



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, SECOND SESSION

Vol. 158

WASHINGTON, MONDAY, MARCH 26, 2012

No. 49

House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 26, 2012.

I hereby appoint the Honorable JEFF DENHAM to act as Speaker pro tempore on this day.

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

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 17, 2012, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

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

MURRAY LENDER

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

Ms. DELAURO. Mr. Speaker, it's with the heaviest of hearts that I rise today to pay tribute to the life and legacy of one of our community's most outstanding entrepreneurs and my dear friend, Murray Lender, whom we lost on March 21, at the age of 81.

Murray Lender was a bagel baker, food executive, and philanthropist who helped bring the bagel to kitchens across the Nation.

Murray was a close friend, and I was deeply saddened to learn of his passing.

Murray, the son of immigrant parents, never forgot his roots and humble beginnings in New Haven while he worked to foster goodwill and humanitarianism. He was a special person and leader, part of a special family that takes care of each other, bringing jobs to networks and friends and serving the larger community.

From counting bagels in the family's backyard bakery before he was 11, Murray rose to become a food marketing innovator who took what was formerly only an ethnic product and made it a national staple available to all.

In more recent years, Murray directed his focus toward philanthropic work. His energy and creative thinking had a major impact on anything he undertook, particularly in his hometown of New Haven.

Active in both the local Jewish community as well as his alma mater, Quinnipiac University, Murray's influence can be seen throughout the city, which has recognized him with a school playground in his name, the ADL Torch of Liberty Award, and an honorary doctor of humane letters from Quinnipiac University, to name a few.

Murray Lender was an extraordinary human being, and I consider myself fortunate to have called him my friend. He leaves such a legacy that we celebrate even as we mourn his passing.

I extend my deepest sympathies to his wife, Gillie; his children, daughter Harris and her husband, Evan, and sons, Carl and Jay; his grandchildren Olivia, Adam, Jessie, Raquel, Sheva, Julian, Diego, and Claudia; as well as his brother Marvin and his wife, Helaine.

We can see the unfailing smile in the face of adversity and all his work that carries on. Murray Lender lit up the world. We will miss him.

Mr. Speaker: It is with the heaviest of hearts that I rise today to pay tribute to the life and legacy of one of our community's most out-

standing entrepreneurs and my dear friend, Murray Lender, who we lost on March 21st at the age of eighty-one. A bagel baker, food executive and philanthropist, who helped bring the bagel to kitchens across the nation, Murray was a close friend and I was deeply saddened to learn of his passing. Murray never forgot his roots and humble beginnings in New Haven while he worked to foster good will and humanitarianism. He was a special person and leader, part of a special family that takes care of each other, bringing jobs to networks of friends and serving the larger community.

Along with his two brothers, Marvin and Sam, Murray turned the dream of "bagelizing" America into a reality through the process of freezing the bagel, which the family pioneered in the early 1960s. Murray, who began counting bagels in the family's backyard bakery before he was eleven, became a food marketing innovator. He took what was formerly only an ethnic product and made it a national staple, available to all. In 1963, Lender's introduced a branded retail pack of frozen bagels. Murray saw frozen foods, which was a new category of products, as an opportunity for greater distribution and expanding the market to new users.

Free publicity was also a key to their success. Murray could be seen presenting a life-sized bagel on the Tonight Show to Johnny Carson, or on Capitol Hill presenting Tip O'Neill with a giant green bagel on St. Patrick's Day. Whether in animated form, or live, lying on the bread shelf in the supermarket, there wasn't much that Murray wouldn't do to sell his product. Lender's Bagels was sold to Kraft food in 1985, but Murray remained with the company to continue his work as spokesman.

Murray was forever passionate about the concept of frozen foods and became involved in all associations directed at strengthening its image. He was Chairman of the National Frozen Food Association (NFFA), as well as the chairman of the 50th Anniversary of Frozen Foods, a national promotion staged in 1980. He pioneered and co-chaired the first National Frozen Food Month in March of 1984, an industry wide month of promotional retail and foodservice activity among frozen food manufacturers. Murray would never go a day

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

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



Printed on recycled paper.

H1545

dressed without a penguin—the frozen food marketing symbol—whether it be a tie, a pin, socks or a hat. He was recognized by this industry with numerous awards throughout his lifetime.

In more recent years, Murray directed his focus toward philanthropic work. His energy and creative thinking had a major impact on anything he undertook, particularly in his hometown of New Haven. Active in both the local Jewish community, as well as his Alma Mater, Quinnipiac University, Murray's influence can be seen throughout the city, which has recognized him with a school playground in his name, the ADL Torch of Liberty Award, and an honorary Doctor of Humane Letters from Quinnipiac University, to name a few.

Murray Lender was an extraordinary human being and I consider myself fortunate to have called him my friend. He leaves such a legacy that we celebrate, even as we mourn his passing. I extend my deepest sympathies to his wife, Gillie; his children, daughter Haris and her husband, Evan, and sons Carl and Jay, grandchildren Olivia, Adam, Jessie, Raquel, Sheva, Julian, Diego, and Claudia, as well as his brother Marvin and his wife Helaine. We can see the unflinching smile in the face of adversity and all his work that carries on. He lit up the world. We will miss him.

TWO YEARS LATER, HEALTH CARE LAW'S BROKEN PROMISES CONTINUE

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, today the Supreme Court will begin hearing oral arguments on the constitutionality of the President's health care overhaul, the so-called Affordable Care Act of 2010.

While the Court is still months away from this decision, in many ways the verdict has already been cast by countless American families and small businesses negatively impacted by the law.

In 2007, then-Speaker NANCY PELOSI suggested: "We have to pass the bill so you can find out what's in it."

Two years since passage, American families have found out the hard way with increased taxes, looming regulations, and a slew of broken promises from fictitious cost controls to limitations on consumer choice.

Most recently, the nonpartisan Congressional Budget Office served a devastating blow to President Obama's most frequently used tagline: "If you like your present coverage, you can keep it."

The CBO report suggested there will be a net loss of employer-based insurance coverage between 3 and 5 million people per year from 2019 to 2022. This has the potential for 20 million Americans to lose their insurance coverage over just a 4-year span.

On the first anniversary of the Affordable Care Act, I joined the U.S. House Energy and Commerce Committee for a congressional field hearing in Harrisburg, Pennsylvania, in order to review the law's impact throughout

the Commonwealth of Pennsylvania. During the hearing, Pennsylvania's acting insurance commissioner, Michael Consedine, testified that new mandates on insurance coverage had resulted in premium increases of up to 9 percent.

These figures mirror the national trend as outlined in a recent study by the Kaiser Family Foundation. The Kaiser report shows that the average annual premium for family coverage through an employer reached \$15,073 in 2011, an increase of 9 percent over the previous year. This is a far cry from Barack Obama's 2008 proposition that his law would cut family premiums by \$2,500 before the conclusion of his first term in office.

President Obama had also promised that he will not sign a health care plan that adds one dime toward deficits either now or in the future. However, an honest accounting of the health care law finds that it will increase the deficit by hundreds of billions of dollars in the first 10 years alone.

Former Congressional Budget Office Director Douglas Holtz-Eakin has testified the law will increase the deficit by at least \$500 billion in its first 10 years and more than \$1.5 trillion over the decade thereafter.

At a time of severe budgetary constraints, there's only one place to turn in order to keep up with this spending: the wallets of Americans, in the form of tax increases.

Having spent almost 30 years in the nonprofit health care field, I am acutely aware of the challenges many face when it comes to obtaining reasonably priced health care.

While many of us agree there are portions of the law that are beneficial, such as the ability of adult dependent children up to age 26 to stay on their parents' insurance, the elimination of excluding those with preexisting conditions from the plan and the expansion of low-cost clinics into underserved areas, the approach of the Affordable Care Act is fundamentally flawed. The law places Uncle Sam between doctors and patients when it should be the American people, not Washington bureaucrats, determining the kind of health care coverage that best suits their needs.

Over the past 2 years, as the regulations have rolled out and the American people continue to learn what really is in the law, the broken promises have continued to pile up, weighing on the backs of small businesses and families. That's why we must repeal the law and toss out the negatives; move forward with reforms that actually lower costs without sacrificing quality and liberty.

This week, just blocks away from this Chamber, the Supreme Court will hear arguments on the constitutionality of this law. While the Court's decision is months away, the verdict has already been cast by the countless American families and small businesses in congressional districts across this great country that simply cannot

afford the so-called Affordable Care Act.

RECESS

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

Accordingly (at 12 o'clock and 8 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. STUTZMAN) at 2 p.m.

PRAYER

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

Dear Lord, we give You thanks for giving us another day. We use this moment to be reminded of Your presence and to tap the resources needed by the men and women of this assembly to do their work as well as it can be done. May they be led by Your spirit in the decisions they make. May they possess Your power as they steady themselves amid the pressures of persistent problems.

The issues facing our Nation this week are monumental to us, but a part of the long history of political and policy debate that have created a great narrative of participative democracy. Send Your spirit of wisdom to the Justices of the Supreme Court, as well as the Members who serve in this people's House, that the rulings and bills that lead forward might prove to be beneficial to our Nation and its people.

And may all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. 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.

Mr. SABLON. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

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

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

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

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

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from the Northern Mariana Islands (Mr. SABLAN) come forward and lead the House in the Pledge of Allegiance.

Mr. SABLAN 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.

SUPREME COURT OBAMACARE

(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, today, the Supreme Court began its deliberations on the Patient Protection and Affordable Care Act. Clearly, with 3 days of deliberations, this is the most important case the Court has considered in decades.

I had the pleasure of being able to attend this morning's deliberations considering whether the Court should rule immediately or wait until the penalties are assessed a few years from now. Tomorrow, they will consider the heart of the matter, whether the Constitution allows the government to compel individuals to purchase health insurance—the so-called “individual mandate.”

At this time, it is critical to remember that the Supreme Court is not the only body charged with protecting and defending the United States Constitution. This Congress, we've been working to restore rights to the American people. We have passed legislation to fully repeal this law, to eliminate many of its harmful provisions, and to defund irresponsible spending.

No matter how the Court rules, we must continue the fight to restore our constitutional liberties.

HONORING 40TH ANNIVERSARY OF MARIANAS VARIETY

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

Mr. SABLAN. Mr. Speaker, 40 years ago, on March 16, 1972, a young couple in the Northern Mariana Islands, Abed E. Younis and Maria Paz Castro Younis, wrote, edited, printed, and distributed the very first issue of the Marianas Variety News & Views, now the oldest local newspaper on our islands.

The Variety provides its readers with extensive local news and views. It also carries reports of the region, the United States, the world, as well as interesting and in-depth feature stories and a thought-provoking opinion section.

These days, the community served by the Variety has expanded beyond the shores of the Northern Marianas. The paper is published and circulated lo-

cally, regionally, nationally, internationally, and online. For its journalistic excellence, the Variety is the winner of numerous awards.

The Variety is also a strong community partner, contributing to numerous nonprofit organizations, events and activities, and encouraging those interested in the business and craft of journalism and publishing.

Please join me in congratulating Abed and Paz Younis, their family, and all of their past and current employees and colleagues at the Marianas Variety News & Views for the newspaper's 40 years of service to our community.

OBAMACARE DESTROYS JOBS

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

Mr. WILSON of South Carolina. Mr. Speaker, today marks an extremely important day in our Nation's history. The Supreme Court is scheduled to begin hearing oral arguments on the constitutionality of the President's government health care takeover legislation that was forced upon the American people by the President and his liberal allies, in a liberal-controlled Congress, by deals and kickbacks.

Several weeks ago, the Congressional Budget Office released a report that ObamaCare will destroy almost 1 million jobs from our current workforce. According to a recent Gallup poll, 85 percent of small business owners are not hiring due to the government regulations and rising health care costs imposed by the Big Government mandate restricting freedom. America's largest association of small businesses, the National Federation of Independent Business, estimates 1.6 million jobs will be eliminated.

House Republicans have voted to repeal ObamaCare 26 times. With a record unemployment rate of over 8 percent for the last 3 years, it is necessary for the President and Congress to enact laws providing for job creation through private sector growth rather than supporting legislation that destroys jobs.

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

CONGRATULATING JAMES CAMERON

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

Mr. COHEN. Mr. Speaker, filmmaker James Cameron is known for captivating us with his great films like “Avatar,” “Aliens,” “The Abyss,” and “Titanic.” But yesterday, he really fascinated and captivated the world. He went down 36,000 feet under the sea to the lowest, deepest part of the world in a ship that he designed over the last 7 years privately—a 24-foot capsule—that took him down to visit and learn about the deep recesses of the sea.

Eighty percent of the world's biosphere is under the sea. We know less about that than we know about the Moon's surface. James Cameron, with the help of National Geographic and Rolex as a sponsor, and his friend, Mr. Allen, took that voyage and showed what man can do when he has curiosity and bravery. His activities that took a 6-hour trip to the bottom of the sea remind me of Charles Lindbergh, an individual who conquered new territories and opened up new vistas.

Before that, nobody had been that deep since 1960. They were there for 20 minutes, and they didn't see much. He was there for 6 hours. He's going to bring back a lot of information about the sea and about sea life. I thank him for his work. I congratulate him. The fulfillment of his dream sparks the imagination of the world and challenges us to explore our own creativity and ingenuity.

I thank Mr. Cameron for his courage, his imagination, and his daring.

COMMENDING PRESIDENT OBAMA'S COMMITMENT TO AMERICA'S AUTO INDUSTRY

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

Mr. FALCOMAVALGA. Mr. Speaker, 3 years ago, the American auto industry was on the verge of collapse, and millions of American jobs were in jeopardy.

When President Obama decided to rescue the American auto industry, many critics opposed him. But, today, the auto industry is resurging thanks to the tough decisions our President made in times of economic crisis.

President Obama stood by the American business community and our auto industry. As a result of his firm commitment and demonstration of leadership, jobs were saved. Some 1.4 million jobs were going to be lost up and down the supply chain of the auto industry if President Obama had not taken action to provide for the needs of millions of American families at a time of such great economic insecurity in our Nation. And now it's paying off. The auto industry has added more than 200,000 jobs in the last 2½ years.

Last but not least, General Motors Company is once again the world's top auto manufacturer. In 2011, profits were \$7.6 billion, its largest ever.

Mr. Speaker, I commend President Obama for the bold decisions he made to rescue our Nation's auto industry, and I thank him for standing with our country's workers and for leading our Nation out of the most serious economic recession since the Great Depression of 1929.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the House by Mr. Pate, one of his secretaries.

□ 1410

NOTIFICATION OF INTENTION TO SUSPEND DESIGNATION OF ARGENTINA AS BENEFICIARY DEVELOPING COUNTRY UNDER GENERALIZED SYSTEM OF PREFERENCES PROGRAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 112-94)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and referred to the Committee on Ways and Means and ordered to be printed:

To the Congress of the United States:

In accordance with section 502(f)(2) of the Trade Act of 1974, as amended (the "1974 Act") (19 U.S.C. 2462(f)(2)), I am providing notification of my intent to suspend designation of Argentina as a beneficiary developing country under the Generalized System of Preferences (GSP) program. Section 502(b)(2)(E) of the 1974 Act (19 U.S.C. 2462(b)(2)(E)) provides that the President shall not designate any country a beneficiary developing country under the GSP if such country fails to act in good faith in enforcing arbitral awards in favor of U.S.-owned companies. Section 502(d)(2) of the 1974 Act (19 U.S.C. 2462(d)(2)) provides that, after complying with the requirements of section 502(f)(2) of the 1974 Act (19 U.S.C. 2462(f)(2)), the President shall withdraw or suspend the designation of any country as a beneficiary developing country if, after such designation, the President determines that as the result of changed circumstances such country would be barred from designation as a beneficiary developing country under section 502(b)(2) of the 1974 Act.

Pursuant to section 502(d) of the 1974 Act, having considered the factors set forth in section 502(b)(2)(E), I have determined that it is appropriate to suspend Argentina's designation as a beneficiary country under the GSP program because it has not acted in good faith in enforcing arbitral awards in favor of U.S.-owned companies.

BARACK OBAMA,
THE WHITE HOUSE, March 26, 2012.

NOTIFICATION TO ADD REPUBLIC OF SOUTH SUDAN TO LIST OF BENEFICIARY DEVELOPING COUNTRIES UNDER GENERALIZED SYSTEM OF PREFERENCES PROGRAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 112-95)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and referred to the Committee on Ways and Means and ordered to be printed:

To the Congress of the United States:

In accordance with section 502(f)(1)(A) of the Trade Act of 1974, as amended (the "1974 Act") (19 U.S.C.

2462(f)(1)(A)), I am notifying the Congress of my intent to add the Republic of South Sudan (South Sudan) to the list of beneficiary developing countries under the Generalized System of Preferences (GSP) program. South Sudan became an independent nation on July 9, 2011. After considering the criteria set forth in section 502(c) of the 1974 Act (19 U.S.C. 2462(c)), I have determined that South Sudan should be designated as a GSP beneficiary developing country.

In addition, in accordance with section 502(f)(1)(B) of the 1974 Act (19 U.S.C. 2462(f)(1)(B)), I am providing notification of my intent to add South Sudan to the list of least-developed beneficiary countries under the GSP program. After considering the criteria set forth in section 502(c) of the 1974 Act, I have determined that it is appropriate to extend least-developed beneficiary developing country benefits to South Sudan.

BARACK OBAMA,
THE WHITE HOUSE, March 26, 2012.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 3 p.m. today.

Accordingly (at 2 o'clock and 15 minutes p.m.), the House stood in recess.

□ 1500

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SMITH of Nebraska) at 3 p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken after 6:30 p.m. today.

TREATMENT OF AFFILIATE TRANSACTIONS UNDER THE DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT

Mr. GARRETT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2779) to exempt inter-affiliate swaps from certain regulatory requirements put in place by the Dodd-Frank Wall Street Reform and Consumer Protection Act, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2779

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

SECTION 1. TREATMENT OF AFFILIATE TRANSACTIONS.

(a) COMMODITY EXCHANGE ACT AMENDMENTS.—Section 1a(47) of the Commodity Exchange Act (7 U.S.C. 1a(47)), as added by section 721(a)(21) of the Dodd-Frank Wall Street Reform and Consumer Protection Act, is amended by adding at the end the following:

“(G) TREATMENT OF AFFILIATE TRANSACTIONS.—

“(i) IN GENERAL.—For the purposes of any clearing and execution requirements under section 2(h) and any applicable margin and capital requirements of section 4s(e) and for purposes of defining ‘swap dealer’ or ‘major swap participant’, and reporting requirements other than those set forth in clause (ii), the term ‘swap’ does not include any agreement, contract, or transaction that—

“(I) would otherwise be included as a ‘swap’ under subparagraph (A); and

“(II) is entered into by parties that report information or prepare financial statements on a consolidated basis, or for which a company affiliated with both parties reports information or prepares financial statements on a consolidated basis.

“(ii) REPORTING.—All agreements, contracts, or transactions described in clause (i) shall be reported to either a swap data repository, or, if there is no swap data repository that would accept such agreements, contracts, or transactions, to the Commission pursuant to section 4r, or to a swap data repository or to the Commission pursuant to section 2(h)(5), within such time period as the Commission may by rule or regulation prescribe. Nothing in this subparagraph shall prohibit the Commission from establishing public reporting requirements for covered transactions between affiliates as described in sections 23A and 23B of the Federal Reserve Act in a manner consistent with rules governing the treatment of such covered transactions pursuant to section 2(a)(13) of this Act.

“(iii) PROTECTION OF INSURANCE FUNDS.—Nothing in this subparagraph shall be construed to prevent the regulator of a Federal or State insurance fund or guaranty fund from exercising its other existing authority to protect the integrity of such a fund, except that such regulator shall not subject agreements, contracts, or transactions described in clause (i) to clearing and execution requirements under section 2 of this Act, to any applicable margin and capital requirements of section 4s(e) of this Act, or to reporting requirements of title VII of Public Law 111-203 other than those set forth in clause (ii) of this subparagraph.

“(iv) PRESERVATION OF FEDERAL RESERVE ACT AUTHORITY.—Nothing in this subparagraph shall exempt a transaction described in this subparagraph from sections 23A or 23B of the Federal Reserve Act or implementing regulations thereunder.

“(v) PRESERVATION OF FEDERAL AND STATE REGULATORY AUTHORITIES.—Nothing in this subparagraph shall affect the Federal banking agencies’ safety-and-soundness authorities over banks established in law other than title VII of Public Law 111-203 or the authorities of State insurance regulators over insurers, including the authority to impose capital requirements with regard to swaps. For purposes of this clause, the term ‘bank’ shall be defined pursuant to section 3(a)(6) of the Securities Exchange Act of 1934, ‘insurer’ shall be defined pursuant to title V of Public Law 111-203, and ‘swap’ shall be defined pursuant to title VII of Public Law 111-203.

“(vi) PREVENTION OF EVASION.—The Commission may prescribe rules under this subparagraph (and issue interpretations of such rules) as determined by the Commission to be necessary to include in the definition of swaps under this paragraph any agreement,

contract, or transaction that has been structured to evade the requirements of this Act applicable to swaps.”.

(b) SECURITIES EXCHANGE ACT OF 1934 AMENDMENTS.—Section 3(a)(68) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)(68)), as added by section 761(a)(6) of the Dodd-Frank Wall Street Reform and Consumer Protection Act, is amended by adding at the end the following:

“(F) TREATMENT OF AFFILIATE TRANSACTIONS.—

“(i) IN GENERAL.—For the purposes of any clearing and execution requirements under section 3C and any applicable margin and capital requirements of section 15F(e), and for purposes of defining ‘security-based swap dealer’ or a ‘major security-based swap participant’, and reporting requirements other than those set forth in clause (ii), the term ‘security-based swap’ does not include any agreement, contract, or transaction that—

“(I) would otherwise be included as a ‘security-based swap’ under subparagraph (A); and
“(II) is entered into by parties that report information or prepare financial statements on a consolidated basis, or for which a company affiliated with both parties reports information or prepares financial statements on a consolidated basis.

“(ii) REPORTING.—All agreements, contracts, or transactions described in clause (i) shall be reported to either a security-based swap data repository, or, if there is no security-based swap data repository that would accept such agreements, contracts, or transactions, to the Commission pursuant to section 13A, within such time period as the Commission may by rule or regulation prescribe.

“(iii) PRESERVATION OF FEDERAL RESERVE ACT AUTHORITY.—Nothing in this subparagraph shall exempt a transaction described in this subparagraph from sections 23A or 23B of the Federal Reserve Act or implementing regulations thereunder.

“(iv) PROTECTION OF INSURANCE FUNDS.—Nothing in this subparagraph shall be construed to prevent the regulator of a Federal or State insurance fund or guaranty fund from exercising its other existing authority to protect the integrity of such a fund, except that such regulator shall not subject security-based swap transactions between affiliated companies to clearing and execution requirements under section 3C, to any applicable margin and capital requirements of section 15F(e), or to reporting requirements of title VII of Public Law 111-203 other than those set forth in clause (ii).

“(v) PRESERVATION OF FEDERAL AND STATE REGULATORY AUTHORITIES.—Nothing in this subparagraph shall affect the Federal banking agencies’ safety-and-soundness authorities over banks established in law other than title VII of Public Law 111-203 or the authorities of State insurance regulators over insurers, including the authority to impose capital requirements with regard to security-based swaps. For purposes of this clause, the term ‘bank’ shall be defined pursuant to section 3(a)(6) of the Securities Exchange Act of 1934, ‘insurer’ shall be defined pursuant to title V of Public Law 111-203, and ‘security-based swap’ shall be defined pursuant to title VII of Public Law 111-203.

“(vi) PREVENTION OF EVASION.—The Commission may prescribe rules under this subparagraph (and issue interpretations of such rules) as determined by the Commission to be necessary to include in the definition of security-based swap under this paragraph any agreement, contract, or transaction that has been structured to evade the requirements of this Act applicable to security-based swaps.”.

SEC. 2. IMPLEMENTATION.

