence to support their claims.

Activists and diplomats claim Iran's assistance includes help to monitor internet communications such as Skype, widely used by a network of activists, methods of crowd control, and providing equipment such as batons and riot police helmets.

Syria has denied seeking or receiving assistance from Iran to put down the unrest. In a statement issued on Friday, Iran's foreign ministry stressed Syria's ''prime role'' in opposing Israel and the U.S., and urged opposing forces in the country to compromise on political reform. U.S. policy towards Syria was based on ''opportunism in support of the Zionist regime's avarice'', it said.

The Assad family, from the Shia Muslim minority Alawite sect, is likely to be nervous about appearing to be helped by its Shia-dominated ally to crush protesters drawn from the 75% Sunni population.

Regime forces backed by tanks were in action over the weekend in Horns, in the town of Tafas north of Deraa, and in the coastal city of Banias, activists said. Violence was also reported in the Damascus dormitory town of Zabadani.

Along with arbitrary detentions, shootings have continued.

Razan Zeitouneh, a lawyer in the capital who is monitoring the protests, said four women were shot dead in the village of Merqeb, close to Banias, and six men were shot dead in Banias on Saturday.

IRAN REPORTEDLY AIDING SYRIAN CRACKDOWN

[From the Washington Post, May 27, 2011]

U.S. officials say Iran is dispatching increasing numbers of trainers and advisers—including members of its elite Quds Force—into Syria to help crush anti-government demonstrations that are threatening to topple Iran's most important ally in the region.

The influx of Iranian manpower is adding to a steady stream of aid from Tehran that includes not only weapons and riot gear but also sophisticated surveillance equipment that is helping Syrian authorities track down opponents through their Facebook and Twitter accounts, the sources said. Iranian-assisted computer surveillance is believed to have led to the arrests of hundreds of Syrians seized from their homes in recent weeks.

The United States and its allies long have accused Iran of supporting repressive or violent regimes in the region, including Syria's government, the Hezbollah movement in Lebanon and Hamas in the Gaza Strip. Many previous reports, mostly provided by Western officials, have described Iranian technical help in providing Syria with riot helmets, batons and other implements of crowd control during 10 weeks of demonstrations against President Bashar al-Assad.

The new assertions—provided by two U.S. officials and a diplomat from an allied nation, all of whom spoke on the condition of anonymity to describe sensitive intelligence—are clearly aimed at suggesting

deepening involvement of Iranian military personnel in Syria's brutal crackdown against anti-Assad demonstrators.There was no response on Friday to requests for comment left with the Syrian Embassy and Iranian interests section in Washington.

In the account provided by the diplomat and the U.S. officials, the Iranian military trainers were being brought to Damascus to instruct Syrians in techniques Iran used against the nation's ''Green Movement'' in 2009, the diplomat said. The Iranians were brutally effective in crushing those protests.

Officers from Iran's notorious Quds Force have played a key role in Syria's crackdown since at least mid-April, said the U.S. and allied officials. They said U.S. sanctions imposed against the Quds Force in April were implicitly intended as a warning to Iran to halt the practice.

The Quds Force is a unit of Iran's Islamic Revolutionary Guard Corps responsible for operations outside the country. It has helped fund and train Hezbollah and Hamas militants and supported anti-U.S. insurgents inside Iraq.

While the size of the Iranian contingent in Syria is not known, the numbers of advisers has grown steadily in recent weeks despite U.S. warnings, according to the U.S. and allied officials.

The Obama administration mentioned the role of the Quds Forces in announcing two sets of sanctions imposed against Syrian government officials in the past month. A White House executive order last week that targeted Assad and six other top government officials also included a little-noticed reference to Mohsen Chizari, an Iranian military officer who is the No. 3 leader in the Quds Force in charge of training.

The naming of Chizari—who in 2006 was arrested but later released by U.S. forces in Iraq for allegedly supplying arms to insurgents there—suggests that officials possess evidence of his role in assisting Syria's crackdown on protesters, said Michael Singh, a former senior director for Middle East affairs for the National Security Council during George W. Bush's administration.

''There's a deeply integrated relationship here that involves not only support for terrorism but a whole gamut of activities to ensure Assad's survival,'' Singh said.

It is not unusual for governments to draw on foreign assistance during times of unrest, as Western-allied governments in Bahrain and Egypt did when protests were building in those countries.

Iran's increasing engagement in the Syrian crackdown reflects anxiety in Tehran about the prospects for Assad, who has failed to end the protests despite rising brutality that human rights groups say has left more than 800 people dead and perhaps 10,000 in prison. While managing to hold on to power, Assad has been severely weakened after months of Syrian unrest, according to current and former U.S. officials and Middle East experts.

''Iran is focused intently on how things are evolving in Syria,'' said Mona Yacoubian, a former Middle East expert with the State Department's intelligence division and who is a special adviser to the U.S. Institute of Peace. ''The two countries have a longstanding alliance of 30 years-plus. Syria is Iran's most important inroad into the Arab world, and its perch on the front line with Israel.''

Assad, whose army is stretched across dozens of cities in an unprecedented domestic deployment, increasingly needs help to survive, Yacoubian said. And Iran desperately needs Assad. ''If they lose the Syrian regime, it would constitute a huge setback,'' Yacoubian said.

Iran, a longtime supplier of military aid to Syria, has been helping Dasmascus battle the current wave of civil unrest since at least mid-March, said the U.S. and allied officials. The emergence of Syria's first true mass protests—with tens of thousands of demonstrators pouring into the streets demanding Assad's ouster—initially flummoxed the country's security leaders, who had little experience with such phenomena.

On March 23, Turkish officials seized light weapons—including assault rifles and grenade launchers—on an Iranian cargo plane bound for Syria. Whether the shipment was intended to help suppress the uprising is unclear, but around the same time, Syria received other Iranian shipments that included riot control gear and computer equipment for Internet surveillance, the U.S. and allied sources said.

Just before the shipments, Assad announced with great fanfare that he was lifting the country's ban on the use of social media such as Facebook and YouTube. While widely hailed at the time, the move gave Assad's security police an Iranian-inspired tool for tracking down leaders of the protest movement, said Andrew Tabler, a former Syria-based journalist who is a Syria expert at the Washington Institute for Near East Policy.

''Lifting the ban on Facebook helped the regime pinpoint where the [activists] were coming from,'' Tabler said in an phone interview from Lebanon, where he remains in contact with opposition figures. ''It was not about being magnanimous; it was a way to allow more surveillance, leading to thousands of arrests.''

## HONORING THE BOYES HOT SPRINGS POST OFFICE

### HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 15, 2011*

Mr. THOMPSON of California. Mr. Speaker, I rise today with my colleague, Representative LYNN WOOLSEY, to honor the 100th birthday of an important community institution, the Boyes Hot Springs Post Office. On July 8, 1911, the Sonoma Index Tribune reported that ''A.D. Graham of Graham's Cash Store received the appointment as post master of Boyes Springs. Located at his store.''