The amendments made by this Act to the Commodity Exchange Act shall be implemented—

(1) without regard to—

(A) chapter 35 of title 44, United States Code; and

(B) the notice and comment provisions of section 553 of title 5, United States Code;

(2) through the promulgation of an interim final rule, pursuant to which public comment will be sought before a final rule is issued, and

(3) such that paragraph (1) shall apply solely to changes to rules and regulations, or proposed rules and regulations, that are limited to and directly a consequence of such amendments.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. GARRETT) and the gentlewoman from Ohio (Ms. FUDGE) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. GARRETT. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to add extraneous material on this bill.

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

There was no objection.

Mr. GARRETT. Mr. Speaker, I yield myself 2 minutes.

The legislation that is before us today ensures that American businesses will not be needlessly forced to use up the capital that they need to create jobs simply to satisfy some duplicative regulations. Under H.R. 2779, the inter-affiliate trades would be only exempt from costly margin, clearing, and real-time reporting requirements. Swap trades facing non-affiliated counterparties would still be subject to all the other regulatory requirements under proposed agency rules. So, without this bill, companies could face double—yes, double—the margin and regulatory cost.

To my point, last June the office of the OCC—that’s the Comptroller of the Currency—estimated that margin requirements under proposed prudential regulator margin rules could conservatively cost over \$2 trillion, which could increase substantially if regulators force affiliates to post margins on trades between themselves.

Without the relief of this bill, American companies face the prospect of having to post double margins on swap trades: once on a swap trade with themselves and secondly when they trade outside. So the Stivers-Fudge bill provides this needed relief.

This bill strengthens the ability of the regulators to oversee the affiliate swaps marketplace because those transactions must be reported still to a swap depository, or the CFTC or the SEC. Either way, Mr. Speaker, regulators will be able to monitor these transactions very closely. The bill also gives the SEC and CFTC the power to regulate swap transactions that are structured as affiliate trades only for purposes of evading regulation.

To conclude, Mr. Speaker, I commend the efforts of my colleagues from both sides of the aisle this morning, and I urge my colleagues to support this bipartisan bill.

I reserve the balance of my time.

Ms. FUDGE. Mr. Speaker, I ask unanimous consent that 10 minutes of my time be controlled by Ms. MOORE of the Financial Services Committee.

The SPEAKER pro tempore. Without objection, the gentlewoman from Wisconsin will control 10 minutes.

There was no objection.

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

Today, we debate and will vote on H.R. 2779, a bill that addresses a critical issue facing American businesses.

I want to thank my fellow Ohioans, STEVE STIVERS and Ms. MOORE, and our collective staffs for all their hard work on this important piece of legislation.

This bill that I co-introduced with my colleague Mr. STIVERS will exempt derivatives trades between two affiliates of the same corporation from clearing, execution, and margin requirements. This legislation would prevent internal, inter-affiliate swaps from being subject to requirements that were designed to apply only to certain external swaps. These internal swaps are used by many American corporations in multiple sectors of our economy.

Under the Dodd-Frank financial reform law, there is no distinction between inter-affiliate and external swaps. The regulation of inter-affiliate trade should reflect the economic reality that internal trades do not increase systemic risk. As our Nation’s economic recovery is getting underway, we need to ensure American businesses remain competitive. We all remember the financial crisis and the pain of recovery that is still evident today. We cannot and should not return to the wild days of Wall Street. That is why I voted for the Dodd-Frank law and why I continue to support it.

However, we should allow American businesses acting in good faith to effectively manage risk. By failing to clarify these important distinctions within Dodd-Frank, we run the risk of stalling job growth and potentially passing costs on to consumers.

Together with our colleagues in the Committee on Financial Services and the Committee on Agriculture, we have strengthened the language of the bill to ensure it cannot be used to evade other financial regulations. H.R. 2779 was approved by the House Financial Services Committee by a vote of 53-0, and the House Agriculture Committee passed it by unanimous voice vote.

It is possible for Democrats and Republicans to work together on legislation that stands to benefit American businesses and our Nation’s economy. I urge my colleagues to vote “yes” on H.R. 2779, and I reserve the balance of my time.

Mr. GARRETT. Mr. Speaker, at this point, I yield 5 minutes to the sponsor

of the underlying legislation, the gentleman from Ohio (Mr. STIVERS).

Mr. STIVERS. I would like to thank the gentleman from New Jersey for yielding me time. I would also like to thank my fellow Ohioan, Ms. FUDGE, for her hard work and support on this bill, and I would like to thank Ms. MOORE from Wisconsin for her hard work as I recognize that she improved the bill. I would also like to thank the chairs and ranking members of the Financial Services and Agriculture Committees and their staffs for their hard work on this bill.

Mr. Speaker, this is bipartisan legislation that clarifies the Dodd-Frank Financial Reform Act by recognizing that there is an important distinction between inter-affiliate swaps and market-facing swaps. While market-facing swaps carry risk, inter-affiliate swaps do not. They're simply an accounting practice used within corporate families to assign the ownership of derivatives inside the corporate umbrella. Without providing this distinction, corporations using inter-affiliate swaps that manage their risk in a central way would be forced to pay up to three times for the way they do business. In fact, they would collateralize their derivatives against the market on one side and then on both sides of the inter-affiliate swap, so they would actually pay three times what you would pay if you didn't manage your risk in a centralized way.

The irony of that is, in managing your risk in a centralized way, it actually provides better protection and allows for experts to manage your risk. The problem with that also is it would tie up working capital that could be used to create jobs here in the United States and get our economy moving and focusing on our recovery.

There are important protections in this bill, as well, that the lady from Ohio already alluded to. We put protections in this bill to make sure that businesses that utilize this provision are, indeed, truly affiliated. We also made sure that there were reporting requirements so that these swaps adhere to transparency in the marketplace. We also made sure that it's very clear that any attempt to use these provisions to evade provisions under the Dodd-Frank bill for someone who is just trying to evade the law and does not have true inter-affiliate swaps would not be allowed. We also ensured that regulators keep their authority to manage the safety and soundness of America's financial institutions.

The bottom line is we should not overcharge businesses for an accounting method they use that does not generate additional risk. By passing this legislation, we are preventing these internal transactions from being subject to duplicative regulations that could drive jobs overseas and increase costs for consumers.

This bill was reported unanimously in the Financial Services Committee 53-0, and it passed by unanimous voice vote in the Agriculture Committee. I

urge my colleagues to vote in favor of this legislation.

□ 1510

Ms. FUDGE. Mr. Speaker, I want to thank my friend and colleague from Ohio for all of his work. I think it's an excellent bill, and I'm certainly happy to have cosponsored it with him.

I would now, Mr. Speaker, yield to my colleague and friend from the great State of Wisconsin (Ms. MOORE), a member of the Financial Services Committee.

Ms. MOORE. Thank you, Ms. FUDGE. I would, first of all, like to thank Chairman BACHUS and Ranking Member FRANK and, on the subcommittee, Chairman GARRETT and Ranking Member WATERS, Mr. STIVERS and Ms. FUDGE from the Ag Committee, for their leadership that kept the bill moving; other members of the Financial Services Committee—Mr. PERLMUTTER, Mr. HIMES, Mr. MILLER, Mr. DOLD, Mr. GIBSON, among others—for all of their input on this legislation.

This is a bill—and some people here today, Mr. Speaker, may be surprised to know that it enjoys bipartisan support because it ensures, number one, the vitality of U.S. and global commerce by exempting interaffiliate swaps, or those swap transactions used internally by companies in all our districts, from clearing, margin, and execution requirements. But H.R. 2779 also preserves the all-important reforms of the over-the-counter swap markets enacted as part of Dodd-Frank while providing swap end users that exemption that is responsive to their legitimate business needs for flexibility, risk management, and price stability.

Now, in Congress, 4 years is an eternity; but I have not forgotten the 2008 financial crisis and the human hardship that it caused and continues to cause in Milwaukee and all across America. The work continues, and this bill is a part of that.

I can tell you, Mr. Speaker, I was proud to be part of the effort that produced Dodd-Frank, legislation that will improve accountability and transparency in the financial markets, including the pre-Dodd-Frank unregulated over-the-counter derivatives markets which played a central role in the crisis. However, I did not vote for Dodd-Frank as retribution against Wall Street or for any punitive means. I voted for Dodd-Frank to enhance the function and transparency of markets and to promote prosperity for Americans going forward. For that reason, I am happy to support H.R. 2779.

A little bit of background about the critical need the bill addresses and how bipartisan collaboration produced the final bill.

Now, swaps are versatile financial tools that have become instrumental for the management of risk and for allowing companies to more efficiently transact in global markets. Swaps aid companies to hedge and to mitigate things like interest rate and currency

exposure, but also more exotic risks associated with unique markets and businesses. H.R. 2779 clarifies that end users, not investors, have the ability to hedge risk for legitimate business purposes.

Now, the flip side of swaps are that they may also be used to acquire risk by investors. In that capacity, swaps allocate risk to parties that want to and are able to bear the risk. However, in the unregulated pre-Dodd-Frank world, over-the-counter swaps and derivatives lacked transparency and allowed risk to pool and gather in ways that would eventually help drive the financial crisis and create systemic risk.

Dodd-Frank duly addressed the lessons of the financial crisis by pushing as many product types as possible to be centrally cleared and traded on electronic exchanges or other trading facilities, subjecting these swap dealers and major market participants to capital and to margin requirements, and requiring the public reporting of transaction and pricing data of both cleared and uncleared swaps.

H.R. 2779 does not disturb any of those important reforms accomplished in Dodd-Frank. Interaffiliate swaps are simply transactions within a single group of affiliated entities, in other words, meaning entities that prepare financial statements on a consolidated basis. Therefore, interaffiliated swaps do not add or subtract from overall systemic risk. Therefore, H.R. 2779 simply builds on my original intent of voting for Dodd-Frank—the promotion of U.S. prosperity going forward.

Through the process of drafting the bill, a number of revisions were adopted, thanks to the thoughtful input of many of our colleagues. The definition of “control,” which is central to the issues of a legitimate interaffiliate transaction, was clarified. Anti-evasion measures were added so that the exemption would not lead to abuse. Language was adopted that made sure Fed authority over interaffiliate banks was preserved as was language that clearly and explicitly states that the bill does nothing to disturb the existing regulatory regime for insurance companies.

This is a good bill, Mr. Speaker. It has the backing of Republicans, Democrats, and industry end users of derivatives. I urge all of my colleagues to back this legislation, and I yield back the balance of my time.

Mr. GARRETT. Mr. Speaker, at this point, I yield 3 minutes to the gentleman from Texas (Mr. CONAWAY).

Mr. CONAWAY. I thank the gentleman from New Jersey for yielding time.

Mr. Speaker, I rise today to express my strong support for H.R. 2779.

The interaffiliate swaps, those swaps occurring between entities within a single corporate structure, are an important tool for companies and to manage their risk.

As a member of the House Agriculture Committee and the chair of the General Farm Commodities and Risk

Management Subcommittee, I want to commend Mr. STIVERS and Ms. FUDGE for putting together a commonsense bill that will offer our businesses and agriculture firms certainty about a small but important aspect of the overall Dodd-Frank rulemaking.

Centralizing a large organization's risk mitigation efforts can yield substantial economic benefits and reduce a firm's overall credit risk. In addition to creating operating savings through economies of scale, these companies can also reduce the number of external-facing transactions altogether.

By looking at a firm's entire risk portfolio, it's possible to find places where risks overlap and offset one another, reducing the need for entering the market. Fewer swaps mean less money tied up in margin, clearing, and execution and more money being spent on hiring Americans, buying supplies, and funding innovation.

Unfortunately, ambiguity in the Dodd-Frank law could undo this innovative risk management strategy. If interaffiliate swaps are treated the same as other swaps, end users could wind up posting margin for the same swap twice: once for the public trade and once for the internal trade that assigns the swap to the appropriate business unit. Needless to say, posting margin for the same transaction twice means that companies are likely to abandon the use of interaffiliate swaps altogether and, with it, the efficiencies that made the strategy attractive in the first place, thereby driving up their business costs and overall risks.

It's important to note that this legislation simply clarifies the intent of Congress. It does not repeal any of the market protections in Dodd-Frank. These internal swaps do not create risk and do not pose a systemic threat to financial markets. Instead, it protects an important tool American companies use to unlock the value of their unlimited resources.

I want to thank both Mr. STIVERS and Ms. FUDGE for bringing forward this legislation, and Chairman LUCAS and Chairman BACHUS for shepherding it through both committees in a timely fashion.

Ms. FUDGE, I continue to reserve, Mr. Speaker. I have no further speakers.

Mr. GARRETT, Mr. Speaker, I was hoping the gentlelady had one more speaker. I was going to reserve, as we had one other speaker on the way, but let me just check.

Without seeing him here, Mr. Speaker, I yield back the balance of my time.

Ms. FUDGE, Mr. Speaker, I just, again, want to thank everyone involved in this bill and ask my colleagues to please support it.

I yield back the balance of my time.

□ 1520

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. GARRETT) that the House suspend the

rules and pass the bill, H.R. 2779, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

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

The yeas and nays were ordered.

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

BUSINESS RISK MITIGATION AND PRICE STABILIZATION ACT OF 2012

Mr. GARRETT, Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2682) to provide end user exemptions from certain provisions of the Commodity Exchange Act and the Securities Exchange Act of 1934, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2682

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 "Business Risk Mitigation and Price Stabilization Act of 2012".

SEC. 2. MARGIN REQUIREMENTS.

(a) COMMODITY EXCHANGE ACT AMENDMENT.—Section 4s(e) of the Commodity Exchange Act (7 U.S.C. 6s(e)), as added by section 731 of the Dodd-Frank Wall Street Reform and Consumer Protection Act, is amended by adding at the end the following new paragraph:

"(4) APPLICABILITY WITH RESPECT TO COUNTERPARTIES.—The requirements of paragraphs (2)(A)(ii) and (2)(B)(ii) shall not apply to a swap in which a counterparty qualifies for an exception under section 2(h)(7)(A) or satisfies the criteria in section 2(h)(7)(D)."

(b) SECURITIES EXCHANGE ACT AMENDMENT.—Section 15F(e) of the Securities Exchange Act of 1934 (15 U.S.C. 78o-10(e)), as added by section 764(a) of the Dodd-Frank Wall Street Reform and Consumer Protection Act, is amended by adding at the end the following new paragraph:

"(4) APPLICABILITY WITH RESPECT TO COUNTERPARTIES.—The requirements of paragraphs (2)(A)(ii) and (2)(B)(ii) shall not apply to a security-based swap in which a counterparty qualifies for an exception under section 3C(g)(1) or satisfies the criteria in section 3C(g)(4)."

SEC. 3. IMPLEMENTATION.

The amendments made by this Act to the Commodity Exchange Act shall be implemented—

(1) without regard to—

(A) chapter 35 of title 44, United States Code; and

(B) the notice and comment provisions of section 553 of title 5, United States Code;

(2) through the promulgation of an interim final rule, pursuant to which public comment will be sought before a final rule is issued; and

(3) such that paragraph (1) shall apply solely to changes to rules and regulations, or proposed rules and regulations, that are limited to and directly a consequence of such amendments.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

New Jersey (Mr. GARRETT) and the gentleman from Texas (Mr. AL GREEN) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. GARRETT, Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to add any extraneous material on the bill.

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

There was no objection.

Mr. GARRETT, I yield myself 3 minutes.

Mr. Speaker, this bipartisan bill would do what? It would provide a clear exemption from margin requirements, margin requirements imposed by the Dodd-Frank Act on where? On swap transactions for so-called end-users who use derivatives to hedge their business risks and whose swap transactions really do not pose a systemic risk to the financial system.

Following the really late night of the Dodd-Frank conference committee deliberations, numerous assurances were made that margin would not be required on end-users' transactions. Now, these assurances were subsequently followed up by formal letters and colloquies by the very same architects of the bill themselves. Everyone was told that Congress clearly intended for the language to exempt end-users from the bill's margin requirements.

Unfortunately, the regulators have interpreted it a different way, and they have interpreted Dodd-Frank's somewhat rushed language as not providing a clear exemption for these end-users.

Representative GRIMM's bill here today finally provides American businesses with the certainty that they need to use derivatives to hedge against business risk. End-users, you know, were not the cause of the financial crisis; and by any measure whatsoever, end-users are not systemically significant.

Who are these end-users that we're talking about here? Well, they are the Main Street businesses from all over the country that represent all types of industries that rely on the use of derivatives to responsibly hedge their own business risk, and so they should not be and were not ever considered under the same umbrella, if you will, of regulations as banks are that are subject to posting margins on their swap transactions.

In requiring end-users to be subject to a mandatory margin requirement, what it basically does is force commercial entities to act like banks. So, without a margin exemption, the cost of hedging for these would rise dramatically, and that would needlessly tie up working capital that otherwise could and should be used to expand business investments, build factories, or create jobs.

So I conclude on this. It is critical that we provide U.S. Main Street businesses across this country with this important certainty, with this clarity. I urge my colleagues on both sides of the aisle to support this bipartisan bill.

I reserve the balance of my time.

Mr. AL GREEN of Texas. Mr. Speaker, I would like to note that I will be yielding 10 minutes of time to my colleague from the Ag Committee, Mr. OWENS.

The SPEAKER pro tempore. Without objection, the gentleman from New York will control 10 minutes.

There was no objection.

Mr. AL GREEN of Texas. I yield myself such time as I may consume.

Mr. Speaker, I do want to concur with those who've announced that bipartisanship is alive and well at the committee level and on the floor of this House today. I'd like to thank my colleagues on the other side, Mr. GARRETT and Mr. GRIMM, for their cooperation and our ability to work together.

I'd also like to especially thank the staff of the full committee and the staff of each congressional office for the outstanding work the staff members have done. It is very difficult to get legislation to this point without the benefit of staff having had a helping hand, and we thank the staff.

Mr. Speaker, the passage of the Wall Street Reform and Consumer Protection Act of 2010 established a system for regulating the over-the-counter—that's the OTC—derivatives market. Authority is provided to the Securities and Exchange Commission, the Commodity Futures Trading Commission, and the banking regulators, which have been proposing the regulation that will eventually govern the OTC derivatives market.

Previously, banks and other financial companies were able to amass considerable risk using OTC derivatives without reporting to the regulator or to the public. The Wall Street Reform Act requires that most derivative transactions, primarily those between dealers, now be centrally cleared and exchange traded whenever possible and that all transaction data be collected and publicly reported at clearinghouses or swap-data repositories.

The new rules are intended to allow regulators and the public to better analyze the derivative risk-taking activities of banks and other financial companies. The new rules are not intended to hold in place onerous requirements on companies that use derivatives only as a means to hedge the risk of the company.

H.R. 2682 clarifies Congress' intent when passing the Wall Street Reform legislation by more clearly exempting end-users that are only using swaps to hedge or to mitigate commercial risk.

H.R. 2682 is also consistent with a colloquy between Representatives FRANK and PETERSON, as well as a letter from Senators Lincoln and Dodd, which noted that the reform legislation provided the regulators with sufficient

authority to exempt end-users from the margin requirements.

This bill passed favorably out of both the House Financial Services Committee and House Agriculture Committee with strong bipartisan support. In no way should H.R. 2682 undo any of the important protections of reform legislation. Its purpose is to recognize the end-users' responsibility to use swaps as a part of their businesses.

I congratulate Mr. GRIMM and Mr. PETERS, and I encourage you to support this bill.

I reserve the balance of my time.

Mr. GARRETT. At this time, I yield 5 minutes to the gentleman from New York (Mr. GRIMM), the author of the underlying legislation and also someone who has been instrumental in making sure that we could work in a bipartisan manner to get it to the floor today.

Mr. GRIMM. I would like to thank Chairman GARRETT.

I rise today in support of my legislation, H.R. 2682, the Business Risk Mitigation and Price Stabilization Act of 2012. H.R. 2682, I'm very proud to say, is truly a bipartisan bill; and I would like to thank my colleagues on the other side of the aisle, especially Mr. PETERS of Michigan, Mr. AUSTIN SCOTT of Georgia, and Mr. OWENS of New York, for working with me on this extremely important issue.

H.R. 2682 will clarify Congress' intent under the Dodd-Frank Act and provide an explicit exemption from having to post margin for true commercial end-users of over-the-counter derivatives. Despite clear legislative history to the contrary, regulators continue to misinterpret the Dodd-Frank Act, giving them authority to impose margin requirements on end-users.

This bill will ensure once and for all that true end-users are not subjected to margin requirements that Congress never intended to be applied and make sure that regulators do not attempt to exercise authorities they were never granted by Congress in ways that will certainly do harm to the economy, specifically, by diverting working capital away from investment and expansion, which fuels economic growth and certainly job creation.

True end-users are firms and companies that use derivatives to manage their various financial risks. For example, firms use these products to lock in the costs of raw materials that they're going to need in the future, which ultimately protects American consumers and creates jobs here in America. If true end-users were required to post margin, their hedging costs may become so high that they could abandon the practice, leading to great price variations for raw materials and, ultimately, an increase in consumer prices for a whole host of products from food to energy.

□ 1530

At a time when constituents on Staten Island and in Brooklyn are strugg-

ling with sky-high tolls, rising gas prices, they simply can't afford to pay more for items they rely on every day. Furthermore, this legislation will not only help to keep consumers' prices stable, but it will also protect U.S. jobs. The cost savings end users will realize by not being required to post margin will free up capital for business expansion and job creation.

In fact, it has been shown that imposing a 3 percent margin on over-the-counter derivatives held by S&P 500 companies could cut capital spending by \$5.1 to \$6.7 billion. That could lead to 100,000 to 130,000 job losses. At a time when unemployment is 8.3 percent, this cannot be overlooked or overstated.

Finally, without this clear exemption provided in this legislation, I believe that U.S.-based commercial end users may attempt to continue hedging and avoid posting margins by moving their derivatives products overseas. That would put U.S.-based financial institutions at a major disadvantage and, as a consequence, drive even more U.S. jobs overseas. In addition, this could also encourage regulatory arbitrage and actually increase systemic risk to a worldwide financial system.

In closing, I ask that my colleagues support this commonsense, bipartisan pro-jobs legislation.

Mr. OWENS. Mr. Speaker, I yield myself such time as I may consume. I rise in support of H.R. 2682.

I would like to thank Chairman LUCAS and Ranking Member PETERSON for their leadership on this important issue, as well as Mr. SCOTT from the Agriculture Committee, and our colleagues on Financial Services, Mr. PETERS, Mr. GREEN and, of course, Mr. GRIMM.

As a cosponsor of H.R. 2682 and as one of the authors of this legislation, I believe that the definition of an "end user" needs to be very specific to ensure that the CFTC implements the intent of Congress in exempting true end users from certain derivatives regulations.

My district in upstate New York includes a number of entities that would be inappropriately captured as swap dealers under the proposed CFTC rules, including agricultural cooperatives, farm credit institutions, community banks, and electric cooperatives. Clearly, none of these entities were intended by Congress to be covered by these regulations.

While each of them uses derivatives to meet their business needs, they are not engaging in derivatives transactions as their primary businesses. If forced to comply with the increased margin and clearing requirements, it could make the services currently offered by end users cost prohibitive and impede their ability to conduct business, likely resulting in higher prices for my constituents and diverting capital that could otherwise be invested and used to help create jobs. These are all negative consequences that our economy can ill afford at this time.

These financial instruments are particularly important for dairy farmers in my district who depend on their cooperatives to offer them tools to manage price risks and to lock in margins. A local cooperative must have the ability to enter into swaps with its members and have affordable access to the market with other commercial counterparties to offset the risk of providing these swaps and forward contracts. Under the CFTC's proposed rules, the cooperatives would be regulated as a swap dealer even though they are using derivative contracts to hedge commercial risk and to support the viability of their members.

There is no doubt in my mind that the derivatives market needs to be regulated and that certain participants need to post margin to cover their trades in order to mitigate systemic risk throughout the financial system. However, this legislation will codify Congress' intent and ensure that commercial end users can continue to hedge against risk.

I urge my colleagues on both sides of the aisle to support this important bipartisan legislation, and I yield back the balance of my time.

Mr. GARRETT. Once again, Mr. Speaker, I would like to yield 3 minutes to the gentleman from Texas (Mr. CONAWAY).

Mr. CONAWAY. Thank you to Mr. GARRETT of New Jersey.

Mr. Speaker, I rise today in full support of H.R. 2682, the Business Risk Mitigation and Stabilization Act.