The store, lost in a 1923 fire along with most of the town, was near the train depot at Boyes Boulevard and the Sonoma Highway (Hwy 12). After rapid rebuilding, the post office was located in the Woodleaf Store (now a diner that is part of the Sonoma Mission Inn) until 1951, when its current site was built at the Plaza Center at Boyes Boulevard and Sonoma Highway.

This site, previously known as the Boyes Springs Plaza, had been the scene of street parties and fiestas. Now, redevelopment plans include a public plaza in the surrounding space, reviving it as a place for celebration.

Boyes Hot Springs has a lively history, integral to the fabric of the Sonoma Valley. Formerly the center of a great resort area, it hosted thousands of visitors during its heyday. There were dozens of resorts, from small motor courts to the grand Sonoma Mission Inn. The Boyes Bath House boasted the second largest indoor swimming pool in the country. And, for many years, the area was a training ground for professional football and baseball teams such as the Cleveland Browns and the San Francisco Seals.

After the demise of the passenger railroad, the area still thrived with the construction of the Golden Gate Bridge and the rise of the automobile. Boyes Springs real estate man L.E. ''Bud'' Castner was one of the first directors of the Golden Gate Bridge District.

In the 1960s, as the resorts faded, Boyes Hot Springs faded a bit as well. Community pride, however, never waned. The area became attractive in the 1980s and 1990s to home buyers who were priced out of the Bay area market. Attracted by its rural charm, they purchased its large stock of charming cottages to rehabilitate. At the same time, the population of Mexican immigrants grew, attracted principally by the grape growing and wine businesses.

To old timers and new residents alike, the post office is the center of the community. Since most of the surrounding streets receive no mail delivery, residents make a daily trip to the post office where they catch up on the latest local news with their friends and neighbors. The immigrant population relies on it for communication with their families back home. The postal workers are personally known to all, a part of the broader community family.

Mr. Speaker, the community is hosting a celebration to honor this anniversary. In the words of one of the organizers, Michael Acker of the Springs Community All, it will ''salute the past, show appreciation for service, and look to the future with hope.'' Please join us in honoring the centennial of the Boyes Hot Springs Post Office.

## AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

SPEECH OF

### HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 14, 2011*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2112) making appropriations for Agriculture, Rural development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes:

Mr. LARSON of Connecticut. Mr. Chair, I rise today in support of fully funding the CFTC.

According to Gene Guilford, Executive Director of the Independent Connecticut Petroleum Association, and former Reagan Energy Department Presidential appointee, gas prices should be $2.50. He goes on to say that 15 to 20 percent of the price of a barrel of oil is due to pure speculation.

Even big oil executives agree, Exxon Mobil CEO and President Rex Tillerson recently testified that the price of a barrel of oil without speculation should be between $60 and $70. According to an April 2011 analysis by Goldman Sachs, unregulated speculation adds over $20 per barrel to the price of oil.

In my home state of Connecticut, 4 million gallons of gas are sold a day. That means every day my constituents are spending an extra $6 million for speculation. In this fragile

economic time, I can think of many other important things Connecticut families can spend $6 million to buy instead of paying to support the greed of over speculations. With consistently some of the highest gas prices in the nation, Connecticut deserves better.

One of the ways to reduce the price of gas is to end excessive speculation. The CFTC has a job to protect American consumers and through the Wall Street Reform legislation passed last Congress, they were tasked with implementing rules the market has to follow including ending excessive speculation and setting position limits.

To carry these regulatory protections out, the CFTC needs funding. Republicans have not only written language to delay implementation of these protections, but now in the FY12 Appropriations bill they put forth legislation to cut the budget by 15 percent, 44 percent under the President's request. This is unconscionable, especially when CFTC is doing a good job.

Less than a month ago, the CFTC charged 5 oil speculators with manipulating the price of crude during the record high gas prices in the summer of 2008. The Republican funding cut to the CFTC sends a strong message to the industry to continue the status quo. Not only will the cut prevent the agency from hiring the technical experts needed to implement new regulations, but will also reduce the overall size from 670 employees to under 600 employees.

When President Bush left office, the CFTC oversaw a $40 trillion market. Today, the CFTC is tasked with overseeing a $300 trillion market. This is a 650 percent increase in the CFTC's responsibility, but at the same time their budget has only increased by 15 percent. It is irresponsible to take away funding leaving the agency stretched far too thin and inadequately prepared to deal with our ever more intricate market. Wall Street spent $34 million last quarter lobbying Congress in order to prevent implementation of new regulations, and it looks like their efforts have paid off.

The health of our economy is no game. I am outraged by the actions of my colleagues. I support my amendment to fully fund the CFTC and reject this appropriations bill.

## IN RECOGNITION OF THE SAILORS MOBILIZED FROM THE NAVY OPERATIONAL SUPPORT CENTER SACRAMENTO

### HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 15, 2011*

Ms. MATSUI. Mr. Speaker, I rise today to honor the men and women of the Maritime Expeditionary Security Squadron 9, Naval Mobile Construction Battalion 18, Detachment 0818 and other mobilized Sailors from the Navy Operational Support Center Sacramento, as they gather for a welcome home ceremony. I ask all my colleagues to join with me and recognize the dedication that each of these men and women have shown their country.

Since 2008, 215 Sailors have been deployed to Iraq in support of Operation Iraqi Freedom, to Afghanistan as part of Operation Enduring Freedom, and across the world in support of U.S. operations. These men and women have displayed the honor, courage, commitment, and teamwork that we have come to expect from those that serve in our military.

Maritime Expeditionary Security Squadron 9, also known as MSRON 9, provided over 18,000 days of operational support to protect the Al Basrah Oil Terminal, which lies just offshore of the Iraqi coast. The oil terminal is one of the most important assets to the people of Iraq, accounts for over 85 percent of Iraq's gross domestic product, and is key to the country's future. For nearly a year, MSRON 9 provided vigilant security for the facility, and without their presence the people of Iraq would not have experienced much of the stability they have seen in recent years.

In Afghanistan, Naval Mobile Construction Battalion 18, Detachment 0818 provided over 16,000 days of operational support building schools, airfields, electrical infrastructure, and other such facilities across the country. Facing constant danger, they have brought hope and modern infrastructure to many Afghanis. One Sailor, UT1 Ronald Christopher Marquart, was hit by rocket shrapnel while working at Kandahar Airfield and was awarded a Purple Heart.

All of the Sailors of MSRON 9, NMCB 18, and the subordinate commands at the Naval Operations Support Center Sacramento are Reservists, called up to serve their nation. They have spent a great deal of time away from their families, often at extraordinary personal sacrifice. For this reason, we must also thank and acknowledge the families and friends of these Sailors who stood by them while they were deployed. Their sacrifices, along with the sacrifices of their loved ones, should not be lost on Congress or our constituents.

Mr. Speaker, I ask my colleagues to join me in extending my sincere thanks for a job well done, and welcome home to the men and women of Maritime Expeditionary Security Squadron 9, Naval Mobile Construction Battalion 18, Detachment 0818 and all Naval Reservists that have been called to serve.