As chairman of the General Farm Commodities and Risk Management Subcommittee, I am pleased to see this bill brought to the floor today. The Business Risk Mitigation and Stabilization Act will offer legislative clarification for one of the most important points that underlies Dodd-Frank, which is that nonfinancial end users should not be required to post margin.

In hearings and letters, Congress could not have been clearer in its intent to exempt nonfinancial end users from being required to post margins for their risk mitigation transactions. Yet, despite our clear intent, regulators have proposed rules that could result in margin requirements for these end users.

Every dollar that a business has tied up in a margin account is a dollar it cannot spend on job creation or other productive business purposes. The Chamber of Commerce has recently estimated the costs of requiring these end users to post margins could reach billions of dollars and cost over 100,000 jobs, all over the clear and concise objections of Congress.

This legislation simply affirms the original position of Congress that nonfinancial end users do not need to tie up scarce resources to participate in the swaps markets. Much like H.R. 2779, which we debated earlier, the Business Risk Mitigation and Stabilization Act would not undermine the established goals of Dodd-Frank. Non-

financial end users represent less than 10 percent of the swaps market and have never posed a systemic risk to the broader financial markets.

As we in Congress continue to advance legislation to put America back to work, we should prevent unnecessary regulatory burdens on businesses. I am pleased to support H.R. 2682 because it will do just that.

I want to thank Mr. GRIMM, Mr. PETERS, Mr. SCOTT, and Mr. OWENS for sponsoring this important legislation. I am pleased to note that it is a bipartisan effort and is supported overwhelmingly by both committees.

I also want to thank my chairman, Mr. LUCAS, and Chairman BACHUS, for their work in clarifying Congress' intent for regulators with respect to end users. This legislation will protect jobs and businesses struggling to meet the multitude of mandates coming out of Washington.

Mr. AL GREEN of Texas. Mr. Speaker, I would simply close by indicating that I concur with my colleagues. This legislation does enjoy the bipartisan support that we believe will help us get a message to our Members that it is a good piece of legislation that should be totally supported by the membership. So, I would ask my colleagues and Members of the Congress to please support this legislation.

I yield back the balance of my time.

Mr. GARRETT. Mr. Speaker, I think we have one more speaker. I yield 2 minutes to the gentleman from Georgia (Mr. AUSTIN SCOTT).

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, I rise today in support of H.R. 2682, the Business Risk Mitigation and Price Stabilization Act of 2012.

This bill provides a clear exemption for nonfinancial end users that qualify for the clearing exemption under title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act.

Across the country, consumers and businesses alike are confronted with risks that are associated with their day-to-day operations. To manage this risk, businesses use over-the-counter derivatives to provide price certainty and stability in many other conditions which may arise or may otherwise be less specific. Consumers, in turn, benefit from these business prudent risk management practices a through lower volatility in the day-to-day prices of the products that they purchase.

Due to the importance of protecting the consumer while providing a pro-growth environment for business, Congress provided an exemption from clearing and margin requirements for businesses and individuals who are not financial institutions. By providing this exemption, less than 10 percent of the capital involved in the derivatives market is relieved of the burdensome regulations and can be kept in the U.S. economy. To further the initial goal, H.R. 2682 clarifies Congress' intent of keeping much needed capital in the U.S. markets, which plays an important role in the country's economic growth.

For this reason, I ask my colleagues to support H.R. 2682 so businesses and individuals can manage their risks of day-to-day operations while not being constrained with the burdensome capital requirements.

Mr. GARRETT. I yield back the balance of my time.

The SPEAKER pro tempore (Mr. HUIZENGA of Michigan). The question is on the motion offered by the gentleman from New Jersey (Mr. GARRETT) that the House suspend the rules and pass the bill, H.R. 2682, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

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

The yeas and nays were ordered.

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

□ 1540

HOMES FOR HEROES ACT OF 2011

Mrs. BIGGERT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3298) to establish the position of Special Assistant for Veterans Affairs in the Department of Housing and Urban Development, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3298

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 "Homes for Heroes Act of 2011".

SEC. 2. SPECIAL ASSISTANT FOR VETERANS AFFAIRS IN THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

Section 4 of the Department of Housing and Urban Development Act (42 U.S.C. 3533) is amended by adding at the end the following new subsection:

“(g) SPECIAL ASSISTANT FOR VETERANS AFFAIRS.—

“(1) ESTABLISHMENT.—There shall be in the Department a Special Assistant for Veterans Affairs, who shall be a special assistant to the Secretary and shall report directly to the Secretary.

“(2) APPOINTMENT.—The Special Assistant for Veterans Affairs shall be appointed based solely on merit and shall be covered under the provisions of title 5, United States Code, governing appointments in the competitive service.

“(3) RESPONSIBILITIES.—The Special Assistant for Veterans Affairs shall be responsible for—

“(A) ensuring veterans have fair access to housing and homeless assistance under each program of the Department providing either such assistance;

“(B) coordinating all programs and activities of the Department relating to veterans;

“(C) serving as a liaison for the Department with the Department of Veterans Affairs, including establishing and maintaining relationships with the Secretary of Veterans Affairs;

“(D) serving as a liaison for the Department, and establishing and maintaining relationships with the United States Interagency

Council on Homelessness and officials of State, local, regional, and nongovernmental organizations concerned with veterans;

“(E) providing information and advice regarding—

“(i) sponsoring housing projects for veterans assisted under programs administered by the Department; or

“(ii) assisting veterans in obtaining housing or homeless assistance under programs administered by the Department;

“(F) coordinating with the Secretary of Housing and Urban Development and the Secretary of Veterans Affairs in carrying out section 3 of the Homes for Heroes Act of 2011; and

“(G) carrying out such other duties as may be assigned to the Special Assistant by the Secretary or by law.”.

SEC. 3. ANNUAL SUPPLEMENTAL REPORT ON VETERANS HOMELESSNESS.

(a) IN GENERAL.—The Secretary of Housing and Urban Development and the Secretary of Veterans Affairs, in coordination with the United States Interagency Council on Homelessness, shall submit annually to the Committees of the Congress specified in subsection (b), together with the annual reports required by such Secretaries under section 203(c)(1) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11313(c)(1)), a supplemental report that includes the following information with respect to the preceding year:

(1) The same information, for such preceding year, that was included with respect to 2010 in the report by the Secretary of Housing and Urban Development and the Secretary of Veterans Affairs entitled “Veterans Homelessness: A Supplemental Report to the 2010 Annual Homeless Assessment Report to Congress”.

(2) Information regarding the activities of the Department of Housing and Urban Development relating to veterans during such preceding year, as follows:

(A) The number of veterans provided assistance under the housing choice voucher program for Veterans Affairs supported housing (VASH) under section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)), the socioeconomic characteristics of such homeless veterans, and the number, types, and locations of entities contracted under such section to administer the vouchers.

(B) A summary description of the special considerations made for veterans under public housing agency plans submitted pursuant to section 5A of the United States Housing Act of 1937 (42 U.S.C. 1437c-1) and under comprehensive housing affordability strategies submitted pursuant to section 105 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12705).

(C) A description of the activities of the Special Assistant for Veterans Affairs of the Department of Housing and Urban Development.

(D) A description of the efforts of the Department of Housing and Urban Development and the other members of the United States Interagency Council on Homelessness to coordinate the delivery of housing and services to veterans.

(E) The cost to the Department of Housing and Urban Development of administering the programs and activities relating to veterans.

(F) Any other information that the Secretary of Housing and Urban Development and the Secretary of Veterans Affairs consider relevant in assessing the programs and activities of the Department of Housing and Urban Development relating to veterans.

(b) COMMITTEES.—The Committees of the Congress specified in this subsection are as follows:

(1) The Committee on Banking, Housing, and Urban Affairs of the Senate.

(2) The Committee on Veterans’ Affairs of the Senate.

(3) The Committee on Appropriations of the Senate.

(4) The Committee on Financial Services of the House of Representatives.

(5) The Committee on Veterans’ Affairs of the House of Representatives.

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

The SPEAKER pro tempore (Mr. GRIMM). Pursuant to the rule, the gentlewoman from Illinois (Mrs. BIGGERT) and the gentleman from Texas (Mr. AL GREEN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Illinois.

GENERAL LEAVE

Mrs. BIGGERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to add extraneous material on this bill.

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

There was no objection.

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

Today I rise in support of H.R. 3298, the Homes for Heroes Act of 2011.

Sadly, approximately one-fifth of our country’s homeless population consists of veterans. In part, that’s because re-adapting to civilian life is not always easy even for some of our country’s true heroes. But research shows that with a stable living situation, our veterans are far more likely to overcome other challenges. These are men and women who braved bullets and basic training to protect our country and our freedom. They have the will and the strength to overcome any obstacle, but it is our job to give them the tools.

That is why it’s essential that HUD and the VA work hand in hand to help our veterans get the housing assistance they have earned.

The Homes for Heroes Act of 2011, of which I’m a cosponsor and which was introduced by my colleague from Texas (Mr. AL GREEN) and my colleague from New York (Mr. GRIMM), establishes the position of Special Assistant for Veterans Affairs within HUD to effectively coordinate services among veterans and to serve as HUD’s liaison to the Department of Veterans Affairs’ U.S. Interagency Council on Homelessness, State and local officials, and nonprofit service organizations.

The bill also requires HUD to submit a comprehensive annual report to Congress on the housing needs of homeless veterans and the steps undertaken by HUD to meet those needs, and H.R. 3298 takes these steps within existing budgetary constraints at no additional cost to taxpayers.

Similar to H.R. 403 and H.R. 3329, which are the Homes for Heroes Acts of 2008 and 2009, both of which passed this House, H.R. 3298 has strong bipartisan support. Once enacted, this legislation will help us better understand the needs of homeless veterans while fos-

tering a better working relationship between HUD and the VA. The result will be better services for our heroes; and while we can never repay our veterans for the selfless sacrifices they’ve made, we can work to ensure that they have a place to call home when they come home.

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

Mr. AL GREEN of Texas. Mr. Speaker, I yield myself such time as I may consume.

I thank my colleague, Mrs. BIGGERT, for her support of this legislation as well as many other pieces of legislation that we’ve had the privilege of working together on.

Mr. Speaker, I’d like to thank you, as well, for your cosponsorship of the legislation. It means a lot to have bipartisan support for our warriors, those who are willing to go to distant places and risk their lives such that we may have better lives.

Many of them do not return home as they left. Many of them find themselves living on the streets of life. As a result, we believe it’s necessary for us to do all that we can to help them secure the kind of homes, the kind of housing, the kinds of services that they need so that they can reintegrate themselves into American life. This bill, the Homes for Heroes bill, will help to some degree with our goals and ambitions of helping them to have a place to call home.

The bill does place a person in HUD whose sole responsibility it will be to monitor homelessness among our veterans. This person is to file an annual report with Congress on the status of homelessness among the veterans in this country and to give us some insight as to how we are progressing in eliminating and abolishing homelessness among our veterans. It’s not going to do everything that we need to do, but it is a step in the right direction.

If I may say so, I would like to commend HUD for what has been done thus far, because there is a person who does this sort of thing with HUD currently. But what we’re trying to do now is institutionalize the position such that administrations may come and go, but the position will still be there, and our veterans will receive the kind of help that they merit and deserve.

Mr. Speaker, in our country in 2009, approximately 136,334 people who self-identified themselves as veterans spent at least one night in an emergency shelter or a transitional-housing program. That speaks volumes about the amount of work that we have to do.

While 136,000 may not seem like a lot to some people, I contend, if we have but one veteran who is finding himself or herself in transitional housing or sleeping in a shelter or sleeping on the streets of life, I think we have work to do. This bill will help us with our veterans who are doing this, who are sleeping in this transitional housing.

I would also add that our veterans compose about 16 percent of the homeless adults while they are 8 percent of the American population. They are 8 percent of the population, but of those who are homeless, they are 16 percent.

This, of course, is something that we cannot continue to tolerate. So I'm going to beg all of my colleagues: please, give serious consideration to this piece of legislation. It will not break the bank. It may not do all that we'd like to have done, but it's a step in the right direction, and somebody will be helped as a result of what we do today. I beg to my colleagues, please support this legislation.

I thank Mrs. BIGGERT for the outstanding work that she has done. I again especially thank staffers who worked with us on this piece of legislation. And I can say candidly, Mr. Speaker, that but for the assistance of our staffers, we might not be standing here today. They do make a difference. And I would have the veterans know that behind every Member, we have staffers who are working to help them return to our homeland and reintegrate them into our society.

I reserve the balance of my time.

Mrs. BIGGERT. We have no further speakers on this side of the aisle if the gentleman would like to close.

Mr. AL GREEN of Texas. I would simply close by saying this: Mr. Speaker, thank you again for your support of this legislation. I would hope that my colleagues will give it the kind of consideration that our warriors are giving us when they decide that they're willing to go to distant places and make great sacrifices for us. Please give it consideration.

I yield back the balance of my time.

Mrs. BIGGERT. Mr. Speaker, I would like to commend the gentleman from Texas (Mr. AL GREEN) for all of his hard work on this issue.

It is really nice to have these bills that are bipartisan in nature, and certainly homelessness is something that we all hear about and would like to find a way to end. There are different categories in that, and I think the veterans certainly are very important.

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

Mr. GRIMM. Mr. Speaker, I rise today to speak in support of H.R. 3298, "The Homes for Heroes Act of 2011."

As a Marine combat veteran, I am strongly committed to assisting our young men and women as they return home from protecting our freedom overseas.

I am honored to have been able to work with my colleague and friend Mr. GREEN of Texas on this legislation. Our veterans have no greater friend in Congress than Mr. GREEN and I am honored to have had this opportunity to join him in fighting for our heroes.

Veteran's homelessness is a serious issue and, sadly, one that gets overlooked far too often. Currently veterans make up approximately 8 percent of the U.S. population, however they are 17 percent of the homeless population.

Clearly something is wrong with our ability to transition these brave men and women from military service to civilian life.

Recent circumstances have only served to exacerbate these problems. Our new veterans are returning home from Iraq and Afghanistan to find an economy with very limited employment opportunities. While these economic problems are affecting all Americans, veterans looking to move from military service to civilian life are finding themselves competing with an already over-supplied labor market.

Furthermore, the extraordinarily long deployments that our service members have been facing place an enormous mental strain on our new veterans. This burden has made it difficult for many to easily transition back into normal civilian life.

In order to combat veteran's homelessness this bill would create a Special Assistant for Veterans Affairs within the Department of Housing and Urban Development to co-ordinate homeless veteran's benefits with the VA. In addition, this bill will require HUD to prepare a report to Congress on the progress that has been made in ending homelessness amongst our veterans.

Again, it has been an honor to work on such an important piece of legislation and I urge my colleagues to join me in supporting its passage.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Illinois (Mrs. BIGGERT) that the House suspend the rules and pass the bill, H.R. 3298.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

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

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

The point of no quorum is considered withdrawn.

□ 1550

FDIA AMENDMENTS REGARDING DISCLOSURES TO THE BUREAU OF CONSUMER FINANCIAL PROTECTION

Mrs. BIGGERT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4014) to amend the Federal Deposit Insurance Act with respect to information provided to the Bureau of Consumer Financial Protection.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4014

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

SECTION 1. FDIA AMENDMENTS REGARDING DISCLOSURES TO THE BUREAU OF CONSUMER FINANCIAL PROTECTION.

The Federal Deposit Insurance Act (12 U.S.C. 1811 et seq.) is amended—

(1) in section 11(t)(2)(A) (12 U.S.C. 1821(t)(2)(A)), by inserting after clause (v) the following:

“(vi) The Bureau of Consumer Financial Protection.”; and

(2) in section 18(x) (12 U.S.C. 1828(x))—

(A) by inserting “the Bureau of Consumer Financial Protection,” before “any Federal banking agency” each place such term appears; and

(B) by striking “such agency” each place such term appears and inserting “such Bureau, agency”.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Illinois (Mrs. BIGGERT) and the gentleman from Texas (Mr. AL GREEN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Illinois.

GENERAL LEAVE

Mrs. BIGGERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to add extraneous material on this bill.

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

There was no objection.

Mrs. BIGGERT. Mr. Speaker, at this time, I would like to yield such time as he may consume to the gentleman from Michigan (Mr. HUIZENGA), the sponsor of this bill.

Mr. HUIZENGA of Michigan. Mr. Speaker, the Consumer Financial Protection Bureau, a massive new branch of government created under the Dodd-Frank Act, fails to safeguard proprietary information given to the Bureau by regulated entities. I rise today in support of my bill, H.R. 4014, which will create more peace of mind for financial institutions while offering more oversight and consumer protections to hardworking taxpayers.

If you remember one thing, remember this: we all agree on stringent consumer protections. This bill is a commonsense measure that adds necessary oversight to the Bureau. Specifically, H.R. 4014 would immediately close a loophole in the law that was created during the creation of the CFPB. Currently, information collected by the CFPB from financial institutions is not protected by the same confidentiality provisions that other financial regulators are required to provide. Additionally, we must ensure parity between State bank supervisors and other State regulatory agencies that oversee nonbanks at the State level and make sure they are afforded the same protections. We need a real solution to ensure that privileged information will not be intentionally disclosed to any third party. H.R. 4014 would protect that data that depository and non-depository institutions provide during an oversight exam, therefore, enhancing the Bureau's supervision process and giving financial institutions the much-needed certainty that the information will be kept private.

Unlike current statutes regarding other Federal agencies assessing relevant information, the Dodd-Frank Act failed to provide such protections despite the CFPB's claim that they won't or wouldn't share such information.

The simple truth is that if we don't pass H.R. 4014, the CFPB could legally share privileged information with third parties. Absent this specific congressional legislation, the courts have permitted this practice of sharing in the cases of other Federal agencies. Although the Bureau has said that they are prepared to take all reasonable and appropriate steps to protect proprietary information, we cannot be sure. Therefore, we must pass this bill to restrict them from doing so.

Even President Barack Obama's appointed director of the CFPB, Richard Cordray, recently testified that this was an "oversight" and that he would be "supportive" of a legislative solution to ensure privileged information is not leaked to third parties through the CFPB. My bill is that real legislative solution. This is a commonsense fix that will put an end to the needless uncertainty and legal costs to both the CFPB and to financial institutions.

Mr. Speaker, while I believe this issue must and will eventually be addressed in the Dodd-Frank Act, this is a very important step. I urge the swift adoption of this important legislation to restore genuine accountability to the CFPB and to deliver a more efficient and effective government for America's hardworking taxpayers.

I look forward to working with my Senate colleagues to see that this omission in the Dodd-Frank Act is quickly rectified and sent to the President for his signature.

Mr. AL GREEN of Texas. Mr. Speaker, I yield myself such time as I may consume.

H.R. 4014 is a good piece of legislation, and it is designed to protect proprietary information, which is exceedingly important in the business world. This bill ensures that when an institution submits confidential information to the CFPB, the information will remain confidential. This bill is in line with existing law for other financial regulators.

We have confirmed that the CFPB believes this fix to be acceptable. The bill is identical to legislation introduced by Senate Banking Committee Chairman JOHNSON and Ranking Member SHELBY. This legislation will give financial institutions legal certainty when turning over data to the CFPB.

Mr. Speaker, current law states that a bank does not waive confidentiality and, thereby, should not have to risk its disclosure of information to other parties. These parties are sometimes engaged in litigation against each other. This piece of legislation will assure a party that its information given to the CFPB will not end up in the hands of another party that may be engaged in litigation. This is but one example. This bill is designed to protect proprietary information.

I want to thank my colleague for the outstanding job that he has done in presenting this piece of legislation. I thank Mrs. BIGGERT for, again, showing the bipartisanship that has helped us to bring this legislation to the floor.

At this time, I will reserve the balance of my time.

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

I rise in support of H.R. 4014, a bill to ensure that confidential, private information collected by the Consumer Financial Protection Bureau, or CFPB, remains confidential.

Introduced by my colleague from Michigan (Mr. HUIZENGA), this legislation addresses a crucial oversight within the Dodd-Frank Act. Under current law, many supervised institutions have expressed concern that supplying privileged information to the CFPB at the government's request could void attorney-client and work product privileges against third parties. Even the new CFPB director, Richard Cordray, as was talked about, has acknowledged constitutional concerns and indicated that he would be supportive of a legislative solution. H.R. 4014 is that solution.

Mr. HUIZENGA's bill makes it explicitly clear that providing privileged material to the CFPB does not waive attorney-client or work product privileges with respect to third parties. It also guarantees that any privileged matter that the CFPB shares with other Federal agencies will remain privileged.

This bill has earned nearly universal support from Republicans, Democrats, regulated institutions, the regulator, Senators, and Members of the House. On February 16, our House Financial Services Committee passed this bill by voice vote.

Mr. Speaker, this bill should be on the President's desk in a matter of weeks and not months. Chairman JOHNSON and Ranking Member SHELBY of the Senate Banking Committee have introduced an identical measure, S. 2099, which also awaits consideration. Passing this legislation today marks an important milestone. It is the first time that both House and Senate Members on both sides of the aisle are acknowledging and correcting a serious flaw in the Dodd-Frank Act.

With that, I urge my colleagues to support H.R. 4014, and I commend Mr. HUIZENGA for his hard work on this issue. I have no further requests for time, if the gentleman would like to close.

Mr. AL GREEN of Texas. Mr. Speaker, I have no further requests for time, and I will simply encourage my colleagues to support the legislation.

I yield back the balance of my time.

Mrs. BIGGERT. Mr. Speaker, with that, I would, again, commend the sponsor of this bill, Mr. HUIZENGA. And I thank Mr. GREEN for managing this bill.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mrs. BIGGERT) that the House suspend the rules and pass the bill, H.R. 4014.