## IBM CENTENNIAL DAY

### HON. NAN A.S. HAYWORTH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 15, 2011*

Ms. HAYWORTH. Mr. Speaker, I rise today to recognize the largest employer in New York's 19th Congressional District, IBM, on the 100th anniversary of their founding. IBM employees, retirees, partners, and clients within the Lower Hudson Valley and around the world are hosting an IBM Centennial Day of Service to donate their time, skills, and expertise to support our communities.

Since 2003, IBM employees have donated more than 13 million hours of service around the world in over 120 countries. Within the last six months alone, IBM volunteers have contributed over 2.5 million hours to service in behalf of worthy causes, including teaching math and science to middle school students; mentoring young Uruguayans from impoverished neighborhoods; and coaching hundreds of small business entrepreneurs in Nigeria.

$12 million in service grants are also being distributed as part of the IBM Centennial Day of Service, and I commend both IBM and its thousands of dedicated and talented employees for their generosity.

## SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, June 16, 2011 may be found in the Daily Digest of today's RECORD.

## MEETINGS SCHEDULED

### JUNE 17

9:30 a.m.
Armed Services
Closed business meeting to continue markup of the proposed National Defense Authorization Act for fiscal year 2012.
SR–232A

### JUNE 20

2 p.m.
Commission on Security and Cooperation in Europe
To hold hearings to examine 2050, focusing on implications of demographic trends in the Organization for Security and Co-operation in Europe (OSCE) region.
2247, Rayburn Building

### JUNE 21

10 a.m.
Banking, Housing, and Urban Affairs
To hold hearings to examine cybersecurity and data protection in the financial sector.
SD–538

Foreign Relations
To hold hearings to examine the nominations of Anne W. Patterson, of Virginia, to be Ambassador to the Arab Republic of Egypt, Michael H. Corbin, of California, to be Ambassador to the United Arab Emirates, and Matthew H. Tueller, of Utah, to be Ambassador to the State of Kuwait, all of the Department of State.
SD–419

Health, Education, Labor, and Pensions
To hold hearings to examine senior hunger and the ''Older Americans Act''.
SD–430

2 p.m.
Joint Economic Committee
To hold hearings to examine spending less, owing less, growing the economy.
1100, Longworth Building

2:30 p.m.
Commerce, Science, and Transportation
To hold hearings to examine the nominations of John Bryson, to be Secretary, and Terry D. Garcia, of Florida, to be Deputy Secretary, both of the Department of Commerce.
SR–253

Judiciary
Crime and Terrorism Subcommittee
To hold hearings to examine cybersecurity, focusing on evaluating the Administration's proposals.
SD–226

Foreign Relations
To hold hearings to examine evaluating goals and progress in Afghanistan and Pakistan.
SD–106

Homeland Security and Governmental Affairs
Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee
To hold hearings to examine inspiring students to Federal service.
SD–342

Intelligence
To hold closed hearings to examine certain intelligence matters.
SH–219

### JUNE 22

10 a.m.
Finance
To hold hearings to examine preventing overpayments and eliminating fraud in the unemployment insurance system.
SD–215

Homeland Security and Governmental Affairs
To hold hearings to examine the next steps for securing rail and transit.
SD–342

Judiciary
To hold an oversight hearing to examine intellectual property law enforcement efforts.
SD–226

10:15 a.m.
Joint Economic Committee
To hold hearings to examine manufacturing in the United States, focusing on why we need a national manufacturing strategy.
SH–216

10:30 a.m.
Appropriations
Department of Defense Subcommittee
To hold hearings to examine outside witness statements.
SD–192

11:30 a.m.
Library
Organizational business meeting to consider committee's rules of procedure and budget for the 112th Congress.
SC–6, Capitol

Printing
Organizational business meeting to consider committee's rules of procedure and budget for the 112th Congress.
SC–6, Capitol

1:30 p.m.
Homeland Security and Governmental Affairs
To hold hearings to examine transforming lives through diabetes research.
SD–G50

2:30 p.m.
Judiciary
To hold hearings to examine the nominations of Christopher Droney, of Connecticut, to be United States Circuit Judge for the Second Circuit, Robert David Mariani, to be United States District Judge for the Middle District of Pennsylvania, Cathy Bissoon, and Mark Raymond Hornak, both to be a United States District Judge for the Western District of Pennsylvania, and Robert N. Scola, Jr., to be United States District Judge for the Southern District of Florida.
SD–226

### JUNE 23

9:30 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings to examine farm bill accountability, focusing on the importance of measuring performance, while eliminating duplication and waste.
SD–G50

10 a.m.
Homeland Security and Governmental Affairs
To hold hearings to examine Federal regulation, focusing on a review of legislative proposals.
SD–342

2:15 p.m.
Indian Affairs
To hold an oversight hearing to examine the ''Indian Reorganization Act'' 75 years later, focusing on restoring tribal homelands and promote self-determination.
SD–628

Foreign Relations
Western Hemisphere, Peace Corps and Global Narcotics Affairs Subcommittee
International Development and Foreign Assistance, Economic Affairs and International Environmental Protection Subcommittee
To hold joint hearings to examine Haiti, focusing on reinvigorating aid under Martelly.
SD–419

2:30 p.m.
Energy and Natural Resources
Water and Power Subcommittee
To hold hearings to examine S. 500, to direct the Secretary of the Interior to convey certain Federal features of the electric distribution system to the South Utah Valley Electric Service District, S. 715, to reinstate and transfer certain hydroelectric licenses and extend the deadline for commencement of construction of certain hydroelectric projects, S. 802, to authorize the Secretary of the Interior to allow the storage and conveyance of nonproject water at the Norman project in Oklahoma, S. 997, to authorize the Secretary of the Interior to extend a water contract between the United States and the East Bench Irrigation District, S. 1033, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the City of Hermiston, Oregon, water recycling and reuse project, and S. 1047, to amend the Reclamation Projects Authorization and Adjustment of 1992 to require the Secretary of the Interior, acting through the Bureau of Reclamation, to take actions to improve environmental conditions in the vicinity of the Leadville Mine Drainage Tunnel in Lake County, Colorado, an original bill entitled, ''Bureau of Reclamation Fish Recovery Programs Reauthorization Act of 2011'', and an original bill entitled, ''Fort Sumner Project Title Conveyance Act''.
SD–366

Intelligence
To hold hearings to examine the nomination of David H. Petraeus, of New Hampshire, to be Director of the Central Intelligence Agency.
SH–216

### JUNE 29

2:30 p.m.
Veterans' Affairs
Business meeting to consider pending calendar business.
SR–418

CORRECTION

# *Daily Digest*

# Senate

## *Chamber Action*

***Routine Proceedings, pages S3787–S3849***

**Measures Introduced:** Sixteen bills and one resolution were introduced, as follows: S. 1197–1212, and S. Res. 208. **Pages S3812–13**