The question was taken; and (two-thirds being in the affirmative) the

rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

RECESS

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

Accordingly (at 4 o'clock p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. HARTZLER) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order: H.R. 2779, by the yeas and nays; H.R. 2682, by the yeas and nays; and agreeing to the Speaker's approval of the Journal, de novo.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

TREATMENT OF AFFILIATE TRANSACTIONS UNDER THE DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2779) to exempt inter-affiliate swaps from certain regulatory requirements put in place by the Dodd-Frank Wall Street Reform and Consumer Protection Act, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. GARRETT) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 357, nays 36, not voting 38, as follows:

[Roll No. 127]

YEAS—357

Ackerman	Barletta	Bishop (NY)
Adams	Barrow	Black
Aderholt	Bartlett	Blackburn
Alexander	Barton (TX)	Blumenauer
Altmire	Bass (CA)	Bonner
Amash	Bass (NH)	Bono Mack
Amodei	Benishke	Boren
Andrews	Berg	Boswell
Austria	Berkley	Boustany
Baca	Biggert	Brady (PA)
Bachmann	Bilbray	Brady (TX)
Bachus	Bilirakis	Bralely (IA)
Baldwin	Bishop (GA)	Brooks

Broun (GA) Hall
 Buchanan Hanabusa
 Bucshon Hanna
 Burgess Harper
 Burton (IN) Harris
 Butterfield Hartzler
 Calvert Hastings (FL)
 Camp Hastings (WA)
 Canseco Hayworth
 Cantor Heck
 Capito Hensarling
 Capps Herger
 Capuano Herrera Beutler
 Cardoza Higgins
 Carnahan Himes
 Carney Hinojosa
 Carson (IN) Hochul
 Carter Holden
 Cassidy Honda
 Castor (FL) Hoyer
 Chabot Huelskamp
 Chaffetz Huizenga (MI)
 Chandler Hultgren
 Chu Hunter
 Cicilline Hurt
 Clarke (MI) Israel
 Clarke (NY) Issa
 Clay Jenkins
 Cleaver Johnson (OH)
 Clyburn Johnson, E. B.
 Coble Johnson, Sam
 Coffman (CO) Jones
 Cole Jordan
 Conaway Keating
 Connolly (VA) Kind
 Cooper King (IA)
 Costello King (NY)
 Cravaack Kingston
 Crawford Kinzinger (IL)
 Crenshaw Kline
 Critz Labrador
 Crowley Lamborn
 Cuellar Lance
 Culberson Lankford
 Cummings Larsen (WA)
 Davis (CA) Latham
 Davis (KY) LaTourette
 DeGette Latta
 Denham Levin
 Dent Lewis (CA)
 DesJarlais Lewis (GA)
 Diaz-Balart Lipinski
 Dold LoBiondo
 Dreier Loeback
 Duffy Lofgren, Zoe
 Duncan (SC) Long
 Duncan (TN) Lowey
 Edwards Lucas
 Ellison Luetkemeyer
 Ellmers Lujan
 Emerson Lummis
 Engel Lungren, Daniel
 Eshoo E.
 Farenthold Lynch
 Farr Maloney
 Fattah Manzullo
 Fincher Marino
 Fitzpatrick Matheson
 Flake Matsui
 Fleischmann McCarthy (CA)
 Fleming McCaul
 Fortenberry McClintock
 Foxx McCollum
 Frank (MA) McCotter
 Franks (AZ) McGovern
 Frelinghuysen McHenry
 Fudge McKeon
 Gallegly McKinley
 Gardner McMorris
 Garrett Rodgers
 Gerlach McNERNEY
 Gibbs Meeks
 Gibson Mica
 Gingrey (GA) Michaud
 Gohmert Miller (FL)
 Gonzalez Miller (MI)
 Goodlatte Miller, Gary
 Gowdy Miller, George
 Granger Moore
 Graves (GA) Moran
 Graves (MO) Mulvaney
 Green, Al Murphy (CT)
 Green, Gene Murphy (PA)
 Griffin (AR) Myrick
 Griffith (VA) Napolitano
 Grimm Neugebauer
 Guinta Neom
 Guthrie Nunes
 Hahn Nunnelee

Olson
 Oliver
 Owens
 Palazzo
 Pallone
 Pastor (AZ)
 Paulsen
 Pearce
 Pelosi
 Pence
 Perlmutter
 Peters
 Peterson
 Petri
 Pitts
 Conyers
 Courtney
 Davis (IL)
 DeFazio
 DeLauro
 Deutch
 Dingell
 Doggett
 Walberg
 Walden
 Walsh (IL)
 Walz (MN)
 Wasserman
 Schultz
 Waters
 Watt
 Waxman
 Webster
 West
 Westmoreland
 Whitfield
 Wilson (FL)
 Wilson (SC)
 Wittman
 Wolf
 Womack
 NAYS—36

NOT VOTING—38
 Akin
 Bishop (UT)
 Brown (FL)
 Buerkle
 Campbell
 Costa
 Dicks
 Donnelly (IN)
 Doyle
 Flores
 Forbes
 Gosar
 Gutierrez
 Heinrich
 Jackson (IL)
 Jackson Lee
 Johnson (GA)
 Johnson (IL)
 Kelly
 Kissell
 Landry
 Mack
 Marchant
 McCarthy (NY)
 McIntyre
 Meehan
 Neal
 Nugent
 Pascrell
 Paul
 Rangel
 Reichert
 Reyes
 Rivera
 Rohrabacher
 Rush
 Thompson (MS)
 Towns

□ 1856

Messrs. MARKEY, LANGEVIN, LARSON of Connecticut, MCDERMOTT, DEFAZIO, DOGGETT, KILDEE, COHEN, WELCH, and Ms. LEE of California changed their vote from “yea” to “nay.”

Mr. OLVER, Ms. WILSON of Florida, Ms. CLARKE of New York, and Mr. WAXMAN changed their vote from “nay” to “yea.”

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

BUSINESS RISK MITIGATION AND PRICE STABILIZATION ACT OF 2012

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2682) to provide end user exemptions from certain provisions of the Commodity Exchange Act and the Securities Exchange Act of 1934, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. GARRETT) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 370, nays 24, not voting 37, as follows:

[Roll No. 128]
 YEAS—370

Ackerman
 Adams
 Aderholt
 Alexander
 Altmire
 Amash
 Amodei
 Andrews
 Austria
 Baca
 Bachmann
 Bachus

Baldwin
 Barletta
 Barrow
 Bartlett
 Barton (TX)
 Bass (CA)
 Bass (NH)
 Becerra
 Benishek
 Berg
 Berkley
 Biggert
 Bilbray
 Billirakis
 Bishop (GA)
 Bishop (NY)
 Black
 Blackburn
 Blumenauer
 Bonamici
 Bonner
 Bono Mack
 Boren
 Boswell
 Boustany
 Brady (PA)
 Brady (TX)
 Braley (IA)
 Brooks
 Broun (GA)
 Buchanan
 Bucshon
 Burgess
 Burton (IN)
 Butterfield
 Calvert
 Camp
 Canseco
 Cantor
 Capito
 Capps
 Capuano
 Cardoza
 Carnahan
 Carney
 Carson (IN)
 Carter
 Cassidy
 Castor (FL)
 Chabot
 Chaffetz
 Chandler
 Chu
 Clarke (MI)
 Clarke (NY)
 Clay
 Cleaver
 Clyburn
 Coble
 Coffman (CO)
 Cole
 Conaway
 Connolly (VA)
 Cooper
 Costello
 Cravaack
 Crawford
 Crenshaw
 Critz
 Crowley
 Cuellar
 Culberson
 Cummings
 Davis (CA)
 Davis (KY)
 DeGette
 Denham
 Dent
 DesJarlais
 Diaz-Balart
 Dold
 Dreier
 Duffy
 Duncan (SC)
 Duncan (TN)
 Edwards
 Ellison
 Ellmers
 Emerson
 Engel
 Eshoo
 Farenthold
 Farr
 Fattah
 Fincher
 Fitzpatrick
 Flake
 Fleischmann
 Fleming
 Fortenberry
 Foxx
 Frank (MA)
 Franks (AZ)
 Frelinghuysen
 Fudge
 Gallegly
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Gonzalez
 Goodlatte
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hahn
 Lynch
 Maloney
 Manzullo
 Marino
 Matheson
 Matsui
 McCarthy (CA)
 McCaul
 McClintock
 McCollum
 McCotter
 McGovern
 McHenry
 McKeon
 McKinley
 McMorris
 Rodgers
 McNERNEY
 Meeks
 Mica
 Michaud
 Miller (FL)
 Miller (MI)
 Miller, Gary
 Miller, George
 Moore
 Moran
 Mulvaney
 Murphy (CT)
 Murphy (PA)
 Myrick
 Napolitano
 Neugebauer
 Neom
 Nunes
 Nunnelee
 Lynch
 Maloney
 Manzullo
 Marino
 Matheson
 Matsui
 McCarthy (CA)
 McCaul
 McClintock
 McCollum
 McCotter
 McGovern
 McHenry
 McKeon
 McKinley
 McMorris
 Rodgers
 McNERNEY
 Meeks
 Mica
 Michaud
 Miller (FL)
 Miller (MI)
 Miller, Gary
 Miller, George
 Moore
 Moran
 Mulvaney
 Murphy (CT)
 Murphy (PA)
 Myrick
 Napolitano
 Neugebauer
 Neom
 Nunes
 Nunnelee
 Meehan
 Neal
 Nugent
 Pascrell
 Paul
 Rangel
 Reichert
 Reyes
 Rivera
 Rohrabacher
 Rush
 Thompson (MS)
 Towns
 Fincher
 Fitzpatrick
 Flake
 Fleischmann
 Fleming
 Fortenberry
 Foxx
 Frank (MA)
 Franks (AZ)
 Frelinghuysen
 Fudge
 Gallegly
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Gonzalez
 Goodlatte
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hahn
 Meehan
 Neal
 Nugent
 Pascrell
 Paul
 Rangel
 Reichert
 Reyes
 Rivera
 Rohrabacher
 Rush
 Thompson (MS)
 Towns
 Fincher
 Fitzpatrick
 Flake
 Fleischmann
 Fleming
 Fortenberry
 Foxx
 Frank (MA)
 Franks (AZ)
 Frelinghuysen
 Fudge
 Gallegly
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Gonzalez
 Goodlatte
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hahn
 Meehan
 Neal
 Nugent
 Pascrell
 Paul
 Rangel
 Reichert
 Reyes
 Rivera
 Rohrabacher
 Rush
 Thompson (MS)
 Towns
 Fincher
 Fitzpatrick
 Flake
 Fleischmann
 Fleming
 Fortenberry
 Foxx
 Frank (MA)
 Franks (AZ)
 Frelinghuysen
 Fudge
 Gallegly
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Gonzalez
 Goodlatte
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hahn
 Meehan
 Neal
 Nugent
 Pascrell
 Paul
 Rangel
 Reichert
 Reyes
 Rivera
 Rohrabacher
 Rush
 Thompson (MS)
 Towns
 Fincher
 Fitzpatrick
 Flake
 Fleischmann
 Fleming
 Fortenberry
 Foxx
 Frank (MA)
 Franks (AZ)
 Frelinghuysen
 Fudge
 Gallegly
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Gonzalez
 Goodlatte
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hahn
 Meehan
 Neal
 Nugent
 Pascrell
 Paul
 Rangel
 Reichert
 Reyes
 Rivera
 Rohrabacher
 Rush
 Thompson (MS)
 Towns
 Fincher
 Fitzpatrick
 Flake
 Fleischmann
 Fleming
 Fortenberry
 Foxx
 Frank (MA)
 Franks (AZ)
 Frelinghuysen
 Fudge
 Gallegly
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Gonzalez
 Goodlatte
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hahn
 Meehan
 Neal
 Nugent
 Pascrell
 Paul
 Rangel
 Reichert
 Reyes
 Rivera
 Rohrabacher
 Rush
 Thompson (MS)
 Towns
 Fincher
 Fitzpatrick
 Flake
 Fleischmann
 Fleming
 Fortenberry
 Foxx
 Frank (MA)
 Franks (AZ)
 Frelinghuysen
 Fudge
 Gallegly
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Gonzalez
 Goodlatte
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hahn
 Meehan
 Neal
 Nugent
 Pascrell
 Paul
 Rangel
 Reichert
 Reyes
 Rivera
 Rohrabacher
 Rush
 Thompson (MS)
 Towns
 Fincher
 Fitzpatrick
 Flake
 Fleischmann
 Fleming
 Fortenberry
 Foxx
 Frank (MA)
 Franks (AZ)
 Frelinghuysen
 Fudge
 Gallegly
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Gonzalez
 Goodlatte
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hahn
 Meehan
 Neal
 Nugent
 Pascrell
 Paul
 Rangel
 Reichert
 Reyes
 Rivera
 Rohrabacher
 Rush
 Thompson (MS)
 Towns
 Fincher
 Fitzpatrick
 Flake
 Fleischmann
 Fleming
 Fortenberry
 Foxx
 Frank (MA)
 Franks (AZ)
 Frelinghuysen
 Fudge
 Gallegly
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Gonzalez
 Goodlatte
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hahn
 Meehan
 Neal
 Nugent
 Pascrell
 Paul
 Rangel
 Reichert
 Reyes
 Rivera
 Rohrabacher
 Rush
 Thompson (MS)
 Towns
 Fincher
 Fitzpatrick
 Flake
 Fleischmann
 Fleming
 Fortenberry
 Foxx
 Frank (MA)
 Franks (AZ)
 Frelinghuysen
 Fudge
 Gallegly
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Gonzalez
 Goodlatte
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hahn
 Meehan
 Neal
 Nugent
 Pascrell
 Paul
 Rangel
 Reichert
 Reyes
 Rivera
 Rohrabacher
 Rush
 Thompson (MS)
 Towns
 Fincher
 Fitzpatrick
 Flake
 Fleischmann
 Fleming
 Fortenberry
 Foxx
 Frank (MA)
 Franks (AZ)
 Frelinghuysen
 Fudge
 Gallegly
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Gonzalez
 Goodlatte
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hahn
 Meehan
 Neal
 Nugent
 Pascrell
 Paul
 Rangel
 Reichert
 Reyes
 Rivera
 Rohrabacher
 Rush
 Thompson (MS)
 Towns
 Fincher
 Fitzpatrick
 Flake
 Fleischmann
 Fleming
 Fortenberry
 Foxx
 Frank (MA)
 Franks (AZ)
 Frelinghuysen
 Fudge
 Gallegly
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Gonzalez
 Goodlatte
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hahn
 Meehan
 Neal
 Nugent
 Pascrell
 Paul
 Rangel
 Reichert
 Reyes
 Rivera
 Rohrabacher
 Rush
 Thompson (MS)
 Towns
 Fincher
 Fitzpatrick
 Flake
 Fleischmann
 Fleming
 Fortenberry
 Foxx
 Frank (MA)
 Franks (AZ)
 Frelinghuysen
 Fudge
 Gallegly
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Gonzalez
 Goodlatte
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hahn
 Meehan
 Neal
 Nugent
 Pascrell
 Paul
 Rangel
 Reichert
 Reyes
 Rivera
 Rohrabacher
 Rush
 Thompson (MS)
 Towns
 Fincher
 Fitzpatrick
 Flake
 Fleischmann
 Fleming
 Fortenberry
 Foxx
 Frank (MA)
 Franks (AZ)
 Frelinghuysen
 Fudge
 Gallegly
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Gonzalez
 Goodlatte
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hahn
 Meehan
 Neal
 Nugent
 Pascrell
 Paul
 Rangel
 Reichert
 Reyes
 Rivera
 Rohrabacher
 Rush
 Thompson (MS)
 Towns
 Fincher
 Fitzpatrick
 Flake
 Fleischmann
 Fleming
 Fortenberry
 Foxx
 Frank (MA)
 Franks (AZ)
 Frelinghuysen
 Fudge
 Gallegly
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Gonzalez
 Goodlatte
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hahn
 Meehan
 Neal
 Nugent
 Pascrell
 Paul
 Rangel
 Reichert
 Reyes
 Rivera
 Rohrabacher
 Rush
 Thompson (MS)
 Towns
 Fincher
 Fitzpatrick
 Flake
 Fleischmann
 Fleming
 Fortenberry
 Foxx
 Frank (MA)
 Franks (AZ)
 Frelinghuysen
 Fudge
 Gallegly
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Gonzalez
 Goodlatte
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hahn
 Meehan
 Neal
 Nugent
 Pascrell
 Paul
 Rangel
 Reichert
 Reyes
 Rivera
 Rohrabacher
 Rush
 Thompson (MS)
 Towns
 Fincher
 Fitzpatrick
 Flake
 Fleischmann
 Fleming
 Fortenberry
 Foxx
 Frank (MA)
 Franks (AZ)
 Frelinghuysen
 Fudge
 Gallegly
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Gonzalez
 Goodlatte
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hahn
 Meehan
 Neal
 Nugent
 Pascrell
 Paul
 Rangel
 Reichert
 Reyes
 Rivera
 Rohrabacher
 Rush
 Thompson (MS)
 Towns
 Fincher
 Fitzpatrick
 Flake
 Fleischmann
 Fleming
 Fortenberry
 Foxx
 Frank (MA)
 Franks (AZ)
 Frelinghuysen
 Fudge
 Gallegly
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Gonzalez
 Goodlatte
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hahn
 Meehan
 Neal
 Nugent
 Pascrell
 Paul
 Rangel
 Reichert
 Reyes
 Rivera
 Rohrabacher
 Rush
 Thompson (MS)
 Towns
 Fincher
 Fitzpatrick
 Flake
 Fleischmann
 Fleming
 Fortenberry
 Foxx
 Frank (MA)
 Franks (AZ)
 Frelinghuysen
 Fudge
 Gallegly
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Gonzalez
 Goodlatte
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hahn
 Meehan
 Neal
 Nugent
 Pascrell
 Paul
 Rangel
 Reichert
 Reyes
 Rivera
 Rohrabacher
 Rush
 Thompson (MS)
 Towns
 Fincher
 Fitzpatrick
 Flake
 Fleischmann
 Fleming
 Fortenberry
 Foxx
 Frank (MA)
 Franks (AZ)
 Frelinghuysen
 Fudge
 Gallegly
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Gonzalez
 Goodlatte
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hahn
 Meehan
 Neal
 Nugent
 Pascrell
 Paul
 Rangel
 Reichert
 Reyes
 Rivera
 Rohrabacher
 Rush
 Thompson (MS)
 Towns
 Fincher
 Fitzpatrick
 Flake
 Fleischmann
 Fleming
 Fortenberry
 Foxx
 Frank (MA)
 Franks (AZ)
 Frelinghuysen
 Fudge
 Gallegly
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Gonzalez
 Goodlatte
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hahn
 Meehan
 Neal
 Nugent
 Pascrell
 Paul
 Rangel
 Reichert
 Reyes
 Rivera
 Rohrabacher
 Rush
 Thompson (MS)
 Towns
 Fincher
 Fitzpatrick
 Flake
 Fleischmann
 Fleming
 Fortenberry
 Foxx
 Frank (MA)
 Franks (AZ)
 Frelinghuysen
 Fudge
 Gallegly
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Gonzalez
 Goodlatte
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hahn
 Meehan
 Neal
 Nugent
 Pascrell
 Paul
 Rangel
 Reichert
 Reyes
 Rivera
 Rohrabacher
 Rush
 Thompson (MS)
 Towns
 Fincher
 Fitzpatrick
 Flake
 Fleischmann
 Fleming
 Fortenberry
 Foxx
 Frank (MA)
 Franks (AZ)
 Frelinghuysen
 Fudge
 Gallegly
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Gonzalez
 Goodlatte
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hahn
 Meehan
 Neal
 Nugent
 Pascrell
 Paul
 Rangel
 Reichert
 Reyes
 Rivera
 Rohrabacher
 Rush
 Thompson (MS)
 Towns
 Fincher
 Fitzpatrick
 Flake
 Fleischmann
 Fleming
 Fortenberry
 Foxx
 Frank (MA)
 Franks (AZ)
 Frelinghuysen
 Fudge
 Gallegly
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Gonzalez
 Goodlatte
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hahn
 Meehan
 Neal
 Nugent
 Pascrell
 Paul
 Rangel
 Reichert
 Reyes
 Rivera
 Rohrabacher
 Rush
 Thompson (MS)
 Towns
 Fincher
 Fitzpatrick
 Flake
 Fleischmann
 Fleming
 Fortenberry
 Foxx
 Frank (MA)
 Franks (AZ)
 Frelinghuysen
 Fudge
 Gallegly
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Gonzalez
 Goodlatte
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hahn
 Meehan
 Neal
 Nugent
 Pascrell
 Paul
 Rangel
 Reichert
 Reyes
 Rivera
 Rohrabacher
 Rush
 Thompson (MS)
 Towns
 Fincher
 Fitzpatrick
 Flake
 Fleischmann
 Fleming
 Fortenberry
 Foxx
 Frank (MA)
 Franks (AZ)
 Frelinghuysen
 Fudge
 Gallegly
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Gonzalez
 Goodlatte
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hahn
 Meehan
 Neal
 Nugent
 Pascrell
 Paul
 Rangel
 Reichert
 Reyes
 Rivera
 Rohrabacher
 Rush
 Thompson (MS)
 Towns
 Fincher
 Fitzpatrick
 Flake
 Fleischmann
 Fleming
 Fortenberry
 Foxx
 Frank (MA)
 Franks (AZ)
 Frelinghuysen
 Fudge
 Gallegly
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Gonzalez
 Goodlatte
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hahn
 Meehan
 Neal
 Nugent
 Pascrell
 Paul
 Rangel
 Reichert
 Reyes
 Rivera
 Rohrabacher
 Rush
 Thompson (MS)
 Towns
 Fincher
 Fitzpatrick
 Flake
 Fleischmann
 Fleming
 Fortenberry
 Foxx
 Frank (MA)
 Franks (AZ)
 Frelinghuysen
 Fudge
 Gallegly
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Gonzalez
 Goodlatte
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hahn
 Meehan
 Neal
 Nugent
 Pascrell
 Paul
 Rangel
 Reichert
 Reyes
 Rivera
 Rohrabacher
 Rush
 Thompson (MS)
 Towns
 Fincher
 Fitzpatrick
 Flake
 Fleischmann
 Fleming
 Fortenberry
 Foxx
 Frank (MA)
 Franks (AZ)
 Frelinghuysen
 Fudge
 Gallegly
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Gonzalez
 Goodlatte
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hahn
 Meehan
 Neal
 Nugent
 Pascrell
 Paul
 Rangel
 Reichert
 Reyes
 Rivera
 Rohrabacher
 Rush
 Thompson (MS)
 Towns
 Fincher
 Fitzpatrick
 Flake
 Fleischmann
 Fleming
 Fortenberry
 Foxx
 Frank (MA)
 Franks (AZ)
 Frelinghuysen
 Fudge
 Gallegly
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Gonzalez
 Goodlatte
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hahn
 Meehan
 Neal

Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stearns

Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tipton
Tonko
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)

Wasserman
Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

A recorded vote was ordered.
The SPEAKER pro tempore. This will be a 5-minute vote.
The vote was taken by electronic device, and there were—ayes 310, noes 80, answered “present” 4, not voting 37, as follows:

[Roll No. 129]
AYES—310

NAYS—24
Berman
Cicilline
Cohen
Conyers
Deutch
Dingell
Filner
Grijalva

Hinchev
Hirono
Kaptur
Kildee
Kucinich
Langevin
Lee (CA)
Markey

McGovern
Miller (NC)
Miller, George
Nadler
Serrano
Stark
Tierney
Velázquez

Ackerman
Aderholt
Alexander
Altmire
Amodei
Austria
Baca
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Buchanan
Bucshon
Burton (IN)
Butterfield
Calvert
Camp
Canseco
Cantor
Capito
Capps
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Chabot
Chaffetz
Chandler
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Cohen
Cole
Connolly (VA)
Cooper
Costa
Courtney
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dreier

Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Flake
Fleischmann
Fleming
Fortenberry
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gerlach
Gingrey (GA)
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Griffith (VA)
Grimm
Guinta
Guthrie
Hahn
Hall
Hanabusa
Harper
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Hensarling
Herger
Higgins
Himes
Hinchev
Hinojosa
Hirono
Hochul
Holt
Huelskamp
Hultgren
Hurt
Issa
Jenkins
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lipinski
Loebsack
Lofgren, Zoe
Long
Lowey

Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier

Stearns
Stivers
Stutzman
Sullivan
Sutton
Thompson (PA)
Thornberry
Tiberi
Tierney
Tonko
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Walz (MN)
Wasserman
Schultz

Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woolsey
Yarmuth
Young (FL)
Young (IN)

NOES—80

Adams
Andrews
Baldwin
Benishek
Bishop (NY)
Boswell
Brady (PA)
Burgess
Capuano
Castor (FL)
Chu
Coffman (CO)
Conaway
Costello
Cravaack
DeFazio
Dold
Fattah
Filner
Fincher
Fitzpatrick
Foxy
Gardner
Garrett
Gibson
Green, Gene
Griffin (AR)

Grijalva
Hanna
Harris
Heck
Herrera Beutler
Holden
Honda
Hoyer
Huizenga (MI)
Hunter
Israel
Johnson (OH)
Kucinich
Lee (CA)
Lewis (GA)
LoBiondo
Lynch
Manzullo
Markey
McCotter
McGovern
Meehan
Miller, George
Olver
Pastor (AZ)
Peters
Peterson

Poe (TX)
Quayle
Rahall
Reed
Renacci
Ribble
Rooney
Ryan (OH)
Sánchez, Linda
T.
Sarbanes
Schakowsky
Shuler
Slaughter
Stark
Terry
Thompson (CA)
Tipton
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Waters
Woodall
Yoder
Young (AK)

NOT VOTING—37
Akin
Bishop (UT)
Brown (FL)
Buerkle
Campbell
Costa
Dicks
Donnelly (IN)
Doyle
Flores
Forbes
Gutierrez
Heinrich

Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson (IL)
Jones
Kelly
Kissell
Landry
Mack
Marchant
McCarthy (NY)
McIntyre

Neal
Nugent
Pascrell
Paul
Rangel
Reichert
Reyes
Rivera
Rohrabacher
Rush
Thompson (MS)
Towns

ANSWERED “PRESENT”—4
Amash
Conyers

Gohmert
Owens

NOT VOTING—37
Akin
Bishop (UT)
Brown (FL)
Buerkle
Campbell
Dicks
Donnelly (IN)
Doyle
Flores
Forbes
Gibbs
Gutierrez
Heinrich

Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson (IL)
Kelly
Kissell
Landry
Mack
Marchant
McCarthy (NY)
McCaul
McIntyre

□ 1903
Mr. CICILLINE changed his vote from “yea” to “nay.”

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. AKIN. Madam Speaker, on rollcall Nos. 127 and 128, I would have voted “yes.”

PERSONAL EXPLANATION

Mr. JOHNSON of Illinois. Madam Speaker, on Monday, March 26, 2012, I had a previously scheduled meeting with small business owners in Champaign, Illinois. As a result, I am unable to attend to attend votes this evening. Had I been present, I would have voted “aye” on H.R. 2779—To exempt inter-affiliate swaps from certain regulatory requirements put in place by the Dodd-Frank Wall Street Reform and Consumer Protection Act; “aye” on H.R. 2682, the Business Risk Mitigation and Price Stabilization Act of 2011.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker’s approval of the Journal, which the Chair will put de novo.

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

RECORDED VOTE

Mr. GARAMENDI. Madam Speaker, I demand a recorded vote.

□ 1911
Messrs. HANNA and HOYER changed their vote from “aye” to “no.”

Mr. TONKO changed his vote from “no” to “aye.”

So the Journal was approved.
The result of the vote was announced as above recorded.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3309, FEDERAL COMMUNICATIONS COMMISSION PROCESS REFORM ACT OF 2012

Mr. WEBSTER, from the Committee on Rules, submitted a privileged report (Rept. No. 112-422) on the resolution (H. Res. 595) providing for consideration of the bill (H.R. 3309) to amend the Communications Act of 1934 to provide for greater transparency and efficiency in the procedures followed by the Federal Communications Commission, which was referred to the House Calendar and ordered to be printed.

THE CHOICE: LIMITED GOVERNMENT V. UNLIMITED GOVERNMENT

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

Mr. POE of Texas. Mr. Speaker, the Founders purposely defined the role of government in the U.S. Constitution to protect "We the people" from the chains of government.

Today, the United States Supreme Court began 3 days of oral arguments on the nationalized health care law. The issue: whether or not the Federal Government has the constitutional authority to force citizens to buy government-approved insurance.

But much more than that is at stake.

Mr. Speaker, if this law stands, it is the end of limited government as we know it and the beginning of unlimited government forced upon the people.

Citizens are frightened.

Our ancestors were forced to pay a tax on tea, so they threw the British tea in the sea. This nationalized health care law should be thrown into the sea of government oppression.

If the Supreme Court upholds this law, we will be on a path of return to the philosophy of the British Crown, where Americans were mere subjects of omnipotent, unlimited government. Then the constitutional days of limited government will drown in the abyss of the sea.

And that's just the way it is.

TRAYVON MARTIN

(Ms. WILSON of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WILSON of Florida. Mr. Speaker, today I rise to continue my calls for justice in the murder of Trayvon Martin.

It has been 30 days since his death, exactly 1 month since the Sanford police actually talked to the killer as he hunted and pursued young Trayvon with a loaded gun in his pocket. From every indication and every piece of evidence we have, George Zimmerman was the aggressor in this case.

This is a classic case of racial profiling. He pursued Trayvon as he walked down the sidewalk. The police dispatcher said, Stand down. Leave the boy alone. And Trayvon ended up dead, a small 17-year-old from Miami whom we all love.

This is not a victim we will forget. We will fight. We know who his killer is. We will not be quiet. I demand justice for Trayvon. I demand justice for Trayvon's family, and I demand justice for all of America's murdered children.

HIGH GAS PRICES

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, everywhere I go, Americans are feeling the pinch of high gas prices. In response, the President has begun to claim he supports the Republicans' all-of-the-above energy policy. Although the words sound inclusive, a glance at the record suggests that President Obama really means none of the below.

The policy is none of the below on Federal lands. On average, the Bush and Clinton administrations leased more than 3 million acres for oil and gas development per year. The Obama administration has leased less than 2 million acres per year. On Federal lands, oil and gas production was down in the last year. There are now fewer offshore production facilities in Federal waters than have been for more than 50 years.

Do the President's policies matter for gas prices? The Washington Post argues that global oil prices are being driven up by a decline in global supply relative to the demand of about a million barrels of oil a day. That's a lot of oil. But let's keep that in perspective. It's less oil than the Keystone XL pipeline President Obama blocked could carry each day to U.S. refineries.

PROVIDENCE ACADEMY WINS AA HOOPS TITLE

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

Mr. PAULSEN. Mr. Speaker, the phrase "it has never been done before" has often been used as a deterrent for many of the world's firsts. But thanks to teamwork, discipline, and avid determination, the Providence Academy Lions girls' basketball team won the very first State championship in their school's history. So I want to congratulate Providence and recognize their hard-fought road to victory.

In an incredible game, the Lions erased a second half, seven-point deficit to take the win in the Minnesota AA girls' basketball State championship game, proving that it's not over until the final whistle blows.

When asked about the game, it was team member Mary Ann Healy who remarked: "We all went out there as hard as we could."

Mr. Speaker, these young student athletes truly extol the hard work and poise of champions. On behalf of all Minnesotans, I would like to congratulate the team, congratulate Coach Finley, the parents of these athletes, and the entire school as you celebrate your win.

TRAYVON MARTIN

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

Mr. AL GREEN of Texas. I yield to my colleague from Florida.

Ms. WILSON of Florida. Mr. Speaker, this is Trayvon Martin.

Trayvon Martin's murderer is still at large. It's been 1 month, 30 days with no arrest. I want America to see this sweet, young boy, who was hunted down like a dog, shot in the street, and his killer is still at large.

Not one person has been arrested in Trayvon's murder. I want to make sure that America knows that in Sanford, Florida, there was a young boy murdered. He's buried in Miami, Florida, and not one person has been arrested even though we all know who the murderer is.

This was a standard case of racial profiling. No more, no more. We will stand for justice for Trayvon Martin.

□ 1920

CONGRESSIONAL BLACK CAUCUS ALTERNATIVE 2013 BUDGET

The SPEAKER pro tempore (Mr. HARRIS). Under the Speaker's announced policy of January 5, 2011, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) is recognized for 60 minutes as the designee of the minority leader.

General Leave

Mrs. CHRISTENSEN. Mr. Speaker, I would like to ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to add any extraneous material on the subject matter of the Special Order.

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

There was no objection.

Mrs. CHRISTENSEN. Mr. Speaker, soon we will be called upon to vote on a budget for 2013. Budgets are supposed to be a statement of our values and our vision, and this is the case with the Congressional Black Caucus budget. The values that we support in our budget are American values. As it says in the title, it restores America's promise and invests in our future.

And at this time, I would like to yield to the person who leads us in developing the Congressional Black Caucus budget and who has done so for several years, one of the senior members on the Budget Committee, Congressman BOBBY SCOTT of Virginia.

Mr. SCOTT of Virginia. I thank the gentlelady for yielding.

Mr. Speaker, we have difficult choices to make when it comes to addressing our budget deficit, but the Republican budget makes the wrong choices by deeply cutting vital programs like Medicare, Medicaid, education, job training, and transportation to pay for massive tax cuts that primarily benefit the wealthiest Americans.

Our Nation's communities of color have been hardest hit by the effects of the Great Recession, and the Republican budget does little to address the priorities of these communities. Even

as our Nation's economy has created nearly 3.9 million private sector jobs since February 2010, communities of color still are experiencing disproportionately higher rates of unemployment, home foreclosure, educational disadvantages, and economic hardship. As a result, vulnerable communities are increasingly relying on public programs to meet their basic needs.

With the passage of the fiscal year 2011 continuing resolution, then the Budget Control Act of 2011 and the fiscal year 2012 Consolidated Appropriations Act, these same vital programs have been slashed and targeted with even deeper cuts in the House Republican budget even as tax cuts for the wealthiest Americans are extended without problems.

The Congressional Black Caucus has a long history of submitting fiscally sound and morally responsible alternatives to budgets proposed by both Democrat and Republican Presidents. The CBC alternative budget for fiscal year 2013 continues that long tradition, putting forth a plan that reduces the deficit over the next decade. It alleviates some of the harm inflicted by the Budget Control Act, and increases economic opportunities and job creation by ensuring sustained investments in education, job training, transportation, infrastructure, and advanced research and development. The Congressional Black Caucus budget proposes significant increases in these functions of the budget for fiscal year 2013 to further accelerate our economic recovery and ensure a recovery is felt in every corner of our Nation. At the same time, the CBC budget protects and enhances the social safety net that saved millions of families from poverty during the Great Recession.

Unlike the proposed Republican budget, the CBC budget does not significantly reduce Medicaid or cut food assistance or force seniors to contribute more of their hard-earned money towards their health care expenses by dismantling Medicare and other vital support services. The CBC budget achieves all of this by making tough but responsible decisions to pay for tax cut extensions by making our tax system fairer, closing corporate loopholes and preferences that have contributed to the loss of American jobs.

Deficit reduction and the path of fiscal responsibility must not be on the backs of our Nation's most vulnerable citizens. We cannot win the future by leaving our most vulnerable behind. Our success as a Nation is interwoven in the success of every community, and this goal is reflected in the Congressional Black Caucus alternative budget for fiscal year 2013.

Now let me go through some of the details of the budget, because many of the budgets that have been presented in the past have missing numbers or unspecified cuts or things that you know aren't going to happen. These are our recommendations for a budget and where we are on the bottom line.

The CBC budget assumes as its baseline all of the President's spending and revenue assumptions. The CBC budget then not only extends certain tax cuts but also pays for all of the tax cuts for hardworking, middle-class Americans, and then it enacts tax reform measures to pay for the extension, raising nearly \$4 trillion in new revenue over the next decade.

We do that by:

Reining in Wall Street speculation with a financial speculation tax that will raise approximately \$840.9 billion over 10 years;

Ensuring Wall Street bankers pay the same tax rates as working Americans by taxing carried interest, dividends, and capital gains as ordinary income, which will raise almost \$1 trillion over 10 years;

Enacting the Buffett Rule and adding a millionaire surcharge similar to the legislation that was in the House version of the Affordable Care Act. That will raise approximately \$600 billion over 10 years;

Closing certain tax loopholes and preferences. There are so many of them that, by closing those loopholes and deductions, we can raise \$1.3 trillion over 10 years; and

Ending the mortgage interest deduction for vacation homes and yachts, which will add a few billion dollars over 10 years.

The bill also protects Social Security, Medicare, Medicaid, food assistance, welfare under TANF, unemployment insurance, and other vital safety net programs that are hit hard by the Republican budget.

We restore important funding for programs that were cut under the Budget Control Act, cancel the sequester for security and nonsecurity programs, match the Democratic alternative budget on defense, and invest another \$153 billion over the next decade in vital programs that will accelerate our economy and support hardworking American families.

We do that by increasing the maximum Pell Grant by \$1,000, to a total of \$6,500. We invest an additional \$25 billion above the President's budget in education and job training in 2013 alone. We also continue unemployment benefits and provide benefits for those who, through no fault of their own, have been unemployed for more than 99 weeks. We invest an additional \$50 billion in job creating transportation and infrastructure programs in 2013, alone, and \$155 billion above the President's budget over the next decade. We match the independent budget for Veterans Affairs, as recommended by a coalition of veterans' groups. We invest \$12 billion more in advanced research and development programs like NASA, the Department of Energy, and the National Science Foundation, which will create jobs now and in the future. We have additional funding for housing, foreclosure assistance, and other important programs and community development. We provide an additional

\$10 billion in vital health care programs, such as community health centers. And we create a public health insurance option under the Affordable Care Act, giving American people a real choice when the exchanges come into effect by allowing them to pick, as one of their choices, a public option. Adopting a public option has been scored as a \$100 billion savings over 10 years because those programs will cost less.

When the dust settles, the CBC budget will reduce the deficit by an additional \$769 billion as compared to the Republican budget over the next decade. Let me say that again. We will reduce the deficit by an additional \$769 billion compared to the Republican budget over the next decade. It is more fiscally responsible. It addresses the needs of our public, and, therefore, I would hope that we would adopt the Congressional Black Caucus budget and not the Republican budget that will be presented on the floor.

And I yield back to the gentle lady from the Virgin Islands.

Mrs. CHRISTENSEN. Thank you, Congressman SCOTT. Thank you for your leadership over all of these years in developing such a responsible budget. The CBC is proud to offer that as an alternative again this year.

Now I would like to yield to Congresswoman MARCIA FUDGE of Ohio, who is a member of the Education and the Workforce Committee. She is a strong advocate for education and closing the achievement gap and for many of the safety net programs that we protect in this budget.

Ms. FUDGE. I would like to thank my colleague, Representative CHRISTENSEN, for her work and continuing to anchor this CBC hour. I think it is very, very important. She is very special because she is determined to make sure that the United States knows that we, the CBC, are fighting for them every day. And I thank you.

Mr. Speaker, I rise to address the devastating impacts that the Republican budget would have on the middle class and American workers, as well as students, seniors, and the poor.

A budget, Mr. Speaker, is a reflection of priorities. It exemplifies objectives and goals. The Republicans' priorities are clear: cut taxes for the most wealthy Americans while achieving deficit reduction through drastic spending cuts to Medicare, Medicaid, SNAP, and other important programs. The Republican budget would abandon the economic recovery we are in and implement policies that ship American jobs overseas.

□ 1930

It would assume deep cuts in transportation spending next year, ignore job creation, and reject sensible proposals for economic growth and future competitiveness.

The Congressional Black Caucus will present a budget this week—thank you to my colleague, Mr. SCOTT—that

would protect seniors who rely on Medicare, the disabled who need Medicaid, and the unemployed who would go hungry without SNAP. It would support our economy through investment in transportation and infrastructure and would encourage American innovation. The Republican budget would reject investments in innovation by cutting funding for research and development. It would ignore the benefits of these investments on future generations.

Should the Republican budget go into effect, we would miss a great opportunity to support American innovation and to develop emerging technologies that create the jobs of the future. In addition, the Republican budget would fail our students by proposing drastic cuts that would devastate education funding and increase costs for college students. It would allow higher interest rates on student loans starting this year and eliminate the income-based repayment plans that help graduates manage their loans.

In contrast to the Republican budget, the CBC budget would increase the maximum Pell Grant by nearly \$1,000 and invest an additional \$25 billion above the President's budget in education and job training in fiscal year 2013, alleviating State and local education budget cuts and protecting jobs for teachers.

Even the middle class is not spared from the Republican cuts. The Republican budget would outsource jobs through tax policies. It would actually encourage multinational companies to ship thousands of jobs overseas while costing the American economy billions of dollars.

By contrast, the CBC budget would ensure that Wall Street bankers pay the same tax rates as working Americans by taxing carried interest, dividends, and capital gains as ordinary income. The CBC budget would close corporate tax loopholes, adding approximately \$1.3 trillion in revenue over 10 years.

Just like last year, the Republican budget would end the Medicare guarantee and shift costs to seniors. Rather than having the guaranteed coverage of benefits, seniors would receive a voucher. Yet the voucher will not grow as quickly as health care costs—simply shift costs on to seniors. As the AARP pointed out:

The premium support method described in the Republican proposal would likely “price out” traditional Medicare as a viable option, thus rendering the choice of traditional Medicare as a false promise.

The CBC budget would support our seniors, working Americans, and the middle class. And the CBC budget will reduce the deficit by an additional \$3.4 trillion as compared to the President's budget over the next decade.

The Republican budget would repeat last year's attempts to drastically reduce SNAP, formerly known as food stamps, for struggling families. It would slash SNAP funding by roughly

\$130 billion over 10 years and completely eliminate categorical eligibility. SNAP is currently serving 47 million people, nearly three-quarters of whom are families with children. Throwing people off the rolls would make it practically impossible for people to afford a nutritionally sound diet.

For 2 years in a row, we've seen Republican priorities in the Republican vision for the Nation. Mr. Speaker, the Republican budget is the wrong plan for American workers; it is the wrong plan for families trying to put food on the table; it is the wrong plan for unemployed Americans; the wrong plan for students; and the wrong plan for seniors.

I urge my colleagues to support the budget presented by the Congressional Black Caucus and to vote “no” on the proposed Republican budget.

Mrs. CHRISTENSEN. Thank you, Congresswoman FUDGE, and thank you for your strong defense of programs for children, for our seniors, and for families across this country.

I would now like to yield such time as he might consume to Congressman DANNY DAVIS, a strong fighter for health equity, for justice in our criminal justice system. He is a valued member of the Ways and Means Committee.

Mr. DAVIS of Illinois. First of all, I want to thank the gentlelady from the Virgin Islands for her leadership in convening and anchoring these sessions that we hold each week. I also want to commend and pay tribute to Representative BOBBY SCOTT for the tremendous leadership and work that he provides each year in helping the Congressional Black Caucus analyze, synthesize, and look seriously at how we move forward as we prepare a budget.

As has already been indicated, budgets are indications of priorities—what is it that you're really hoping to do; what do you really hope to accomplish. And so this budget I view as a tremendously positive alternative to any of our budgets that I have seen at this time. So I rise in strong support of the Congressional Black Caucus' FY 2013 alternative budget.

February's job report reveals 3 months of strong jobs growth in America. And while there is a sigh of relief for millions of consumers and the unemployed moving from the sidelines in search of work with hopes that their prospects will improve, there is little change for the 5.4 million long-term unemployed, 8.1 million involuntary part-time workers, and marginally attached individuals no longer in the labor force who wanted and were available for work and who looked for a job at some point during the last 12 months.

And so it becomes obvious that any budget should have at its core job-creation opportunities so that people can experience this opportunity, or this commodity, that we call work.

Appearances of an economy poised for growth does little for underserved minorities residing in disinvested com-

munities blighted with high rates of joblessness, poor-performing schools, poverty, and crime. Indeed, the promise of a new day and new hopes are few and far between for poor and low-income workers, generally, and returning citizens with barriers to employment in particular.

Indeed, over the past decade, the poor in America have gotten poorer. And, of course, the wealthy have gotten wealthier. Those called “middle class” have been squeezed to the point where they're teetering and certainly could go in either direction, that is, up with the right kinds of opportunities and down with the wrong kinds of opportunities.

I don't believe that we can afford in good conscience to continue to turn a blind eye to census figures and monthly data reports of the economic injustices and suffering being imposed upon a growing number of people. Moreover, we cannot continue to hold a great Nation hostage for the sake of a few while millions suffer. If we're truly going to address the crisis in America and put all Americans back to work and reduce poverty, we must create a mixture of universal and targeted programs capable of weathering political obstacles.

The Congressional Black Caucus alternative budget is a means to this end. Indeed, the CBC budget safeguards investment in public education, Pell Grants, and transportation vital to equipping minority youth and adults with skill sets so that they can obtain and maintain access to gainful sustainable employment in our ever-changing global economy; and also by renovating and building new schools and investing an additional \$50 billion in transportation and infrastructure in 2013 and \$155 billion above the President's budget over the next decade, repairing and building bridges across lakes, rivers, and streams, but also bridges to opportunity.

□ 1940

The Congressional Black Caucus budget protects the health care safety net programs that have been developed. It also protects Second Chance funding while restoring funding to Department of Justice programs for citizens who are returning home from jail and prison with serious barriers to employment.

We hold these truths to be self-evident that if America is to become the America that it has never been but the America that all of us hope for and know that it can be, then we would take the principles encased in the Congressional Black Caucus budget and comply those to whatever budgets are ultimately passed.

So, again, I want to commend Mr. SCOTT, and I want to thank Delegate CHRISTENSEN.

Mrs. CHRISTENSEN. Thank you, Congressman DAVIS.

I'd like to just say a few words about the Congressional Black Caucus budget. I'm in strong support of this budget.

As I said, it's a responsible budget that is a statement of our values and priorities; and as the title says, it restores America's promise to invest in our future.

Our budget, as Congressman SCOTT said, builds upon the President's budget, and it would ensure that our children, our veterans, and seniors are protected and adequately taken care of. We invest in education and health care as well as in research and innovation. Our budget provides revenue by enacting tax measures that are fair, that close loopholes, and that protect tax cuts for hardworking, middle class families while protecting vital safety nets that help the poor, and it provides them with stepping stones out of poverty.

Those safety nets that we protect are, for example, Social Security; Medicare; Medicaid—a critical program; the Supplemental Nutrition Assistance Program, SNAP; Temporary Assistance for Needy Families, TANF; and many, many others. It does all of that while reducing the deficit by an additional \$3.4 trillion compared to the President's budget.

Our budget stands as a direct contrast to the Republican Ryan budget. The Ryan budget begins at the outset by breaking the hard-fought agreement on caps set in the Budget Control Act in 2011. If they can't keep their word on something that they forced an agreement on, then what will they keep their word on? So the Republican budget begins across-the-board cuts at 5.4 percent in 2013. They do not cut any defense spending, as agreed to in the Budget Control Act; but in 2014, they would reduce those caps 19 percent below the agreed-to cap in non-defense spending over 10 years. And I guess they know that the Supreme Court arguments made by those 26 States that began today against the Affordable Care Act are not going to win the day, that the Court will uphold the constitutionality of the law, and so the Republican budget would repeal the Affordable Care Act.

Just take a look at what Republicans take out of health care. They would cut funding for the Indian Health Service by 19 percent beginning in 2014. That would greatly diminish access to health care for the American Indians who already suffer disproportionately from many diseases and, as a result, who have a very low life expectancy compared to the white population.

In the Republican budget, there are cuts to funding for the Centers for Medicare and Medicaid Services which would make it very difficult for that agency to meet its responsibilities in overseeing these critical programs. There are also cuts to the Food and Drug Administration, which would reverse what Democrats were able to do to strengthen protections in food and medicines, and cutting back on those programs would put the American public at an increased risk.

While in this difficult economic climate the President's budget managed

to fund NIH at its current level, the Republican Ryan budget would jeopardize new research by cutting that budget; and that research that would lead to innovations in medicine and improve lives would be jeopardized. In addition, they cut WIC and turn SNAP into a block grant, which weakens their ability to help those who increasingly find themselves food insecure as the gap between the rich and poor has widened and incomes have plummeted. And it cuts the Republicans' favorite target, the EPA, which would reduce our investments in public health and harm our ability to protect our public from air and water pollution and land contamination.

On the other hand, our budget, the CBC budget, which is always a very responsible budget—responsible to the American people and fiscally responsible while providing more deficit reduction than the Republican Ryan budget—still makes important investments that are critical to a strong future, including in health care.

First of all, our budget upholds the Affordable Care Act and fully funds it, but it takes it one step further by creating a public health insurance option that by itself saves almost \$103 billion in health care costs over the next decade. It adds \$10 billion to health care funding in the 2013 budget, and that \$10 billion more robustly funds the following important programs, such as the AIDS drug assistance programs, which have been underfunded for years, causing States to drop persons from their rosters with HIV and AIDS or reducing the coverage, reducing the benefits, and causing increasingly long waiting lists. It also increases funding for Ryan White, the Minority AIDS Initiative, and prevention activities for HIV, for STDs, for TB, and hepatitis.

Our budget funds the Office of Minority Health, which was expanded and strengthened under the Affordable Care Act to improve health equity. We expand and pay for oral health programs, for health care facilities improvements and construction. We increase funding for the maternal and child health in the Preventive Health Block Grant. We fund the Physician-Scientist Training program, which brings underrepresented minorities into health care careers both in the practice of medicine, as providers, and in research. We provide additional funding for substance abuse and mental health services administration.

And we finally provide adequate funding for the National Institute on Minority Health and Health Disparities at NIH. We also restore funding for the REACH program, a very important program that assists racial and ethnic minority communities to develop programs and unique approaches to health care just uniquely for those communities.

We fund many, many other health-related programs and services. And still, with all of that, we reduce that deficit by \$3.4 trillion over the next 10 years.

Those health provisions, as well as those in education, in research and innovation, and in the protection of the safety net programs and tax fairness, those in the CBC budget make it one that is clearly a statement of our values and priorities, a statement of America's values, values that everyone in this body should support.

At this time, I would like to yield again to our leader on the budget in the CBC, Congressman BOBBY SCOTT.

Mr. SCOTT of Virginia. I thank the gentlelady from the Virgin Islands for her very strong statement.

Mr. Speaker, we have tough choices to make; and when we start the discussion with how much people will get in tax cuts, you know the rest of the discussion will not be serious. We have decided if you're going to have tax cuts, if you're going to extend them, they have to be paid for. That is the historic contrast between the CBC budget and the Republican budget.