**Measures Passed:**

***United States and Mongolia Growing Partnership:*** Senate agreed to S. Res. 208, expressing the sense of the Senate regarding Mongolian President Tsakhiagiin Elbegdorj's visit to Washington, DC, and its support for the growing partnership between the United States and Mongolia. **Pages S3848–49**

**Measures Considered:**

**Economic Development Revitalization Act—Agreement:** Senate continued consideration of S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, taking action on the following amendments proposed thereto: **Page S3847**

Pending:

DeMint Amendment No. 394, to repeal the Dodd-Frank Wall Street Reform and Consumer Protection Act. **Page S3847**

Paul Amendment No. 414, to implement the President's request to increase the statutory limit on the public debt. **Page S3847**

Cardin Amendment No. 407, to require the FHA to equitably treat homebuyers who have repaid in full their FHA-insured mortgages. **Page S3847**

Merkley/Snowe Amendment No. 428, to establish clear regulatory standards for mortgage servicers. **Page S3847**

Kohl Amendment No. 389, to amend the Sherman Act to make oil-producing and exporting cartels illegal. **Page S3847**

Hutchison Amendment No. 423, to delay the implementation of the health reform law in the United States until there is final resolution in pending lawsuits. **Page S3847**

Portman Amendment No. 417, to provide for the inclusion of independent regulatory agencies in the application of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1501 et seq.). **Page S3847**

Portman Amendment No. 418, to amend the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1501 et seq.) to strengthen the economic impact analyses for major rules, require agencies to analyze the effect of major rules on jobs, and require adoption of the least burdensome regulatory means. **Page S3847**

McCain Amendment No. 411, to prohibit the use of Federal funds to construct ethanol blender pumps or ethanol storage facilities. **Page S3847**

McCain Amendment No. 412, to repeal the wage rate requirements commonly known as the Davis-Bacon Act. **Page S3847**

Merkley Amendment No. 440, to require the Secretary of Energy to establish an Energy Efficiency Loan Program under which the Secretary shall make funds available to States to support financial assistance provided by qualified financing entities for making qualified energy efficiency or renewable efficiency improvements. **Page S3847**

Coburn Modified Amendment No. 436, to repeal the Volumetric Ethanol Excise Tax Credit. **Page S3847**

Brown (MA)/Snowe Amendment No. 405, to repeal the imposition of withholding on certain payments made to vendors by government entities. **Page S3847**

Inhofe Amendment No. 430, to reduce amounts authorized to be appropriated. **Page S3847**

Inhofe Amendment No. 438, to provide for the establishment of a committee to assess the effects of certain Federal regulatory mandates. **Page S3847**

Merkley Amendment No. 427, to make a technical correction to the HUBZone designation process. **Page S3847**

McCain Amendment No. 441 (to Coburn Modified Amendment No. 436), to prohibit the use of Federal funds to construct ethanol blender pumps or ethanol storage facilities. **Page S3847**

Reid (for Feinstein/Coburn) Amendment No. 476, to repeal the Volumetric Ethanol Excise Tax Credit. **Page S3847**

A unanimous-consent-time agreement was reached providing for further consideration of the bill at approximately 10 a.m., on Thursday, June 16, 2011; that Reid (for Feinstein/Coburn) Amendment No.

476 (listed above), and McCain Amendment No. 411 (listed above), be debated concurrently; that there be up to 4 hours of debate, equally divided between the two Leaders, or their designees; that upon the use or yielding back of time, Senate vote on or in relation to the amendments in the following order: Reid (for Feinstein/Coburn) No. 476; and McCain Amendment No. 411; provided further, that neither of the amendments be divisible; that there be no amendments, points of order or motions in order to either amendment prior to the votes other than budget points of order and the applicable motions to waive; that both amendments be subject to a 60 vote threshold; and that upon disposition of the McCain amendment, the Majority Leader be recognized.

**Pages S3847–48**

**Messages from the House:** **Page S3812**

**Measures Referred:** **Page S3812**

**Executive Communications:** **Page S3812**

**Additional Cosponsors:** **Pages S3813–17**

**Statements on Introduced Bills/Resolutions:** **Pages S3817–42**

**Additional Statements:** **Page S3811**

**Amendments Submitted:** **Pages S3842–46**

**Notices of Hearings/Meetings:** **Page S3846**

**Authorities for Committees to Meet:** **Page S3846**

**Adjournment:** Senate convened at 10 a.m. and adjourned at 7:03 p.m., until 10 a.m. on Thursday, June 16, 2011. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S3849.)

# *Committee Meetings*

*(Committees not listed did not meet)*

## WALL STREET REFORM AND CONSUMER PROTECTION ACT

*Committee on Agriculture, Nutrition, and Forestry:* Committee concluded a hearing to examine the "Wall Street Reform and Consumer Protection Act" and implementation of Title VII one year later, after receiving testimony from Gary Gensler, Chairman, Commodity Futures Trading Commission; Michael S. Gibson, Senior Associate Director, Division of Research and Statistics, Board of Governors of the Federal Reserve System; Brooksley Born, former Commissioner, Financial Crisis Inquiry Commission, and former Chairperson, Commodity Futures Trading Commission; Daniel J. Roth, National Futures Association, and Adam Cooper, Citadel LLC, on behalf of Managed Funds Association, both of Chicago, Illinois; and Charles Conner, National Council of Farmer Cooperatives, and John M. Damgard, Futures Industry Association, both of Washington, DC.

## APPROPRIATIONS: DEPARTMENT OF DEFENSE

*Committee on Appropriations:* Subcommittee on Department of Defense concluded a hearing to examine proposed budget estimates for fiscal year 2012 for the Department of Defense, after receiving testimony from Robert M. Gates, Secretary, and Admiral Michael G. Mullen, USN, Chairman, Joint Chiefs of Staff, both of the Department of Defense.

## AUTHORIZATION: DEFENSE

*Committee on Armed Services:* Subcommittee on Emerging Threats and Capabilities met in closed session and approved for full committee consideration, those provisions which fall within the jurisdiction of the subcommittee, of the proposed National Defense Authorization Act for fiscal year 2012.

## AUTHORIZATION: DEFENSE

*Committee on Armed Services:* Committee began consideration of the proposed National Defense Authorization Act for fiscal year 2012, but did not complete action thereon, and will meet again on Thursday, June 16, 2011.

## ENHANCING SAFETY AND SOUNDNESS

*Committee on Banking, Housing, and Urban Affairs:* Subcommittee on Financial Institutions and Consumer Protection concluded a hearing to examine enhancing safety and soundness, focusing on lessons learned and opportunities for continued improvement, after receiving testimony from Michael R. Foley, Senior Associate Director, Division of Banking Supervision and Regulation, Board of Governors of the Federal Reserve System; Christopher J. Spoth, Senior Deputy Director, Division of Risk Management Supervision, Federal Deposit Insurance Corporation; David K. Wilson, Deputy Comptroller, Credit and Market Risk, Office of the Comptroller of the Currency; Salvatore Marranca, Cattaraugus County Bank, Little Valley, New York, on behalf of the Independent Community Bankers of America; and Frank A. Suellentrop, Legacy Bank, Colwich, Kansas.

## CLEAN AIR ACT AND PUBLIC HEALTH

*Committee on Environment and Public Works:* Committee concluded a hearing to examine the "Clean Air Act" and public health, after receiving testimony from Lisa P. Jackson, Administrator, United States Environmental Protection Agency; Sarah Bucic, Delaware City, on behalf of the American Nurses

Association (ANA), and the Delaware Nurses Association; Jerome A. Paulson, on behalf of the American Academy of Pediatrics (AAP), and Cathy S. Woollums, MidAmerican Energy Holdings Company, both of Washington, D.C.; M. Harvey Brenner, University of North Texas Health Science Center School of Public Health, Fort Worth; and Alfred Munzer, Washington Adventist Hospital, Takoma Park, Maryland, on behalf of American Thoracic Society (ATS).

### NOMINATIONS

*Committee on Homeland Security and Governmental Affairs:* Committee concluded a hearing to examine the nominations of Jennifer A. Di Toro, Donna Mary Murphy, and Yvonne M. Williams, all to be an Associate Judge of the Superior Court of the District of Columbia, after the nominees, who were all introduced by Representative Norton, testified and answered questions in their own behalf.

### SOUTHWEST BORDER SECURITY

*United States Senate Caucus on International Narcotics Control:* Caucus concluded a hearing to examine the continued construction of illegal tunnels on the southwest border of the United States and the role these tunnels may play in the transport of drugs, weapons and human beings, after receiving testimony from James A. Dinkins, Executive Associate Director, Homeland Security Investigations, U.S. Immigration and Customs Enforcement, and Tim Durst, Assistant Special Agent in Charge, U.S. Immigration and Customs Enforcement San Diego, both of the Department of Homeland Security; and Laura E. Duffy, U.S. Attorney, Southern District of California, Department of Justice.

# House of Representatives

## *Chamber Action*

**Public Bills and Resolutions Introduced:** 22 public bills, H.R. 2182–2203; and 3 resolutions, H. Res. 306–308 were introduced. **Pages H4276–78**

**Additional Cosponsors:** **Pages H4278–79**

**Reports Filed:** There were no reports filed today.

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Nugent to act as Speaker pro tempore for today. **Page H4189**

**Recess:** The House recessed at 11:23 a.m. and reconvened at 12 noon. **Page H4198**

**Chaplain:** The prayer was offered by the guest chaplain, Reverend Dr. Phil Hoskins, Higher Ground Baptist Church, Kingsport, Tennessee. **Page H4198**

**Recess:** The House recessed at 12:34 p.m. and reconvened at 1:03 p.m. **Page H4202**

**Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2012:** The House resumed consideration of H.R. 2112, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012. Consideration of the measure began yesterday, June 14th. **Pages H4202–74**

Agreed to:

Sessions amendment that was debated on June 14th that strikes the proviso on page 3, beginning on line 22, relating to FAIR Act or Circular A–76 activities (by a recorded vote of 226 ayes to 199 noes, Roll No. 421); **Pages H4225–26**

Farr amendment that was debated on June 14th that increases funding, by offset, for the Agricultural Marketing Service by $300,000 (by a recorded vote of 352 ayes to 70 noes, Roll No. 422); **Pages H4226–27**

Kingston amendment that reduces each amount made available by titles I through VI (other than an amount required to be made available by a provision of law) by 0.78 percent; **Page H4240**

Young (AK) amendment that prohibits funds from being used to approve any application submitted under section 512 of the Federal Food, Drug, and Cosmetic Act for approval of genetically engineered salmon; **Page H4240**

Royce amendment (No. 24 printed in the Congressional Record of June 14, 2011) that prohibits funds from being used to provide assistance under title II of the Food for Peace Act to the Democratic People's Republic of Korea (North Korea); **Pages H4245–46**

Chaffetz amendment (No. 13 printed in the Congressional Record of June 13, 2011) that prohibits funds from being used to pay the salaries and expenses of personnel who provide nonrecourse marketing assistance loans for mohair under section 1201 for the Food, Conservation, and Energy Act of 2008; and **Page H4256**

Engel amendment that prohibits funds from being used under this Act to lease or purchase new light duty vehicles, for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011. **Page H4268**

Rejected:

Broun (GA) amendment (No. 10 printed in the Congressional Record of June 13, 2011) that sought to reduce funding for the Watershed Rehabilitation Program by $15 million and apply the savings to the spending reduction account; **Pages H4202–04**

Broun (GA) amendment (No. 11 printed in the Congressional Record of June 13, 2011) that sought to reduce funding for Rural Housing Assistance Grants by $20,480,000 and apply the savings to the spending reduction account; **Pages H4205–07**

Broun (GA) amendment (No. 7 printed in the Congressional Record of June 13, 2011) that sought to reduce by half the number of passenger motor vehicles purchased by the Department of Agriculture; **Pages H4219–22**

DeLauro amendment that was debated on June 14th that sought to increase funding, by offset, for the Center for Food Safety and Applied Nutrition by $1 million (by a recorded vote of 193 ayes to 226 noes, Roll No. 420); **Page H4225**

Broun (GA) amendment (No. 8 printed in the Congressional Record of June 13, 2011) that was debated on June 14th that sought to reduce funding for Agricultural Buildings and Facilities and Rental Payments by $20,900,000 and apply the savings to the spending reduction account (by a recorded vote of 120 ayes to 304 noes, Roll No. 423); **Page H4227**

Chaffetz amendment that was debated on June 14th that sought to reduce funding for the Economic Research Service by $43 million; reduce funding for the National Agricultural Statistics Service by $85 million; reduce funding for the Agricultural Research Service by $650 million; reduce funding for Food for Peace Title II Grants by $1,040,198,000 and to apply $1,818,198,000 to the spending reduction account (by a recorded vote of 83 ayes to 338 noes, Roll No. 424); **Pages H4227–28**

Broun (GA) amendment (No. 4 printed in the Congressional Record of June 13, 2011) that was debated on June 14th that sought to reduce funding for the Economic Research Service by $7 million and apply the savings to the spending reduction account (by a recorded vote of 125 ayes to 298 noes, Roll No. 425); **Pages H4228–29**

Clarke (MI) amendment that was debated on June 14th that sought to increase funding, by offset, for the Agricultural Marketing Service by $1 million (by a recorded vote of 142 ayes to 282 noes, Roll No. 426); **Page H4229**

Broun (GA) amendment (No. 9 printed in the Congressional Record of June 13, 2011) that was debated on June 14th that sought to reduce funding for the Agricultural Marketing Service by $7,750,000 and apply the savings to the spending reduction account (by a recorded vote of 107 ayes to 318 noes, Roll No. 427); **Pages H4229–30**

Richardson amendment that was debated on June 14th that sought to increase funding, by offset, for the Commodity Assistance Program by $10 million (by a recorded vote of 200 ayes to 224 noes, Roll No. 428); **Pages H4230–31**