Now, Mr. Speaker, when people say we have to cut Medicare, they should look at the Republican budget because the only reason you have to cut Medicare is to fund the tax cuts. If you do not extend the tax cuts, you don't have to cut Medicare. When the same budget includes massive tax cuts and cuts in Medicare, people ought to notice that if you don't have the tax cuts, you don't have to cut Medicare.

Now, the Republican budget has virtually dismantled Medicare. It provides a voucher, but I think they like to call it—what?—a premium support something or other. Basically, you dismantle your right to Medicare, and you get some money to go see if you can buy some insurance in the private market. It turns out that the amount of money you're given—I'll call it a voucher—will be about \$6,000 short of what you need to get the equivalent of Medicare coverage. That's where the savings is. You don't reduce the cost of health care; you just shift it over to the seniors.

□ 1950

Now, one of the ways they try to convince people to go along with it is they tell people who are paying attention, those over 55, they say, well, it's not going to apply to you. We will continue to plan for about 10 years, and then we'll inflict this scheme on everybody else.

Some people over 55 say, well, that's good, I don't have to worry about it. Well, actually, people over 55 do have to worry about it because the people making the promise that you will be able to have a Cadillac Medicare program when people coming behind have a little motor scooter for their health care, and you think people are going to pay taxes, when they're going to get a motor scooter, for your Cadillac plan—I think the idea that they're going to continue paying those taxes are remote.

You have to notice that 10 years from now, when the decision gets made to

start to inflict this scheme on the younger people, the people who will be keeping the promise for those over 55 aren't the ones that made the promise. They will be new representatives who don't have any commitment to keeping that promise. In fact, election after election, some of the younger people may ask, well, are you going to continue taxing me to support a Medicare program when all I'm going to get is a voucher? I want to know which one of the candidates will either cancel the Medicare for everybody and have everybody get this little voucher thing, or continue the Medicare program for everybody. I want to know if anybody up there is going to tax me for a Medicare program that I'm not going to get. And after five election cycles, the people that survive that will be the ones dealing with the promise that others made.

I doubt if any of them will be able to sustain that kind of pressure. When the time comes, either everybody will get this little voucher thing or everybody will get a Medicare card. The idea that some will get a nice, big Medicare package and everybody else coming behind get a little piece of voucher and think that's going to be sustained for any length of time, I think they've got another thought coming.

So people ought to recognize that even those over 55 have to protect Medicare. And the reason it's being cut is so that millionaires can get their tax cuts. You let those millionaires' tax cuts expire, you don't have to cut Medicare.

Now, as the gentlelady from the Virgin Islands said, we have a responsible budget. We name the cuts that are made. We name the taxes that will be affected. And you can see exactly what we're doing. Unfortunately, in the Republican budget, you get these unspecified cuts, 19 percent on average. Well, you know it's not going to be on average. It's not going to be across the board because some programs won't be cut. You're not going to cut the FBI by 19 percent. You're not going to cut Federal prisons by 19 percent. So all those that you don't cut you end up having to double up to meet your number, you've got to double up on the next one.

So we have no idea what's going to happen, other than all of these kind of unspecified cuts. And hopefully everybody's thinking, well, that's not going to be my program, that's not the one I depend on, when in fact it might not only be 19 percent, it might be 20, 30, 40 percent cuts in those programs.

The fact is that the Congressional Black Caucus budget is a responsible budget, and it comes in almost \$800 billion better on the bottom line than the Republican budget that will be the alternative. We have shown that you can be responsible, you can be compassionate, and you can be fiscally responsible. That's the Congressional Black Caucus budget.

Mrs. CHRISTENSEN. Thank you for summarizing that for us and for point-

ing out the very important point that, in order to keep those tax cuts for the millionaires, those programs that so many people in this country, the poor and the middle class, depend on will be cut. That's a tradeoff that this country should not be taking and we do not support.

So we are very pleased to present our budget. As I said, and as Congressman SCOTT said, this is a very responsible budget that not only invests in the future and keeps America's promise to its people, but it saves money, \$3.4 trillion over 10 years to reduce the deficit.

With that, we ask for the support of our colleagues, and I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in support of the Congressional Black Caucus (CBC) alternative budget.

The CBC Budget proposes an additional \$10 billion in funding for general Science, Space and Technology activities. Specifically, this funding will apply towards agencies I oversee as Ranking Member of the Committee, such as NASA; the National Science Foundation and NIST; and to many programs we specifically authorized in the America COMPETES Act and the America COMPETES Reauthorization Act, including Noyce Scholarships; the ADVANCE program for women faculty; Graduate Research Fellowships; and many other important research and STEM education related programs.

The CBC Budget also invests an additional \$2 billion towards Energy providing additional funding for the Advanced Research Projects Agency at the Department of Energy which also falls under my Committee's jurisdiction.

We all know that our nation's future strength is directly dependent upon our commitment to a robust science agenda. As Members of the Congressional Black Caucus, we urge support for programs that broaden participation in science, technology, engineering and mathematics, also called STEM.

As we call for increased funding for programs which broaden participation for STEM, we are concerned that the Administration's FY2013 budget holds funding for these critical programs flat even as other STEM programs grow and new ones are created. We remain concerned that we still have not actually moved the needle much in terms of participation in STEM by underrepresented groups nationwide.

Given the low participation by these groups in most STEM disciplines, the changing demographics of this country are going to catch up with us very soon with respect to having a STEM-skilled workforce for 21st Century jobs. In some industries we are already seeing a troubling skills gap that will only become worse if we don't broaden participation in STEM by minorities, and women for that matter.

As the first African American and first female Ranking Member of the Committee on Science, Space, and Technology, broadening participation in STEM remains a top priority of mine. Broadening participation is not a minority issue or a gender issue, it is a national competitiveness issue we all must work to address for our country's benefit.

The under-representation of women and minority groups in STEM fields is a severe impediment to the formation of an adequate

American STEM workforce. The increased education and participation of this segment of the workforce is essential to supplying the American economy with the STEM expertise the country needs to innovate and remain competitive.

In 2008, the US Census Bureau recorded African-Americans, Hispanics, and Native Americans as making up 28.2 percent of the US population, and yet, these groups only represent a mere 10 percent of the science and technology workforce. By the year 2050, minorities are predicted to represent 55 percent of the college population.

As a Caucus we support funding increases in programs which broaden participation in the sciences. Low-income and minority communities bear a disproportionate share of the national shortfall of highly qualified STEM teachers. Schools in these areas often lack adequate facilities such as science laboratories and other college preparatory tools that cultivate a hands-on, interactive learning environment.

Of great importance to us are funding and programmatic focus on high-need areas, low-income populations, and underrepresented groups wherever possible. We are pleased and supportive of the many provisions within the America COMPETES Act Reauthorization of 2010 which will result in improving the effectiveness and impact of activities to broaden participation across the entire \$6 billion in research grants at the National Science Foundation. However, in order to expand participation of minorities in the sciences we still have some work to do.

We need to strengthen the capacity of community colleges in which many of our students are enrolled. We need to award more grants directly to Historically Black Colleges and Universities (HBCU's) involved in research collaborations, enabling these institutions to build their research capacity in ways that serve their own faculty and students best. We should provide more scholarships and other avenues to decrease the financial burden many African American students disproportionately face. Finally, we need to support programs which will lead to more African American teachers and mentors.

Mr. Speaker, as you know my commitment to priorities of the Congressional Black Caucus remains strong and as Ranking Member of the Committee on Science, Space and Technology I look forward to continuing to work with the Administration to identify solutions to new, or persistent issues that threaten to set our nation back even as we continue to look forward to our future.

FRESHMAN CLASS ON OBAMACARE

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

Mr. REED. Mr. Speaker, I rise tonight and am joined down here by many of my colleagues as freshman Members of the U.S. House of Representatives to have an open and honest conversation with you, Mr. Speaker, and with all of America to talk about an issue that I believe is timely, with the court case that is now pending

in the United States Supreme Court dealing with the Affordable Care Act, otherwise known as “ObamaCare,” otherwise known as many other items, but tonight we’ll be referring to it as ObamaCare or the Affordable Care Act.

To me, Mr. Speaker, it is clear that ObamaCare is a legislative act that overpromises, overspends, and underperforms, all at the expense of hard-working taxpayers. The law does little to get to the root cause of the problem in health care, and that is escalating cost increases across America. To me, the law is more focused on health insurance reform and does not do much in regards to curbing the increasing health care costs in America down.

Now, in the House of Representatives, we have voted repeatedly to repeal this atrocious law. I believe that is the best course of action for many reasons, and I’m sure we’re going to get into those reasons tonight. But tonight we are joined by many freshman colleagues. What I’d like to do at this point in time is yield to my good friend from Georgia (Mr. SCOTT), a great Member of the freshman class and president of the freshman class, to offer some comments in regards to the same.

Mr. AUSTIN SCOTT of Georgia. Thank you very much.

Mr. Speaker, as you know, this week, the United States Supreme Court began hearing testimony on the constitutionality of the President’s health care law, a law that, according to a USA Today poll, 72 percent of Americans believe is unconstitutional.

Mr. Speaker, the key question is: If the Federal Government can mandate its citizens buy health insurance, then what can they not mandate from Washington, D.C., that the American citizens must buy?

Mr. Speaker, the consequences of this mandate are severe. If the Supreme Court does not overturn it, what will the Federal Government allow themselves to mandate next? Life insurance? Just one word difference, health insurance versus life insurance. Bank accounts? A red car instead of a blue one? Organic apples instead of grapes? President Obama has put America on a very steep and slippery slope, and House Republicans are here to stop him.

During his takeover of one-sixth of the economy—and that’s what it’s about, Mr. Speaker, it’s about the fact that this is one-sixth of the economy—President Obama stated that if you liked your plan, you can keep it. It was a promise, a pledge he made to the American citizens. However, Americans soon found out, as we know today, exactly what he meant.

Under President Obama’s health care law, you technically have a choice: You can keep your current plan as he promised, the health insurance plan that you chose. And yes, as long as the President, by his commission of unelected bureaucrats, approves your purchase, then you can keep the plan

without paying a penalty. However, if his bureaucrats don’t approve your plan, you’ll pay a penalty. Mr. Speaker, the American people know that’s not a choice.

Two years after this bill was signed into law, our worst suspicions are now being confirmed. Thanks to President Obama and the Democrats who used their control of Congress, Americans will have higher costs and a reduced level of care.

The nonpartisan CBO estimates that non-employer-sponsored health insurance premiums will be 13 percent higher than if this legislation had not been signed into law, Mr. Speaker. Over 90 percent of seniors will lose their retiree prescription drug coverage they currently enjoy, and also be hit with double-digit premium increases. The CBO has also noted that the health care law “may” hinder job creation.

Now, Mr. Speaker, I believe there’s no doubt this bill kills jobs. In fact, when you get right down to it, a small business owner who has more than 50 employees is actually going to be encouraged to terminate the number of employees that they have above 50. Otherwise, they will be penalized if they do not comply with the law. Now, think about that, Mr. Speaker: Not only does this law hinder job creation, but it forces employers to get to under the 50-employee threshold so that they will not have to deal with the job-killing bureaucracy that this bill forces upon them.

Since coming to Congress last January, the House Republican Conference has voted to repeal not only this health care bill in its entirety but the 1099 provision, which the President agreed with us on; the CLASS Act, which the President agreed with us on; and, most recently, the IPAB rules.

□ 2000

It’s time for the Senate and President Obama to wake up and realize what the majority of Americans already know: The Not So Affordable Care Act is simply bad economic policy, bad health care policy, and a violation of our constitutional rights as American citizens.

Mr. REED. I thank the gentleman from Georgia for joining us this evening.

On the point about small businesses, I would refer to a McKenzie Group report that found that more than one-half of employers with high awareness of the impact of ObamaCare said in the poll and in that report that they will stop offering health coverage when this becomes fully implemented as a result of their concern as to the bureaucratic pressure and the cost that this law is going to put on small business America.

To me, that’s unacceptable. I know it is unacceptable to my colleague from Georgia, and I so appreciate you entertaining some time with us tonight.

With that, I would like to yield to my good friend from South Carolina, a

great member of the freshman class, Mr. JEFF DUNCAN.

Mr. DUNCAN of South Carolina. I want to thank the gentleman from New York for his leadership on this issue.

I just got a text message a minute ago from my wife that said my youngest son, he’s 11, hit an in-the-park home run, and I wasn’t there. I wasn’t there because we’re here serving in the United States Congress to try to make America better for my 11-year-old and for children of this generation and future generations.

I believe that this particular legislation that was passed by the last Congress should be ruled unconstitutional—for a lot of different reasons. And I think my good friend from Florida (Mr. WEST) is going to talk momentarily about an article that he wrote, a great op-ed, in a Washington newspaper today. I thought it was spot-on, so I don’t want to steal his thunder on that.

He talks in there about the Independent Payment Advisory Board, this committee of 15 members that Congress basically divested some of its power, gave some of its power over to a 15-member panel.

Now, America needs to realize that this 15-member panel will be making decisions, health care decisions for you and your family. If you’re on Medicare, this 15-member panel, IPAB, will be making decisions on what they’ll pay for, what treatment you can get, how long you can stay in a nursing facility for rehab, a lot of different things. We’re divesting responsibility and decision-making to a panel.

This Congress just last week passed the repeal of that Independent Payment Advisory Board, IPAB, as it’s known. We sent it to the abyss known as the United States Senate, because under that Democrat leadership under HARRY REID, they fail to take good, commonsense legislation up in the Senate for a vote.

But you know what? The last Congress that passed what’s now known as ObamaCare, the Affordable Care Act, they gave some of their power away to this board, and anything that board does becomes law. And the only way Congress can overturn that law is with a majority vote or a supermajority vote in the United States Senate. That’s 60 Members that have to vote against something that IPAB does.

When I read the United States Constitution, article I, section 1, it’s at the very beginning, right after the preamble, this is what it says:

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.

I don’t see in there an Independent Payment Advisory Board at all. I see a United States Congress made up of a House and a Senate. That’s what the United States Supreme Court ought to rule automatically unconstitutional in this bill.

We can talk about a lot of other things, but that bill was wrong for

America. It's going to cost small businesses, it's going to stymie the economy, and we may never recover from what's coming with the full implementation of ObamaCare.

Mr. REED. I thank the gentleman for his comments so much because the Independent Payment Advisory Board is a classic example of what is wrong with ObamaCare. What they did in ObamaCare in the last congressional session was delegate its authority to 15 unelected bureaucrats. You're absolutely right.

And the worst thing about it, to my colleagues and Mr. Speaker, is that 15-member board is not subject to any open law requirements. They don't have to conduct their hearings in public. They don't have to conduct their deliberations with public input. It's 15 unelected bureaucrats that are making fundamental health care decisions that should be patient-centered relationships between a patient and a doctor.

But yet, under ObamaCare and the Affordable Care Act, what this Congress did in the 111th Congress was delegate its authority to 15 bureaucrats to make those life-and-death decisions.

Mr. DUNCAN of South Carolina. Will the gentleman yield?

Mr. REED. I yield to the gentleman.

Mr. DUNCAN of South Carolina. That's an interesting point, because I'm on the Natural Resources Committee. We deal with the EPA and a number of other, what used to be known as the MMS, and now BOEMRE, that makes regulations regarding offshore drilling, and they can't do anything without some public comment period. They can't promulgate a regulation that isn't subject to a public comment period and an appeal process.

But from what I hear you saying is this 15-member board can pass something in the dark of the night, in the back room, without transparency, without public input, without public comment period, and it will have the force of law.

Mr. REED. I so appreciate that comment.

With that, at this point in time, I'd like to yield to a great colleague, Mr. TREY GOWDY from South Carolina. Mr. GOWDY has joined us this evening, and I'm interested in hearing your thoughts on this topic.

Mr. GOWDY. I thank the gentleman from New York, and I thank my colleague and friend from South Carolina, Mr. DUNCAN, my colleague and friend from Georgia, Mr. SCOTT, my colleague and friend from the great State of Florida, Colonel WEST, all of whom are experts, Mr. Speaker, on the policy of ObamaCare.

I want to talk to you about something other than policy. I want to talk to you about the law. But I'm going to concede up front, Mr. Speaker, that having health insurance is a wise idea. Having health insurance is a really, really good idea.

Walking over from the Longworth office building just a few minutes ago,

Mr. Speaker, I passed two dozen people who were out jogging or otherwise exercising, and I can't help but conclude exercising is a wise idea. But Congress has not mandated exercise, not yet at least. The week's not over with yet. But so far we have not mandated exercise, despite the fact that it is a good policy.

Mr. Speaker, I couldn't help, in talking to my wife tonight, to be reminded that remembering our spouses' birthdays is also a wise idea. So far, although the week is not over with yet, Congress has not mandated that we remember our spouses' anniversaries.

So, up front, let's acknowledge there's a difference between being a good idea and being a constitutional idea, because, Mr. Speaker, what my question is for Colonel WEST from Florida that I will ask initially rhetorically, and then I'd like him to answer it, is: Can Congress make you eat beets? Because beets are good for you, Mr. Speaker. You know that. You're a physician. What you eat matters. Can Congress make you eat okra? Can it make you eat cabbage? And if not, why not?

If all we're here to talk about is whether or not something is a good idea and there are no constitutional limits to what Congress can do, then my question is: Why not? Why can't we just debate this on the basis of public policy?

And the answer, Mr. Speaker, is this: Because we have a Constitution which is the supreme law of the land, and the Constitution has specific enumerated powers of what Congress can and, by absence, cannot do. And the Commerce Clause says that Congress can regulate commerce among the several States. And that's what this administration will be arguing this week, that that one phrase, that Congress can regulate commerce among the several States, gives this body the power to force everyone to purchase a private product, that being health insurance.

So my question to you, Mr. Speaker, is this: If health insurance is a good idea, how about life insurance? Because heaven knows we don't need any more generational debt in this country, Mr. Speaker. It is not fair to pass on debt to subsequent generations. So, before this week is done, why don't we mandate life insurance?

And I've seen study after study after study that good oral health is tantamount to good overall health. So why don't we, before the week is over with, Mr. Speaker, mandate that everyone must purchase dental insurance? If not, why not?

Mr. Speaker, as you know, I was a prosecutor in a former life, so I took great note of two Supreme Court cases, *Lopez* and *Morrison*. In *Lopez*, this body passed the Gun Free School Zone Act, saying we don't want guns on junior high and high school campuses. And the Supreme Court of the United States said, that may be a laudatory public policy position, but Congress

has no business regulating the campus of high schools and junior high schools.

Mr. Speaker, Congress also—and this issue is very near and dear to my heart because I come from a State that has struggled mightily with the issue of domestic violence.

□ 2010

We have struggled mightily with that.

So Congress passed a federalized Violence Against Women Act. In the *United States v. Morrison*, the Supreme Court said that is a very laudable public policy. But the Commerce Clause of the Constitution does not give you the power to tell the several States how to handle domestic violence, and they struck it down.

So we've got to, in this country, somehow find a way to separate what is good public policy from what is the law of the land, because, Mr. Speaker, I will tell you this: if the Supreme Court says that Congress can make you purchase a private product like health insurance, then I beg someone to tell me what are the limits to what we can tell people to do.

Can we make them exercise? We all know that's good for you. If I've got to subsidize the health of people who are obese or have hypertension, why can't I make them exercise? Because this is America, and Congress can't make you exercise. They can encourage you to do it, but they can't make you do it.

Congress can't make you buy dental insurance, and Congress can't make you buy life insurance, and Congress can't make you exercise or get out of the rain when there's lightning. There are lots of things that we ought to do that Congress can't make us do.

If the Supreme Court says that Congress can make you purchase health insurance, Mr. Speaker, that is the end of federalism in this country. There are no limits to what this body can make its citizens do if this law were upheld.

I thank the gentleman from New York, and I thank my other colleagues.

Mr. REED. I thank the gentleman for coming tonight and sharing the passion of what we're talking about when we're talking about ObamaCare and the constitutionality and the concepts of federalism. It reminds me, Mr. Speaker, of over 200 years ago our Founding Fathers had the brilliance, the vision, to recognize that the Federal Government is a limited Federal Government. The power of our government rests in the people, not in the Federal Government. The power of our government represents in the local and State entities that are closest to the people.

I firmly believe in the 10th Amendment and believe that the governments that are closest to the people are the best to be in the position to regulate and govern those people; and we should respect the U.S. Constitution and the limited powers that are enumerated in here, and recognize—and I hope that the United States Supreme Court joins me in that position in recognizing that

there are limits to the Federal Government. The interstate commerce clause has limits, and it's not open-ended in order to force us to purchase health insurance for the sake of forcing us to engage in commerce in order to more effectively regulate interstate commerce.

I so agree with the gentleman from South Carolina. If that is the holding of the Court, then the Federal Government has no bounds. The Federal Government will control every ounce, every corner of our lives on a day-to-day basis.

With that, I would like to yield to the gentleman from Florida (Mr. WEST), whom I so enjoy being a colleague of here as a freshman Member of the U.S. House of Representatives.

Mr. WEST. I want to thank my colleague from New York (Mr. REED), and I want to thank my colleague from South Carolina (Mr. GOWDY) and the previous colleague, Mr. DUNCAN, my freshman class president, my brother from Georgia, and also my colleague from the great State of Arkansas (Mr. GRIFFIN).

Mr. Speaker, very simply, the Supreme Court has begun to consider the legality of the Patient Protection and Affordable Care Act, also referred to as ObamaCare. The High Court will pore over article I, section 8 of the Constitution to determine the meaning behind the words:

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, to regulate commerce with foreign nations and among the several States and with Indian tribes.

The 2012 Supreme Court must now determine whether the Founders had any intention of mandating the behavior of private enterprises and American citizens. To me, Mr. Speaker, the answer is obvious—absolutely not.

Our Nation was founded on the Declaration of Independence. Freedom of choice and a free market are at the core of our Nation's soul. A governmental mandate for the behavior of individuals and private enterprises is anathema to what our Founders intended. The prospect of having an unelected panel of bureaucrats determining fundamental decisions about our individual health is perhaps the most personal and intimate intrusion into our lives.

This concept is absolutely absurd and dangerous law, which surely ranks with the grievances laid down 236 years ago in the Declaration of Independence. Grievances such as:

He has forbidden his governors to pass laws of immediate and pressing importance unless suspended in their operation until his assent should be obtained, and when so suspended he is utterly neglected to attend to them.

He has erected a multitude of new offices and sent hither swarms of officers to harass our people and eat out their substance.

He has combined with others to subject us to a jurisdiction foreign to our Constitution, and unacknowledged by our laws, giving his

assent to their acts of pretended legislation; for imposing taxes on us without our consent; for taking away our charters, abolishing our most valuable laws, and altering fundamentally the forms of our governments.

That's why, Mr. Speaker, each and every day I carry this Declaration of Independence and Constitution right here next to my heart. Because in January of 2011, Florida Federal District Judge C. Roger Vinson ruled the individual mandate unconstitutional, stating "never before has Congress required that everyone buy a product from a private company essentially for life just for being alive and residing in the United States."

If the government has the power to compel an otherwise passive individual into a transaction, it is not hyperbolic to suggest that Congress could do almost anything it wanted, just as my colleague from South Carolina articulated so well.

Today, this prediction is being attempted before our very eyes. With ObamaCare, insurance companies will be forced even to provide contraceptive products free of charge.

But, Mr. Speaker, why just contraception? Will the government next force insurance companies to provide surgical procedures free of charge? Where does it end? Perhaps supermarkets will be compelled to offer apples and carrots free of charge to ensure children have access to healthy food.

Beyond exerting oppressive control over individuals and private enterprises, ObamaCare circumvents the foundation of our own legislative structure.

At the heart of the Affordable Care Act is the Independent Payment Advisory Board, made up of 15 unelected officials appointed by the President to one simple purpose: to reduce Medicare spending. The IPAB will be tasked with and given the authority to reduce costs to the government by, among other things, limiting reimbursements to doctors. It doesn't take a brain surgeon, Mr. Speaker, to recognize that this will lead to more physicians leaving the Medicare system, reducing access to care for our seniors, and limiting available treatments.

But this isn't the most frightening part. Any recommendations that the IPAB automatically brings forth becomes law. The only way around this unprecedented amount of power for Washington bureaucrats is an act of Congress with a three-fifths supermajority in the Senate. In other words, the unelected IPAB, appointed by the President, essentially becomes its own shadow legislative body.

The fundamental structure of our government with three co-equal branches and a careful system of checks and balances is being usurped. Our freedoms and liberties are being chipped away bit by bit. Our country is being transformed step by step, incrementally, into a centrally planned,

stringently controlled, bureaucratic nanny State.

What I find most frightening is that a portion of our populace willingly dons these shackles and like lemmings will march this great constitutional Republic off to its own demise.

Perhaps some Americans are simply unaware of the exorbitant monetary cost of this governmental behemoth. But numbers don't lie, Mr. Speaker, and they are dangerous: \$1.76 trillion from the American taxpayers to pay for ObamaCare over 10 years, nearly double the \$940 billion that was forecast when the bill was signed into law. As a previous Speaker said, "We have to pass the bill in order to find out what is in it."

Fifty-two billion in new taxes on businesses as employers are forced to provide health insurance, \$47 billion in new taxes on drug companies and medical device-makers, costs that will surely be passed down to patients, particularly our senior citizens.

□ 2020

Families earning more than \$250,000 a year will see more taxes as ObamaCare adds a new tax to investment income, including capital gains, dividends, rental income, and royalties; 16,000 new IRS agents; 159 new government agencies and bureaucracies; \$575 billion in cuts to Medicare.

Insurance premiums are expected to increase 1.9 percent to 2.3 percent in 2014 and up to 3.7 percent by 2023 because ObamaCare adds a premium tax on health insurers offering full coverage.

The Patient Protection and Affordable Care Act is unworkable and destined to fail. One need only look back a few years ago to the last Big Government program with the word "affordable" in it. Our colleague from the other side, BARNEY FRANK, brought forth the National Affordable Housing Act, and it, in less than a decade, managed to demolish the housing market, weaken financial institutions, and wipe out the net worth of millions of Americans.

What makes anyone, Mr. Speaker, think government intervention in health care will be successful?

ObamaCare is unconstitutional. As a matter of fact, Mr. Speaker, it is anti-constitutional. It violates those great, inalienable rights that Thomas Jefferson said do not come from man, they come from our Creator—of life, liberty, and the pursuit of happiness. It violates our individual sovereignty. And most certainly it is probably one of the most awful pieces of American policy.

Mr. Speaker, I pray that after next week's Supreme Court decision—or whenever it comes—that this Patient Protection and Affordable Care Act becomes the most short-lived piece of legislation in American history.

Mr. REED. I thank my colleague from Florida.

Mr. AUSTIN SCOTT of Georgia. Will the gentleman yield?

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

Mr. AUSTIN SCOTT of Georgia. After listening to my colleague from Florida, I'm going to tell you it just drives home the point that power corrupts and absolute power corrupts absolutely.

You're talking about a panel that will have control of roughly one-sixth of the United States economy. That means more power in Washington.

I'm going to tell you, ladies and gentlemen, whether you're a Republican or a Democrat or an independent, the more power that rests in this House, the less liberty you have in your house. We're here standing up for your personal freedom and your individual liberties. We're working to make sure that you get a health care system that will continue to support you and your children.

We have over 300 children and grandchildren that we're the parents and grandchildren of in the freshmen class, and that generation is more important than the next election.

Mr. REED. I thank the gentleman, the president of the freshman class, for that input.

What I would like to say in follow-up to the gentleman from Florida, quoting the numbers—and the numbers are real. Just recently, the CBO, the Congressional Budget Office, the independent bean counter of Washington, D.C., said that the real price tag under ObamaCare will be upwards of \$1.76 trillion over 10 years added to our spending in Washington, DC.

We're at \$15.6 trillion in the hole, and we're going to add another \$1.76 trillion to that pricetag, to that debt? It's not sustainable. We have to do better.

We in the House of Representatives on the Republican side do have proposals and solutions that will replace ObamaCare and go a long way to turning that cost curve and our ever-increasing cost of health care in America.

What I would like to do is go beyond the numbers. I can tell you from firsthand experience—and I know a lot of my colleagues believe in this just as I do. When I go back to my district in upstate New York, I go out and I talk to people on the front line. Just recently in the last month and a half, I went to a business just north of Cornell, New York, a small electronics company that's been struggling day after day, just trying to make ends meet.

It has about 48 employees in his operation. As I'm meeting in his office, as I'm talking to him about the future of his business, he stated to me that because of this law, the Affordable Care Act and its 50-employee threshold for the additional bureaucracy and requirements and taxes and penalties that Washington, DC, is putting on that business if he goes over that 50-employee threshold, he told me to my face that he will keep his employee rolls at 48 and not venture down the

path of hiring two more individuals. Those are two more families that won't be getting a paycheck and putting food on their table and having the private capital to put their kids through college because of legislation coming out of Washington, D.C.

Mr. Speaker, we can do better. We will do better.

November 2010, with my freshmen colleagues, was the start of that better governance for all of America, and I'm proud to be a part of this freshman class.

At this point in time, I would love to yield to a fellow colleague of the freshmen class, Mr. GRIFFIN from Arkansas.

Mr. GRIFFIN of Arkansas. Thank you. I appreciate it. I appreciate you putting this together. I'm happy to come over here to the floor of the House to talk about the unconstitutionality of ObamaCare.

Before I talk about the Constitution and ObamaCare, I want to make really clear to folks who may be joining us tonight that all of us here believe that we need serious health care reform in the United States. We know that we need health care reform. There are many parts of our health care system that we need to reform so that it is more efficient and so that we can deal with the rising costs. We get that.

What we don't need is the health care reform that we got. We are not against health care reform. We are against the type of health care reform that we were given with ObamaCare, a government-centered, costly, bureaucratic health care law.

What I favor, and I think a lot of my colleagues favor, is a patient-centered health care reform that focuses on innovation and reducing costs, allowing more competition across State lines for insurance companies so that they can drive the costs down. We are looking for ways to provide quality care, to continue to provide quality care to Americans while reducing costs. I just want to make that really clear. We understand the need for health care reform.

We also understand the need to reform Medicare. We know that we must reform it to save it. The President's health care law, as we've heard some others refer to tonight, doesn't save Medicare. It makes changes. It takes \$500 billion out of Medicare. He also set up an independent board, as we've heard, that will decide where cuts should be made.

Instead of reforming, instead of looking for ways to innovate, it just cuts. Ultimately, it rations Medicare. That's what the President's plan does.

We have a better alternative, a patient-centered alternative.

We're here tonight to talk about the law that we have, the law that I and many of my colleagues voted to repeal, and that is what some call ObamaCare, the President's health care law.

We first have to start out—we're talking about the Constitution—and recognize that this Constitution sets

limits on the power of government. If it does not set limits on the power of government, then what good is it? It's not worth the paper it's written on if it doesn't set limits on government. That's exactly what it does. That's why we have a Constitution in the first place.

The Founders, the people that started this great country, they knew what government overreach could do. They knew what government power out of control could do. The Founders were very specific in providing limitations on government in this document.

When enumerating the powers of Congress, the Constitution clearly presents the power to regulate as separate and distinct from the power to raise and create.

Let me tell you a little more about what I'm talking about here. The issue of whether ObamaCare is constitutional or not boils down to the Commerce Clause. The Commerce Clause of the Constitution gives the Federal Government the ability to regulate commerce. When setting out the powers, the Constitution clearly talks about the power to regulate as separate and distinct from the power to raise and create.

□ 2030

Congress, for example, was given the power to create money and then regulate it. Congress was given the power to raise an Army and then the power to regulate it. But that's not the case with commerce. That's not the case with doing business. Congress was only given the power to regulate commerce, not raise it or create it. The power to raise or create it is not there. For money in the military, the power to regulate does not include the power to raise; rather, it follows it.

So the bottom line here is, there's no power to create commerce, create business transactions where they don't exist. As one of the gentlemen that was here earlier said, Where does it end? If the Federal Government can make you buy insurance, health insurance, can they make you eat your broccoli? Can they make my 2-year-old and 4-year-old eat their broccoli?

I happen to love potato chips. They're probably not the best thing for me. Can you stop me from eating them? If I eat too many during a Razzorback game, does the Congress of the United States have the power to pay say, We've got to cut down on the number of chips people are eating? I say no, Congress does not have the power to do that. But you know what? A lot of folks would say yes, using the same reasoning that they believe they can make you buy health insurance.

And that's ultimately what this debate is about. Yes, it's about health care. It's about the unconstitutionality of ObamaCare, but, more broadly, it's about the Federal Government reaching into your life and telling you how to live it because the Federal Government thinks that it knows best. The

Federal Government thinks it knows what you should eat, when you should eat it, what kind of insurance you ought to buy.

Now, I can't speak for the Founders, but I've got to believe, having read this document and many others that were written around the time of the founding of this country, I've got to believe that they would be outraged, outraged if they knew what was going on in their name, if they knew that the Federal Government was claiming to have the power to do the things that it claims it has the power to do.

Mr. Speaker, this is a critical week in our history because of the arguments that are going on at the Supreme Court, and the decision that comes out of the Supreme Court on this issue will be monumental. I would say, for me and the people that I represent in Arkansas that I talk with when I go home, that we believe that this Constitution establishes a limited government, and that no matter how you interpret it, you have to agree that it sets limits, and the Federal Government cannot force you to do whatever it wants you to do.

Mr. REED. I thank the gentleman from Arkansas.

At this point in time, I yield to the gentleman from Georgia.

Mr. AUSTIN SCOTT of Georgia. I think the gentleman from Arkansas made a wonderful point, that maybe we haven't made enough and should have made more. And that's the difference between a recommendation and a decision.

Oftentimes, we put together many panels of experts to make recommendations to Congress, and then Congress can decide to take action on the recommendation or not to take action. This bill flips that on its head in that a panel of unelected people is going to be convened that are actually going to make the decision. They are taking away the right of the American citizen to make the decision for themselves, completely contrary to what has been done in most cases in the past.

This isn't a recommendation, ladies and gentlemen. This is a decision that is going to be made for you by bureaucrats in Washington, D.C. And I'm going to tell you now that, just like a lot of Americans—both Republicans and Democrats and certainly the Independents—I feel that the people in Washington need to mind their own business and leave Americans alone. And that's the bottom line. People are fed up with it. More power in this House means less personal freedom and individual liberty in your house.

Mr. REED. I thank the gentleman from Georgia.

Mr. GRIFFIN of Arkansas. Will the gentleman yield?

Mr. REED. I yield to the gentleman from Arkansas.

Mr. GRIFFIN of Arkansas. I just wanted to comment on something you said there.

It might be a different debate if this Federal Government operated efficiently and ran everything perfectly, but we don't have a track record to brag on when it comes to managing this sort of thing.

What makes folks think that all the answers are in Washington? Where's the evidence of that? I don't think you can point to it. I think the record shows that when you let States do what is good for them, in particular, and experiment and innovate, try new things, serve as laboratories to learn the best way forward, that's what succeeds. The idea that one size fits all from up here, that's not patient-centered; that's government-centered.

Mr. REED. Reclaiming my time, I so agree with the gentleman from Arkansas, because you are absolutely right.

As you were expressing yourself to the Speaker and to this Chamber and to this floor, you made a comment, that since when does the Federal Government know best? And there are repeated provisions in the 3,000 pages of ObamaCare that clearly show that when the 111th Congress passed this legislation, they truly believed that the Federal Government, Washington, D.C., knew what was best for every individual in America coast to coast, north to south, east to west. You only have to look to the provision that deals with Medicaid, because we're talking a lot tonight about Medicare and IPAB and the provisions of ObamaCare that deal with that.

But look at the provisions dealing with Medicaid and the maintenance of efforts provisions in the law. And what that says, Madam Speaker, is that on the day of the effective date of ObamaCare, the States have to maintain the same level of service under its Medicaid program as was in effect on the date of the effective date of ObamaCare.

What does that mean, Madam Speaker? What does that mean to the State of New York? Well, the State of New York offers what all of my constituents in my district know as the Cadillac plan of Medicaid services. We offer every authorized program that the Federal Government allows under Medicaid. And actually, it's so well known that we're getting influxes of people coming to New York State because of the Medicaid medical services that we provide.

And what is that doing to New York State? Well, let me tell you. In the eight counties that I represent, over 100 percent of our real property tax levy—because we split the Medicaid share 25 percent/25 percent between the State and the local government. So our county tax property bill is equivalent to 100 percent that goes to cover those Medicaid services for our constituents in those eight counties. That means that every county tax bill that goes out, every dollar of that tax levy goes to cover the New York State 25 percent local share of Medicaid costs.

And what does ObamaCare do? It tells our elected officials in New York

State, in Albany, You're handcuffed. You cannot change the level of services under Medicaid.

And what is it doing to other States, such as Texas that doesn't authorize all of the authorized programs at the Federal level for Medicaid services? It forces them to raise up and maintain their level of services under Medicaid.

□ 2040

I've talked with representatives from Texas and they point to New York State and they say New York State should be the example for which Texas should not follow. We should allow the States and the elected officials duly elected to represent the local citizens in those States the ability and discretion to tailor what is best for their States' citizens, not have a one-size-fits-all requirement coming from Washington, D.C., like the maintenance-of-efforts provisions under ObamaCare dictating across the country that what's good in New York is good for what's in California and Texas and everywhere else. Each State is unique.

And that is the wisdom and the vision that our Founding Fathers articulated when they recognized the 10th Amendment in the United States Constitution and have the Federal Government be a limited Federal Government, that its rights are only those enumerated in the Constitution. And if it isn't so enumerated in the Constitution, those powers are retained by the States and by the people in those States, not the Federal Government.

I again yield to my colleague from Georgia.

Mr. AUSTIN SCOTT of Georgia. As I listen to you talk about the individual States out there—the 50 individual States—and I'm from Georgia. The Second Amendment is extremely important to us in Georgia: the right to keep and bear arms. We haven't passed a law on the House floor and passed by the Senate and signed by the President that says every American must own a gun, or a firearm, if you want to be proper about it.

Again, it's those constitutional rights that we as Americans have. It's not for the government. It's for us as individuals. That Constitution guarantees me as a citizen that nobody in Washington can take those things from me. Our Forefathers understood, again, that power corrupts and absolute power corrupts absolutely. They gave us the Constitution. They knew that with the House and the Senate being political bodies and with the President being a political body that eventually something like this would happen in this country. And so they gave us a Court. They gave us a Court with one duty—and that duty is to protect the constitutional rights of the United States citizens. And let's just hope and pray that the Court does its job and upholds our constitutional rights.

With that, I will yield the remainder of any time I have left to my colleague

from New York. Thank you so much for having us here tonight.

Mr. REED. I thank the gentleman from Georgia and for the gentleman's time in joining us on the floor of the House on this critical issue that we face in the U.S. House of Representatives.

What I would like to say in closing, Madam Speaker, is that there are many problems with the Affordable Care Act—there are many problems with ObamaCare—not the least of which is the constitutionality of that law. And let us hope that the United States Supreme Court renders its verdict, and that verdict is just and recognizes that this is an overreach of Federal power and strikes down this law.

But make no mistake about it, Madam Speaker, we in the House of Representatives recognize that there is a problem with health care in America, and those ever-increasing costs that burden Americans across the Nation need to be dealt with. But the solutions—and I know we'll have this conversation on another night, Madam Speaker—but the solutions that we come up with must be based from the patient's point of view, from the individual's point of view, from the patient and the doctor's relationship, not from the perspective of Washington bureaucrats, not from the perspective of a hospital administrator, but from the private relationship between patients and doctors. And I believe if we wholeheartedly agree to that principle, we will solve this problem. But in the end, ObamaCare—the Affordable Care Act—does not accomplish the mission and needs to be repealed. And we'll stand for the repeal today and tomorrow.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. BROWN of Florida (at the request of Ms. PELOSI) for today on account of an event in the district.

Mr. JACKSON of Illinois (at the request of Ms. PELOSI) for today and the balance of the week.

Ms. JACKSON LEE of Texas (at the request of Ms. PELOSI) for today.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on March 22, 2012, she presented to the President of the United States, for his approval, the following bill:

H.R. 473. To provide for the conveyance of approximately 140 acres of land in the Ouachita National Forest in Oklahoma to the Indian Nations Council, Inc., of the Boy Scouts of America, and for other purposes.

Karen L. Haas, Clerk of the House, further reported that on March 23, 2012, she presented to the President of the United States, for his approval, the following bill:

H.R. 886. To require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first Federal law enforcement agency, the United States Marshals Service.

ADJOURNMENT

MR. REED. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 45 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, March 27, 2012, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5397. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Federal Housing Administration (FHA): Suspension of Section 238(c) Single-Family Mortgage Insurance in Military Impacted Areas [Docket No.: FR-5461-F-02] (RIN: 2502-AJ01) received March 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5398. A letter from the Associate General Counsel for Legislation and Regulations, Department of Education, transmitting the Department's final rule — National Institute on Disability and Rehabilitation Research—Disability and Rehabilitation Research Projects and Centers Program—Disability and Rehabilitation Research Project—Center on Knowledge Translation for Disability and Rehabilitation Research Catalog of Federal Domestic Assistance (CFDA) Number: 84.133A-13 received February 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

5399. A letter from the Assistant Secretary for Employment and Training, Department of Labor, transmitting the Department's final rule — YouthBuild Program (RIN: 1205-AB49) received February 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

5400. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Department of Justice, transmitting the Department's final rule — Schedules of Controlled Substances: Extension of Temporary Place of Five Synthetic Cannabinoids Into Schedule I of the Controlled Substances Act [Docket No.: DEA-345] received March 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5401. A letter from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Connect America Fund; A National Broadband Plan for Our Future; Establishing Just and Reasonable Rates for Local Exchange Carriers; High-Cost Universal Service Support; Developing a Unified Intercarrier Compensation Regime; Federal-State Joint Board on Universal Service; Lifeline and Link-Up; Universal Service Reform — Mobility Fund [WC Docket No.: 10-90; GN Docket No.: 09-51; WC Docket No.: 07-135; WC Docket No.: 05-337; CC Docket No.: 01-92; CC Docket No.: 96-45; WC Docket No.: 03-109; WT Docket No.: 10-208] received March 5, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5402. A letter from the Associate Bureau Chief, Federal Communications Commission,

transmitting the Commission's final rule — Implementation of the Commercial Spectrum Enhancement Act and Modernization of the Commission's Competitive Bidding Rules and Procedures; Waiver of Section 1.2110(b)(3)(iv)(A) of the Commission's Rules For the Upper 700 MHz Band D Block License [WT Docket No.: 05-211] received March 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5403. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Amendment to the International Traffic in Arms Regulations: Haiti (RIN: 1400-AD08) received February 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

5404. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Removal of Oman from the Restricted Destination List [NRC-2011-0264] (RIN: 3150-AJ06) received March 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

5405. A letter from the Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-57; Small Entity Compliance Guide [Docket: FAR 2012-0081, Sequence 2] received March 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5406. A letter from the Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-56; Introduction [Docket FAR 2012-0080, Sequence 1] received February 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5407. A letter from the Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-56; Small Entity Compliance Guide [Docket FAR 2011-0081, Sequence 1] received February 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5408. 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 Non-American Fisheries Act Crab Vessels Operating as Catcher/Processors Using Pot Gear in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 101126522-0640-02] (RIN: 0648-XA956) received March 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5409. A letter from the National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Endangered and Threatened Wildlife and Plants; Final Listing Determinations for Two Distinct Populations Segments of Atlantic Sturgeon (*Acipenser oxyrinchus oxyrinchus*) in the Southeast [Docket No.: 090219208-1762-02] (RIN: 0648-XN50) received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5410. A letter from the National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Endangered and Threatened Wildlife and Plants; Threatened and Endangered Status for Distinct Population Segments of Atlantic Sturgeon in the Northeast Region [Docket No.: 100903414-1762-02] (RIN: 0648-XJ00) received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5411. A letter from the Acting Deputy Assistant Administrator For Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Amendment 32 [Docket No.: 100217095-2081-04] (RIN: 0648-AY56) received March 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5412. 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-XA987) received March 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5413. 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 Vessels Using Pot Gear in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 101126522-0640-2] (RIN: 0648-XA922) received March 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5414. A letter from the Acting Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Western Pacific Fisheries; 2012 Annual Catch Limits and Accountability Measures [Docket No.: 110826540-2069-02] (RIN: 0648-XA674) received March 5, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5415. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2008-0415; Directorate Identifier 2007-NM-256-AD; Amendment 39-16904; AD 2011-27-03] (RIN: 2120-AA64) received February 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5416. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; SOCATA Airplanes [Docket No.: FAA-2011-1139; Directorate Identifier 2011-CE-021-AD; Amendment 39-16911; AD 2011-27-09] (RIN: 2120-AA64) received February 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5417. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Schempp-Hirth Flugzeugbau GmbH Gliders [Docket No.: FAA-2011-1155; Directorate Identifier 2011-CE-032-AD; Amendment 39-16913; AD 2012-01-02] (RIN: 2120-AA64) received February 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5418. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BRP-POWERTRAIN GMBH & CO KG Rotax Reciprocating Engines [Docket No.: FAA-2011-1022; Directorate Identifier 2011-NE-20-AD; Amendment 39-16919; AD 2012-01-07] (RIN: 2120-AA64) received February 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5419. A letter from the Program Analyst, Department of Transportation, transmitting

the Department's final rule — Airworthiness Directives; Pratt & Whitney Canada Turbo-prop Engines [Docket No.: FAA-2011-1298; Directorate Identifier 2011-NE-39-AD; Amendment 39-16888; AD 2011-25-12] (RIN: 2120-AA64) received February 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5420. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2012-0037; Directorate Identifier 2012-NM-003-AD; Amendment 39-16935; AD 2012-02-12] (RIN: 2120-AA64) received February 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5421. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Helicopters [Docket No.: FAA-2012-0005; Directorate Identifier 2010-SW-091-AD; Amendment 39-16914; AD 2012-01-03] (RIN: 2120-AA64) received February 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5422. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Helicopters [Docket No.: FAA-2012-0086; Directorate Identifier 2011-SW-045-AD; Amendment 39-16936; AD 2012-02-13] (RIN: 2120-AA64) received February 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5423. A letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Due Date of Initial Application Requirements for State Home Construction Grants (RIN: 2900-AN77) received February 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

5424. A letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Drug and Drug-Related Supply Promotion by Pharmaceutical Company Representatives at VA Facilities (RIN: 2900-AN24) received March 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

5425. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Public Inspection of Material Relating to Tax-Exempt Organizations [TD 9581] (RIN: 1545-BG60) received February 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5426. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Annual price inflation adjustments for passenger automobiles first placed in service or leased in 2012 (Rev. Proc. 2012-23) received March 5, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[The following action occurred on March 23, 2012]

Mr. RYAN of Wisconsin: Committee on the Budget. House Concurrent Resolution 112.

Resolution establishing the budget for the United States Government for fiscal year 2013 and setting forth appropriate budgetary levels for fiscal years 2014 through 2022 (Rept. 112-421). Referred to the Committee of the Whole House on the state of the Union.

[Submitted March 26, 2012]

Mr. WEBSTER: Committee on Rules. House Resolution 595. Resolution providing for consideration of the bill (H.R. 3309) to amend the Communications Act of 1934 to provide for greater transparency and efficiency in the procedures followed by the Federal Communications Commission (Rept. 112-422). Referred to the House Calendar.

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. MULVANEY (for himself, Mr. SCHWEIKERT, Mr. JONES, Mr. QUAYLE, Mrs. MYRICK, Mr. COFFMAN of Colorado, Mr. GARDNER, Mr. PENCE, Mr. GRAVES of Missouri, Mrs. HARTZLER, Mr. ROSS of Arkansas, Mr. BURTON of Indiana, Mr. GOWDY, Mr. WILSON of South Carolina, Mr. CAMPBELL, Mr. LATTI, Mr. AMODEI, Mr. BERG, Mr. RIBBLE, Mr. KELLY, Mr. HARRIS, Mr. LONG, Mr. CARTER, Mr. PAUL, Mr. POSEY, Mr. FLAKE, and Mr. LAMBORN):

H.R. 4256. A bill to direct the Attorney General to revise certain rules under titles II and III of the Americans with Disabilities Act of 1990 relating to accessible means of entry to pools; to the Committee on the Judiciary.