Gosar amendment that sought to increase funding, by offset, for the Multi-Family Housing Revitalization Program and the Rural Business Program by $100 million each (by a recorded vote of 139 ayes to 285 noes, Roll No. 429); **Page H4231**

Broun (GA) amendment that sought to reduce the Special Supplemental Nutrition Program for Women, Infants, and Children by $604 million and apply the savings to the spending reduction account (by a recorded vote of 64 ayes to 360 noes, Roll No. 430); **Pages H4207–08, H4231–32**

Foxx amendment that sought to reduce funding for the Special Supplemental Nutrition Program for Women, Infants, and Children by $82,500,000 million and apply the savings to the spending reduction account (by a recorded vote of 119 ayes to 306 noes, Roll No. 431); **Pages H4232–33**

Broun (GA) amendment (No. 12 printed in the Congressional Record of June 13, 2011) that sought to reduce funding for the Foreign Agricultural Service by $175 million and apply the savings to the spending reduction account (by a recorded vote of 99 ayes to 324 noes, Roll No. 432); **Pages H4210–13, H4233**

Gosar amendment that sought to reduce Food for Peace Title II Grants by $100 million and apply the savings to the spending reduction account (by a recorded vote of 124 ayes to 300 noes, Roll No. 433); **Pages H4204–05, H4233–34**

Broun (GA) amendment that sought to reduce Food for Peace Title II Grants by $940,198,000 and apply the savings to the Spending Reduction Account (by a recorded vote of 108 ayes to 316 noes, Roll No. 434); **Pages H4213–15, H4234–35**

Broun (GA) amendment (No. 6 printed in the Congressional Record of June 13, 2011) that sought to eliminate the McGovern-Dole International Food for Education and Child Nutrition Program Grants and apply the savings of $180 million to the Spending Reduction Account (by a recorded vote of 120 ayes to 303 noes, Roll No. 435); **Pages H4215–17, H4235**

Stearns amendment that sought to reduce funding for the Center for Tobacco Products by $392 million

and apply the savings to the Spending Reduction Account (by a recorded vote of 164 ayes to 257 noes, Roll No. 436); and **Pages H4217–19, H4235–36**

Chaffetz amendment (No. 14 printed in the Congressional Record of June 13, 2011) that sought to prohibit funds from being used to make payments for the storage of cotton under section 1204(g) of the Food, Conservation, and Energy Act of 2008 or for the storage of peanuts under section 1307(a) of such Act. **Pages H4256–57**

Withdrawn:

Foxx amendment (No. 2 printed in the Congressional Record of June 13, 2011) that was offered and subsequently withdrawn that would have reduced the Special Supplemental Nutrition Program for Women, Infants, and Children by $82,500,000 and applied the savings to the spending reduction account; **Pages H4208–10**

Lummis amendment that was offered and subsequently withdrawn that would have amended section 739 of the bill; **Pages H4222–24**

Woolsey amendment (No. 20 printed in the Congressional Record of June 13, 2011) that was offered and subsequently withdrawn that would have prohibited funds from being used to carry out the directive in the committee report instructing the Food and Nutrition Service to issue a new proposed rule on implementing new national nutrition standards for the school breakfast and school lunch programs in the report of the Committee on Appropriations to accompany H.R. 2112 of the 112th Congress; and **Page H4245**

Clarke (MI) amendment that was offered and subsequently withdrawn that would have transferred $7,700,000 for assistance for Afghanistan to H.R. 2112 under the heading ''Agricultural Marketing Services, Marketing Services.'' **Pages H4269–70**

Point of Order sustained against:

Section 740 of the bill; **Page H4238**

Section 741 of the bill; **Page H4238**

Section 743 of the bill; and **Page H4239**

Section 744 of the bill. **Page H4239**

Proceedings Postponed:

Pingree amendment that seeks to prohibit funds from being used (1) to provide electronic notifications to the Committee on Agriculture on travel relating to any ''know your farmer, know your food'' initiatives or (2) in contravention of the Agriculture and Food Research Initiative priority research area specified in subsection (b)(2)(F) of the Competitive, Special, and Facilities Research Grant Act; **Pages H4241–42**

Foxx amendment (No. 1 printed in the Congressional Record of June 13, 2011) that seeks to prohibit funds from being used to support any Know Your Farmer, Know Your Food initiative of the Department of Agriculture; **Pages H4242–45**

Kind amendment (No. 25 printed in the Congressional Record of June 14, 2011) that seeks to prohibit funds from being used to provide payments to the Brazil Cotton Institute; **Pages H4246–53**

Dingell amendment that seeks to increase funding, by offset, for the Food and Drug Administration by $49 million; **Pages H4253–56**

Jackson Lee amendment that seeks to increase, by offset, funding for the Office of the Secretary by $5 million; **Pages H4257–59**

Gibson amendment (No. 23 printed in the Congressional Record of June 14, 2011) that seeks to increase funding, by offset, for broadband loans by $6 million; **Pages H4259–63**

Blumenauer amendment (No. 3 printed in the Congressional Record of June 13, 2011) that seeks to prohibit funds from being used to pay the salaries and expenses of personnel of the Department of Agriculture to provide benefits described in the Food Security Act of 1985 to a person or legal entity in excess of $125,000; **Pages H4263–67**

King (IA) amendment that seeks to prohibit funds from being used to make payments under section 201 of the Claims Resolution Act of 2010 or section 14012 of the Food, Conservation, and Energy Act of 2008; **Pages H4267–68**

King (IA) amendment that seeks to prohibit funds from being used for mifepristone, commonly known as RU–486, for any purpose; **Pages H4268–69**

Garrett amendment that seeks to prohibit funds from being used by the Commodity Futures Trading Commission to promulgate any final rules under paragraphs (13) or (14) of section 2(a) of the Commodity Exchange Act, as added by section 727 of the Dodd-Frank Wall Street Reform and Consumer Protection Act; **Pages H4270–71**

Jackson Lee amendment (No. 29 printed in the Congressional Record of June 14, 2011) that seeks to prohibit funds from being used in contravention of the Food and Nutrition Act of 2008; **Pages H4271–72**

Scalise amendment that seeks to prohibit funds from being used to implement the Departmental Regulation of the Department of Agriculture entitled ''Policy Statement on Climate Change Adaptation''; **Page H4272**

Jackson Lee amendment (No. 28 printed in the Congressional Record of June 14, 2011) that seeks to prohibit funds from being used in contravention of section 310B(e) of the Consolidated Farm and Rural Development Act; and **Pages H4272–73**

Hirono amendment that seeks to increase funding, by offset, for preventive measures authorized under the Watershed Protection and Flood Prevention Act

and the Soil Conservation and Domestic Allotment Act by $3 million. **Page H4274**

H. Res. 300, the rule providing for consideration of the bill, was agreed to yesterday, June 14th.

**Moment of Silence:** The House observed a moment of silence in honor of the victims of the tornado that struck Joplin, Missouri on May 22, 2011. **Page H4225**

**Committee Resignation:** Read a letter from Representative Fleischmann, wherein he resigned from the Committee on Small Business. **Page H4239**

**Recess:** The House recessed at 5:25 p.m. and reconvened at 8:05 p.m. **Page H4239**

**Meeting Hour:** Agreed that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow. **Page H4274**

**Amendments:** Amendments ordered printed pursuant to the rule appear on page H4279.

**Quorum Calls—Votes:** Seventeen recorded votes developed during the proceedings of today and appear on pages H4225, H4226, H4226–27, H4227, H4228, H4228–29, H4229, H4230, H4230–31, H4231, H4231–32, H4232–33, H4233, H4233–34, H4234–35, H4235, and H4235–36. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and adjourned at 12:28 a.m. on Thursday, June 16th.

# *Committee Meetings*

## MISCELLANEOUS MEASURES

*Committee on Appropriations:* Full Committee held a markup of the Energy and Water Appropriations bill, FY 2012. The bill was ordered reported, as amended.

## MISCELLANEOUS MEASURES

*Committee on Education and the Workforce:* Full Committee held a markup of H.R. 1217, to prohibit the Department of Education from overreaching into academic affairs and program eligibility under title IV of the Higher Education Act of 1965. The bill was ordered reported, as amended.

## MISCELLANEOUS MEASURES

*Committee on Energy and Commerce:* Subcommittee on Energy and Power held a markup of H.R. 1938, the North American-Made Energy Security Act, the bill was forwarded without amendment.

## GREATER PROTECTION FOR SENSITIVE CONSUMER DATA AND TIMELY NOTIFICATION IN CASE OF BREACH

*Committee on Energy and Commerce:* Subcommittee on Commerce, Manufacturing, and Trade held a hearing on legislation to require greater protection for sensitive consumer data and timely notification in case of breach. Testimony was heard from Edith Ramirez, Commissioner, Federal Trade Commission, and public witnesses.

## PPACA'S EFFECTS ON MAINTAINING HEALTH COVERAGE AND JOBS

*Committee on Energy and Commerce:* Subcommittee on Health continued a hearing from June 2, entitled ''PPACA's Effects on Maintaining Health Coverage and Jobs: A Review of the Health Care Law's Regulatory Burden.'' Testimony was heard from Steve Larsen, Director, Center for Consumer Information and Insurance Oversight, Centers for Medicare and Medicaid Services.

## GLOBAL MARITIME PIRACY

*Committee on Foreign Affairs:* Subcommittee on Terrorism, Nonproliferation, and Trade held a hearing on Global Maritime Piracy: Fueling Terrorism, Harming Trade. Testimony was heard from Andrew J. Shapiro, Assistant Secretary, Bureau of Political-Military Affairs, Department of State; William F. Wechsler, Deputy Assistant Secretary, Counter-narcotics and Global Threats, Department of Defense.

## THREAT OF MUSLIM-AMERICAN RADICALIZATION IN U.S. PRISONS

*Committee on Homeland Security:* Full Committee held a hearing entitled ''The Threat of Muslim-American Radicalization in U.S. Prisons.'' Testimony was heard from Michael P. Downing, Commanding Officer, Counter-Terrorism and Special Operations Bureau, LAPD, Patrick T. Dunleavy, retired Deputy Inspector General, Criminal Intelligence Unit, New York State Department of Correctional Services; and public witnesses.

## LEGISLATIVE MEASURES

*Committee on the Judiciary:* Subcommittee on Immigration Policy and Enforcement held a hearing on legislation regarding the Legal Workforce Act. Testimony was heard from Rep. Calvert; and public witnesses.

## MISCELLANEOUS MEASURES

*Committee on the Judiciary:* Full Committee held a markup of H. J. Res. 1, proposing a balanced budget amendment to the Constitution of the United States. The bill was ordered reported, as amended.

## MISCELLANEOUS MEASURES

*Committee on Natural Resources:* Full Committee held a markup of the following: H.R. 295, to amend the Hydrographic Services Improvement Act of 1998 to

authorize funds to acquire hydrographic data and provide hydrographic services specific to the Arctic for safe navigation, delineating the United States extended continental shelf, and the monitoring and description of coastal changes; H.R. 320, the Distinguished Flying Cross National Memorial Act; H.R. 441, the Kantishna Hills Renewable Energy Act of 2010; H.R. 470, the Hoover Power Allocation Act of 2011; H.R. 489, to clarify the jurisdiction of the Secretary of the Interior with respect to the C.C. Cragin Dam and Reservoir, and for other purposes; H.R. 643, the Sugar Loaf Fire Protection District Land Exchange Act; H.R. 670, to convey certain submerged lands to the Commonwealth of the Northern Mariana Islands in order to give that territory the same benefits in its submerged lands as Guam, the Virgin Islands, and American Samoa have in their submerged lands; H.R. 686, the Utah National Guard Readiness Act; H.R. 765, the Ski Area Recreational Opportunity Enhancement Act of 2011; H.R. 944, to eliminate an unused lighthouse reservation, provide management consistency by incorporating the rocks and small islands along the coast of Orange County, California, into the California Coastal National Monument managed by the Bureau of Land Management, and meet the original Congressional intent of preserving Orange County's rocks and small islands, and for other purposes; H.R. 1022, Buffalo Soldiers in the National Parks Study Act; H.R. 1141, the Rota Cultural and Natural Resources Study Act; H.R. 1160, the McKinney Lake National Fish Hatchery Conveyance Act; and S. 266, to redesignate the Noxubee National Wildlife Refuge as the Sam D. Hamilton Noxubee National Wildlife Refuge. The following bills were ordered reported without amendment: H.R. 295, H.R. 320, H.R. 470, H.R. 489, H.R. 670, H.R. 765, H.R. 944, H.R. 1022, H.R. 1141, H.R. 1160, and S. 266. The following bills were ordered reported, as amended: H.R. 441, H.R. 643, and H.R. 686.

### OPERATION FAST AND FURIOUS: RECKLESS DECISIONS, TRAGIC OUTCOMES

*Committee on Oversight and Government Reform:* Full Committee held a hearing entitled "Operation Fast and Furious: Reckless Decisions, Tragic Outcomes." Testimony was heard from Sen. Grassley, John Dodson, Special Agent, Phoenix Field Division, Bureau of Alcohol, Tobacco, Firearms and Explosives; Olindo "Lee" Casa, Special Agent, Phoenix Field Division, Bureau of Alcohol, Tobacco, Firearms and Explosives; Peter Forcelli, Group Supervisor, Phoenix Field Division, Bureau of Alcohol, Tobacco, Firearms and Explosives; Ronald Weich, Assistant Attorney General, Department of Justice; and public witnesses.

### POSTAL INFRASTRUCTURE: HOW MUCH CAN WE AFFORD

*Committee on Oversight and Government Reform:* Subcommittee on Federal Workforce, U.S. Postal Service and Labor Policy held a hearing entitled "Postal Infrastructure: How Much Can We Afford?" Testimony was heard from David E. Williams, Vice President, Network Operations Management, United States Postal Service; Phillip Herr, Director, Physical Infrastructure Issues, GAO; and public witnesses.

### DOE'S CLEAN TECHNOLOGY PROGRAMS

*Committee on Science, Space, and Technology:* Subcommittee on Energy and Environment held a hearing on An Examination of DOE's Clean Technology Programs. Testimony was heard from the following Department of Energy witnesses: Arun Majumdar, Acting Under Secretary for Energy, and Director, Advanced Research Projects Agency—Energy; Henry Kelly, Acting Assistant Secretary, Office of Energy Efficiency and Renewable Energy; and David Frantz, Director, Loan Guarantee Program Office.

### GROWING JOBS BY REDUCING REGULATORY BURDENS

*Committee on Small Business:* Full Committee held a hearing entitled "Lifting the Weight of Regulations: Growing Jobs by Reducing Regulatory Burdens." The focus of the hearing was on the following bills: H.R. 527, the Regulatory Flexibility Improvements Act of 2011; and H.R. 585, the Small Business Size Standard Flexibility Act of 2011. Testimony was heard from public witnesses.

## *Joint Meetings*

No joint committee meetings were held.

## COMMITTEE MEETINGS FOR THURSDAY, JUNE 16, 2011

*(Committee meetings are open unless otherwise indicated)*

### Senate

*Committee on Armed Services,* closed business meeting to continue markup of the proposed National Defense Authorization Act for fiscal year 2012, 9:30 a.m., SR–232A.

*Committee on Banking, Housing, and Urban Affairs,* to hold hearings to examine credit unions, focusing on member business lending, 10 a.m., SD–538.

*Committee on Energy and Natural Resources,* to hold hearings to examine S. 343, 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, and to appropriate funds for the purposes of the amended PL 99–658 for fiscal years ending on or before September 30, 2024, to carry out the agreements resulting from that review, 10:30 a.m., SD–366.

*Committee on Environment and Public Works,* with the Subcommittee on Clean Air and Nuclear Safety, to hold a joint oversight hearing to examine the Nuclear Regulatory Commission's preliminary results of the nuclear safety review in the United States following the emergency at Fukushima Daiichi power plant in Japan, 10 a.m., SD–406.

*Committee on Indian Affairs,* to hold an oversight hearing to examine achieving the policy goals of the ''Native American Graves Protection and Repatriation Act'' (NAGPRA), 2:15 p.m., SD–628.

*Committee on the Judiciary,* business meeting to consider S. 1103, to extend the term of the incumbent Director of the Federal Bureau of Investigation, S. 978, to amend the criminal penalty provision for criminal infringement of a copyright, S. 1145, to amend title 18, United States Code, to clarify and expand Federal criminal jurisdiction over Federal contractors and employees outside the United States, and the nominations of Steve Six, of Kansas, to be United States Circuit Judge for the Tenth Circuit, Marina Garcia Marmolejo, to be United States District Judge for the Southern District of Texas, Michael Charles Green, to be United States District Judge for the Western District of New York, Wilma Antoinette Lewis, of the District of Columbia, to be Judge for the District Court of the Virgin Islands, Major General Marilyn A. Quagliotti, USAF (Ret.), of Virginia, to be Deputy Director for Supply Reduction, Office of National Drug Control Policy, Executive Office of the President, and Thomas Gray Walker, to be United States Attorney for the Eastern District of North Carolina, Charles F. Salina, to be United States Marshal for the Western District of New York, Robert William Mathieson, to be United States Marshal for the Eastern District of Virginia, and Juan Mattos Jr., to be United States Marshal for the District of New Jersey, all of the Department of Justice, 10 a.m., SD–192.

*Committee on Small Business and Entrepreneurship,* to hold hearings to examine Small Business Administration programs, focusing on eliminating inefficiencies, duplications, fraud and abuse, 10 a.m., SR–428A.

*Select Committee on Intelligence,* to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

## House

*Committee on Appropriations,* Subcommittee on Financial Services, markup of the Financial Services Appropriations bill, FY 2012, 10:30 a.m., H–140 Capitol.

*Committee on Education and the Workforce,* Subcommittee on Workforce Protections, hearing entitled ''Is OSHA Undermining State Efforts to Promote Workplace Safety?'' 10 a.m., 2175 Rayburn.

*Committee on Energy and Commerce,* Subcommittee on Environment and Economy, markup of H.R. 1391, the Recycling Coal Combustion Residuals Accessibility Act of 2011. 9 a.m., 2123 Rayburn.

Subcommittee on Energy and Power, hearing entitled ''The American Energy Initiative.'' This hearing will focus on pipeline safety oversight. 11 a.m., 2322 Rayburn.

*Committee on Financial Services,* Full Committee, hearing entitled ''Financial Regulatory Reform: The International Context.'' 10 a.m., 2128 Rayburn.

*Committee on Foreign Affairs,* Full Committee, hearing on Why Taiwan Matters, 10 a.m., 2172 Rayburn.

Subcommittee on Africa, Global Health, and Human Rights, hearing on Africa's Newest Nation: The Republic of South Sudan, 2 p.m., 2172 Rayburn.

*Committee on House Administration,* Subcommittee on Oversight, hearing entitled ''Modernizing Information Delivery in the House.'' 10 a.m., 1310 Longworth.

*Committee on Natural Resources,* Subcommittee on Energy and Mineral Resources, hearing on legislation regarding the National Petroleum Reserve Alaska Access Act, 10 a.m., 1324 Longworth.

*Committee on Science, Space, and Technology,* Full Committee, hearing on STEM Education In Action: Learning Today . . . Leading Tomorrow, 10 a.m., 2318 Rayburn.

*Committee on Small Business,* Subcommittee on Economic Growth, Capital Access and Tax, hearing entitled ''The Dodd-Frank Act: Impact on Small Business Lending.'' 10 a.m., 2360 Rayburn.

*Committee on Transportation and Infrastructure,* Subcommittee on Economic Development, Public Buildings, and Emergency Management, hearing entitled ''The Securities and Exchange Commission's $500 Million Fleecing of America.'' 10 a.m., 2167 Rayburn.

*Committee on Ways and Means,* Subcommittee on Human Resources, hearing on improving programs designed to protect youth at risk of abuse and neglect, 9 a.m., B–318 Rayburn.

*House Permanent Select Committee on Intelligence,* Full Committee, hearing on United States Involvement in Libya, 10 a.m., HVC–304. This is a closed hearing.

*Next Meeting of the* SENATE

10 a.m., Thursday, June 16

Senate Chamber

**Program for Thursday:** Senate will continue consideration of S. 782, Economic Development Revitalization Act, with two roll call votes on or in relation to Reid (for Feinstein/Coburn) Amendment No. 476 and McCain Amendment No. 411, at approximately 2 p.m.

*Next Meeting of the* HOUSE OF REPRESENTATIVES

9 a.m., Thursday, June 16

House Chamber

**Program for Thursday:** Resume consideration of H.R. 2112—Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2012.

## Extensions of Remarks, as inserted in this issue

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