By Mr. ISSA (for himself and Mr. CUMMINGS):

H.R. 4257. A bill to amend chapter 35 of title 44, United States Code, to revise requirements relating to Federal information security, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. McDERMOTT:

H.R. 4258. A bill to ensure free, fair, and competitive elections in the Republic of Georgia; to the Committee on Foreign Affairs.

By Mr. LANKFORD (for himself, Mr. ISSA, Mr. CUMMINGS, Mr. CONNOLLY of Virginia, and Mr. SMITH of New Jersey):

H.R. 4259. A bill to prevent human trafficking in government contracting; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, 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. CLARKE of New York:

H.R. 4260. A bill to amend the Internal Revenue Code of 1986 to allow an income disparity tax credit; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 4261. A bill to direct the Secretary of Labor to establish a competitive grant program for community colleges to train veterans for local jobs; to the Committee on Veterans' Affairs.

By Mr. PALLONE (for himself and Mr. DINGELL):

H.R. 4262. A bill to amend the Federal Food, Drug, and Cosmetic Act to improve the safety of cosmetics; to the Committee on Energy and Commerce.

By Mr. FRANKS of Arizona (for himself and Mr. COSTA):

H.J. Res. 106. A joint resolution proposing an amendment to the Constitution of the

United States to protect the rights of crime victims; to the Committee on the Judiciary.

By Mr. GARRETT:

H. Con. Res. 113. Concurrent resolution establishing the budget for the United States Government for fiscal year 2013 and setting forth appropriate budgetary levels for fiscal year 2012 and fiscal years 2014 through 2022; to the Committee on the Budget.

By Mr. MCCAUL (for himself and Mr. LANGEVIN):

H. Con. Res. 114. Concurrent resolution expressing the sense of Congress that the United States should preserve, enhance, and increase access to an open, global Internet; to the Committee on Foreign Affairs.

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. MULVANEY:

H.R. 4256.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18. "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

Article I, Section 8, Clause 3. "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

The 14th Amendment to the Constitution. "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws . . . The Congress shall have power to enforce, by appropriate legislation, the provisions of this article."

By Mr. ISSA:

H.R. 4257.

Congress has the power to enact this legislation pursuant to the following:

Art. I, Sec. 8

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;

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 Government of the United States or in any Department or Officer thereof.

By Mr. McDERMOTT:

H.R. 4258.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. LANKFORD:

H.R. 4259.

Congress has the power to enact this legislation pursuant to the following:

Art. I, Sec. 8

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 Ms. CLARKE of New York:

H.R. 4260.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution

By Mr. ISRAEL:

H.R. 4261.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Mr. PALLONE:

H.R. 4262.

Congress has the power to enact this legislation pursuant to the following: section 8 of article I of the Constitution.

By Mr. FRANKS of Arizona:

H.J. Res. 106.

Congress has the power to enact this legislation pursuant to the following:

The Victims' Rights Amendment is introduced pursuant to Article V: "The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution . . ."

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 9: Mrs. MYRICK, Mr. AKIN, Ms. GRANGER, Mr. RIVERA, Mr. GALLEGLY, Mr. KINZINGER of Illinois, Mr. KLINE, Mr. MICA, Mrs. NOEM, Mr. AUSTRIA, Mr. CANSECO, and Mr. WALDEN.

H.R. 14: Mr. HIMES, Mr. DEUTCH, Ms. ESHOO, Ms. BONAMICI, Mrs. MCCARTHY of New York, Ms. FUDGE, Mr. MCDERMOTT, Ms. BASS of California, and Mr. HINCHEY.

H.R. 178: Mr. AL GREEN of Texas, Mr. AUSTRIA, and Ms. KAPTUR.

H.R. 186: Mr. RIGELL.

H.R. 190: Ms. HAHN.

H.R. 205: Ms. BALDWIN.

H.R. 300: Ms. CHU.

H.R. 361: Mr. GOSAR.

H.R. 365: Mr. AL GREEN of Texas.

H.R. 458: Mr. BLUMENAUER, Mr. HINOJOSA, and Mr. HONDA.

H.R. 459: Mr. STIVERS.

H.R. 494: Mr. HASTINGS of Florida and Mr. SCOTT of Virginia.

H.R. 575: Mrs. McMORRIS RODGERS.

H.R. 870: Ms. CLARKE of New York.

H.R. 964: Mr. NADLER, Mr. ISRAEL, and Mr. OWENS.

H.R. 973: Mr. BUCHANAN.

H.R. 1004: Mr. SAM JOHNSON of Texas.

H.R. 1005: Mr. ROSS of Arkansas.

H.R. 1195: Mr. GRIFFITH of Virginia.

H.R. 1219: Mr. REYES.

H.R. 1244: Mr. CHABOT.

H.R. 1332: Ms. BASS of California.

H.R. 1356: Mr. GALLEGLY.

H.R. 1370: Mr. COLE.

H.R. 1523: Ms. NORTON.

H.R. 1561: Mr. MICHAUD.

H.R. 1612: Mr. JONES.

H.R. 1639: Mr. BONNER.

H.R. 1711: Mr. FILNER.

H.R. 1738: Mr. DEFazio.

H.R. 1755: Mr. REICHERT.

H.R. 1873: Mr. BACA.

H.R. 1895: Mr. NEAL, Mr. KEATING, and Mr. MCGOVERN.

H.R. 1960: Mr. COSTA.

H.R. 1971: Mr. DOGGETT.

H.R. 2106: Mr. PIERLUISI and Mr. LARSEN of Washington.

H.R. 2139: Mr. WALDEN, Mr. BRALEY of Iowa, Mr. ROSS of Florida, and Mr. BROOKS.

H.R. 2179: Mr. LATTA.

H.R. 2245: Ms. ZOE LOFGREN of California, Mr. THOMPSON of California, Mr. DEUTCH, Ms. SPEIER, and Ms. DELAURO.

H.R. 2299: Mr. QUAYLE, Mr. ROSS of Florida, Mr. MURPHY of Pennsylvania, Mr. CRAVAACK, and Mr. POE of Texas.

H.R. 2310: Mr. SMITH of Washington.

H.R. 2346: Mr. CARNAHAN.

H.R. 2529: Mr. GOSAR.

H.R. 2569: Mr. CROWLEY and Mr. CLARKE of Michigan.

H.R. 2607: Mr. MORAN and Mr. ELLISON.

H.R. 2679: Mr. DINGELL and Mr. THOMPSON of California.

H.R. 2696: Ms. BONAMICI.

H.R. 2721: Mr. RICHMOND, Mr. LEWIS of Georgia, Ms. LEE of California, Mrs. CHRISTENSEN, Ms. JACKSON LEE of Texas, Mr. DAVIS of Illinois, Ms. RICHARDSON, Mr. RUSH, Ms. HIRONO, Mr. STARK, Mr. NORTON, Mr. JACKSON of Illinois, Mr. TOWNS, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. EDWARDS, Mr. CUMMINGS, Mr. TIERNEY, Mr. SHERMAN, Mr. CONNOLLY of Virginia, Ms. FUDGE, Mr. GARAMENDI, Ms. WATERS, Ms. DEGETTE, Ms. MOORE, Mr. CLARKE of Michigan, Mr. MEEKS, Ms. CHU, Mr. DOYLE, Mr. COHEN, and Ms. SEWELL.

H.R. 2733: Mr. BRALEY of Iowa and Mr. LATHAM.

H.R. 2755: Mr. DEUTCH.

H.R. 2795: Mr. GRIJALVA.

H.R. 2827: Mr. AMODEI, Mr. BOREN, Mr. LANCE, and Mr. WALSH of Illinois.

H.R. 2866: Mr. RUNYAN and Mr. SMITH of New Jersey.

H.R. 3001: Mr. RYAN of Ohio, Mr. GIBSON, Mr. FINCHER, Mr. CRENSHAW, Mr. BILBRAY, Mr. COLE, Mr. BACHUS, Mr. BUCHANAN, Mr. HARPER, Mr. AUSTRIA, Mr. WITTMAN, Mr. MARCHANT, Mrs. BLACKBURN, Mr. FLEMING, Mrs. HARTZLER, Mr. QUAYLE, Mr. MCHENRY, Mr. TURNER of New York, Mr. KING of New York, Mr. FALBOMAVAEGA, Ms. BUERKLE, Mr. LANGEVIN, Ms. NORTON, Mr. LANCE, Ms. MCCOLLUM, Mr. SHIMKUS, and Mr. JOHNSON of Illinois.

H.R. 3059: Mr. HARPER.

H.R. 3065: Mr. FORBES and Mr. JOHNSON of Ohio.

H.R. 3066: Mr. BARROW.

H.R. 3151: Mr. MORAN.

H.R. 3187: Mr. FARR, Mr. WOMACK, Mr. CLAY, Mr. KISSELL, and Ms. CLARKE of New York.

H.R. 3238: Mr. MARKEY, Mr. LARSON of Connecticut, and Mr. CAPUANO.

H.R. 3286: Ms. ESHOO.

H.R. 3298: Ms. BORDALLO, Ms. BROWN of Florida, Mr. GENE GREEN of Texas, and Ms. HIRONO.

H.R. 3307: Ms. PINGREE of Maine.

H.R. 3364: Mr. ISRAEL, Mr. SARBANES, and Ms. RICHARDSON.

H.R. 3395: Mrs. BLACKBURN.

H.R. 3461: Ms. WASSERMAN SCHULTZ, Mr. WALSH of Illinois, Mr. GIBBS, Mr. FARENTHOLD, Mr. LANCE, Mr. BOUSTANY, Mr. BOSWELL, and Mrs. ADAMS.

H.R. 3587: Ms. WOOLSEY.

H.R. 3590: Mr. FILNER.

H.R. 3596: Mr. MCNERNEY, Mrs. CAPPS, Mr. AL GREEN of Texas, Mr. PETERSON, and Mr. CLARKE of Michigan.

H.R. 3612: Mr. GRIJALVA and Mr. DOYLE.

H.R. 3654: Mr. COURTNEY.

H.R. 3667: Mr. BOREN.

H.R. 3767: Mr. CRENDHAW, Mrs. McMORRIS RODGERS, Mrs. HARTZLER, Mrs. ELLMERS, Mr. LATTA, and Mrs. SCHMIDT.

H.R. 3803: Mr. ROKITA.

H.R. 3826: Mrs. DAVIS of California, Ms. ZOE LOFGREN of California, Mr. CONYERS, and Mr. GENE GREEN of Texas.

H.R. 3839: Mr. ACKERMAN.

H.R. 3849: Mrs. BLACKBURN, Mr. PALAZZO, Mr. MANZULLO, Mr. RAHALL, Mr. NUNNELEE, and Mr. BOSWELL.

H.R. 3860: Mr. BACA and Mr. FILNER.

H.R. 3895: Mr. RIGELL and Mr. ROSS of Florida.

H.R. 3904: Mr. CUELLAR.

H.R. 3987: Mr. TIPTON.

H.R. 3993: Mr. GERLACH, Mr. RANGEL, and Ms. PINGREE of Maine.

H.R. 4045: Mr. BRALEY of Iowa, Mr. ELLISON, Mr. HUNTER, Mr. SABLAN, Mr. POE of Texas, and Mr. LATTA.

H.R. 4070: Mr. FILNER.

H.R. 4077: Mr. PITTS and Mr. ISRAEL.

H.R. 4089: Mr. HUNTER.

H.R. 4095: Mr. BOREN.

H.R. 4122: Mr. CONNOLLY of Virginia, Mr. GRIJALVA, and Mr. MORAN.

H.R. 4124: Mr. STARK and Mr. ROSS of Arkansas.

H.R. 4134: Mr. COLE, Mr. YODER, Mr. JONES, Mr. SULLIVAN, and Mr. BOSWELL.

H.R. 4136: Mr. BERG.

H.R. 4160: Mr. PENCE.

H.R. 4169: Mr. SCHOCK, Mr. ISRAEL, and Mr. CICILLINE.

H.R. 4170: Ms. SCHAKOWSKY.

H.R. 4173: Mr. BLUMENAUER and Mr. FARR.

H.R. 4176: Mr. WALBERG and Mr. PENCE.

H.R. 4197: Mrs. LOWEY.

H.R. 4199: Mr. SCOTT of Virginia.

H.R. 4202: Mr. GEORGE MILLER of California.

H.R. 4203: Mr. TIPTON.

H.R. 4210: Mr. DINGELL.

H.R. 4215: Mr. DOGGETT.

H.R. 4232: Mr. JOHNSON of Ohio.

H.R. 4251: Mr. RIGELL.

H. Res. 134: Mr. SCHOCK.

H. Res. 460: Mr. QUIGLEY, Mr. VAN HOLLEN, Ms. BONAMICI, and Mr. PASCRELL.

H. Res. 506: Mr. POE of Texas.

H. Res. 560: Ms. BROWN of Florida.

H. Res. 568: Mr. YOUNG of Indiana, Mr. DENHAM, Mr. RENACCI, Mr. ROGERS of Alabama, Mr. CLARKE of Michigan, Ms. LORETTA SANCHEZ of California, Mr. REHBERG, Mrs. BIGGERT, Mr. COURTNEY, Mr. PALAZZO, Mr. GERLACH, Mr. DANIEL E. LUNGREN of California, Mr. GARRETT, Mr. SESSIONS, Mr. WOLF, Mr. DOYLE, Ms. CASTOR of Florida, Mr. PALLONE, Mr. GRIFFIN of Arkansas, Mr. AUSTRIA, Mr. LATOURETTE, Mr. MACK, Mr. GOSAR, Ms. SEWELL, Mr. FILNER, Mr. GRIMM, Mr. SARBANES, Ms. SLAUGHTER, Mr. POSEY, Mr. GRAVES of Missouri, Ms. BUERKLE, Mr. BARTLETT, Mr. WOMACK, Mr. HARPER, Ms. MATSUI, Mr. GRAVES of Georgia, Mr. RIBBLE, and Mr. SMITH of Nebraska.

H. Res. 573: Mr. ROTHMAN of New Jersey.

H. Res. 583: Mr. MCCAUL, Mr. CALVERT, Mr. BACHUS, Mr. WOLF, Mr. COLE, and Mr. GALLEGLY.

H. Res. 584: Ms. BORDALLO.

H. Res. 592: Mr. SCOTT of South Carolina, Mr. RIGELL, Mr. DICKS, Mr. MCCAUL, Mrs. DAVIS of California, Mr. ROSS of Florida, Mr. PASCRELL, and Mr. RUPPERSBERGER.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H. Con. Res. 112

OFFERED BY: Mr. HONDA

AMENDMENT No. 1: Strike all after the resolving clause and insert the following:

SECTION 1. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2013 through 2022:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2013: \$2,197,368,000.

Fiscal year 2014: \$2,612,409,000.

Fiscal year 2015: \$2,881,422,000.

Fiscal year 2016: \$3,106,522,000.

Fiscal year 2017: \$3,301,143,000.

Fiscal year 2018: \$3,452,783,000.

Fiscal year 2019: \$3,660,783,000.

Fiscal year 2020: \$3,855,297,000.

Fiscal year 2021: \$4,043,898,000.

Fiscal year 2022: \$4,236,911,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2013: –\$74,614,000,000.

Fiscal year 2014: \$115,212,000,000.

Fiscal year 2015: \$156,357,000,000.

Fiscal year 2016: \$220,790,000,000.

Fiscal year 2017: \$279,347,000,000.

Fiscal year 2018: \$291,219,000,000.

Fiscal year 2019: \$342,648,000,000.

Fiscal year 2020: \$356,393,000,000.

Fiscal year 2021: \$353,732,000,000.

Fiscal year 2022: \$345,788,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2013: \$3,309,878,000,000.

Fiscal year 2014: \$3,255,223,000,000.

Fiscal year 2015: \$3,353,099,000,000.

Fiscal year 2016: \$3,524,427,000,000.

Fiscal year 2017: \$3,677,543,000,000.

Fiscal year 2018: \$3,829,402,000,000.

Fiscal year 2019: \$4,044,242,000,000.

Fiscal year 2020: \$4,257,245,000,000.

Fiscal year 2021: \$4,444,546,000,000.

Fiscal year 2022: \$4,698,785,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2013: \$3,287,716,000,000.

Fiscal year 2014: \$3,261,796,000,000.

Fiscal year 2015: \$3,352,964,000,000.

Fiscal year 2016: \$3,532,436,000,000.

Fiscal year 2017: \$3,649,001,000,000.

Fiscal year 2018: \$3,783,230,000,000.

Fiscal year 2019: \$3,998,222,000,000.

Fiscal year 2020: \$4,194,577,000,000.

Fiscal year 2021: \$4,395,373,000,000.

Fiscal year 2022: \$4,657,085,000,000.

(4) DEFICITS (ON-BUDGET).—For purposes of the enforcement of this resolution, the amounts of the deficits (on-budget) are as follows:

Fiscal year 2013: –\$1,090,348,000,000.

Fiscal year 2014: –\$649,387,000.

Fiscal year 2015: –\$471,542,000.

Fiscal year 2016: –\$425,914,000.

Fiscal year 2017: –\$347,858,000.

Fiscal year 2018: –\$330,447,000.

Fiscal year 2019: –\$337,439,000.

Fiscal year 2020: –\$339,280,000.

Fiscal year 2021: –\$351,475,000.

Fiscal year 2022: –\$420,174,000.

(5) DEBT SUBJECT TO LIMIT.—The appropriate levels of the public debt are as follows:

Fiscal year 2013: \$17,467,000,000,000.

Fiscal year 2014: \$18,240,000,000,000.

Fiscal year 2015: \$18,804,000,000,000.

Fiscal year 2016: \$19,308,000,000,000.

Fiscal year 2017: \$19,733,000,000,000.

Fiscal year 2018: \$20,129,000,000,000.

Fiscal year 2019: \$20,506,000,000,000.

Fiscal year 2020: \$20,867,000,000,000.

Fiscal year 2021: \$21,223,000,000,000.

Fiscal year 2022: \$21,621,000,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2013: \$12,655,000,000,000.

Fiscal year 2014: \$13,331,000,000,000.

Fiscal year 2015: \$13,787,000,000,000.

Fiscal year 2016: \$14,152,000,000,000.

Fiscal year 2017: \$14,390,000,000,000.

Fiscal year 2018: \$14,577,000,000,000.

Fiscal year 2019: \$14,755,000,000,000.

Fiscal year 2020: \$14,927,000,000,000.

Fiscal year 2021: \$15,107,000,000,000.

Fiscal year 2022: \$15,357,000,000,000.

SEC. 2. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2013 through 2022 for each major functional category are:

(1) National Defense (050):

Fiscal year 2013:

(A) New budget authority, \$659,719,000,000.

(B) Outlays, \$669,687,000,000.

Fiscal year 2014:

(A) New budget authority, \$532,574,000,000.

(B) Outlays, \$585,818,000,000.

Fiscal year 2015:

(A) New budget authority, \$526,836,000,000.

(B) Outlays, \$546,976,000,000.

Fiscal year 2016:

(A) New budget authority, \$528,581,000,000.

(B) Outlays, \$539,638,000,000.

Fiscal year 2017:

(A) New budget authority, \$539,841,000,000.

(B) Outlays, \$536,425,000,000.

Fiscal year 2018:

(A) New budget authority, \$551,797,000,000.

(B) Outlays, \$537,397,000,000.

Fiscal year 2019:

(A) New budget authority, \$560,862,000,000.

(B) Outlays, \$551,693,000,000.

Fiscal year 2020:

(A) New budget authority, \$571,661,000,000.

(B) Outlays, \$561,905,000,000.

Fiscal year 2021:

(A) New budget authority, \$586,462,000,000.

(B) Outlays, \$574,908,000,000.

Fiscal year 2022:

(A) New budget authority, \$601,815,000,000.

(B) Outlays, \$595,149,000,000.

(2) International Affairs (150):

Fiscal year 2013:

(A) New budget authority, \$73,837,000,000.

(B) Outlays, \$64,498,000,000.

Fiscal year 2014:

(A) New budget authority, \$66,309,000,000.

(B) Outlays, \$66,844,000,000.

Fiscal year 2015:

(A) New budget authority, \$62,079,000,000.

(B) Outlays, \$65,518,000,000.

Fiscal year 2016:

(A) New budget authority, \$59,507,000,000.

(B) Outlays, \$64,501,000,000.

Fiscal year 2017:

(A) New budget authority, \$62,004,000,000.

(B) Outlays, \$64,334,000,000.

Fiscal year 2018:

(A) New budget authority, \$64,068,000,000.

(B) Outlays, \$64,237,000,000.

Fiscal year 2019:

(A) New budget authority, \$65,148,000,000.

(B) Outlays, \$63,132,000,000.

Fiscal year 2020:

(A) New budget authority, \$66,977,000,000.

(B) Outlays, \$63,515,000,000.

Fiscal year 2021:

(A) New budget authority, \$68,872,000,000.

(B) Outlays, \$65,132,000,000.

Fiscal year 2022:

(A) New budget authority, \$71,074,000,000.

(B) Outlays, \$67,005,000,000.

(3) General Science, Space, and Technology (250):

Fiscal year 2013:

(A) New budget authority, \$37,106,000,000.

(B) Outlays, \$35,204,000,000.

Fiscal year 2014:

(A) New budget authority, \$40,096,000,000.

(B) Outlays, \$38,135,000,000.

Fiscal year 2015:

(A) New budget authority, \$39,366,000,000.

(B) Outlays, \$38,957,000,000.

Fiscal year 2016:

(A) New budget authority, \$38,701,000,000.

(B) Outlays, \$38,875,000,000.

Fiscal year 2017:

(A) New budget authority, \$39,331,000,000.

(B) Outlays, \$39,142,000,000.

Fiscal year 2018:

(A) New budget authority, \$40,034,000,000.

(B) Outlays, \$39,687,000,000.

Fiscal year 2019:

(A) New budget authority, \$40,742,000,000.

(B) Outlays, \$40,260,000,000.

Fiscal year 2020:

(A) New budget authority, \$41,821,000,000.

(B) Outlays, \$41,127,000,000.

- Fiscal year 2021:
 - (A) New budget authority, \$42,936,000,000.
 - (B) Outlays, \$42,068,000,000.
- Fiscal year 2022:
 - (A) New budget authority, \$44,073,000,000.
 - (B) Outlays, \$43,163,000,000.
- (4) Energy (270):
 - Fiscal year 2013:
 - (A) New budget authority, \$22,101,000,000.
 - (B) Outlays, \$21,223,000,000.
 - Fiscal year 2014:
 - (A) New budget authority, \$25,537,000,000.
 - (B) Outlays, \$22,344,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, \$22,580,000,000.
 - (B) Outlays, \$22,315,000,000.
 - Fiscal year 2016:
 - (A) New budget authority, \$20,022,000,000.
 - (B) Outlays, \$21,198,000,000.
 - Fiscal year 2017:
 - (A) New budget authority, \$19,741,000,000.
 - (B) Outlays, \$20,124,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$19,586,000,000.
 - (B) Outlays, \$19,336,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, \$19,523,000,000.
 - (B) Outlays, \$19,308,000,000.
 - Fiscal year 2020:
 - (A) New budget authority, \$20,223,000,000.
 - (B) Outlays, \$19,476,000,000.
 - Fiscal year 2021:
 - (A) New budget authority, \$20,896,000,000.
 - (B) Outlays, \$19,984,000,000.
 - Fiscal year 2022:
 - (A) New budget authority, \$21,716,000,000.
 - (B) Outlays, \$20,693,000,000.
- (5) Natural Resources and Environment (300):
 - Fiscal year 2013:
 - (A) New budget authority, \$46,024,000,000.
 - (B) Outlays, \$46,772,000,000.
 - Fiscal year 2014:
 - (A) New budget authority, \$48,969,000,000.
 - (B) Outlays, \$49,207,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, \$48,398,000,000.
 - (B) Outlays, \$49,941,000,000.
 - Fiscal year 2016:
 - (A) New budget authority, \$48,221,000,000.
 - (B) Outlays, \$49,503,000,000.
 - Fiscal year 2017:
 - (A) New budget authority, \$49,558,000,000.
 - (B) Outlays, \$50,232,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$51,348,000,000.
 - (B) Outlays, \$50,517,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, \$52,593,000,000.
 - (B) Outlays, \$51,636,000,000.
 - Fiscal year 2020:
 - (A) New budget authority, \$54,599,000,000.
 - (B) Outlays, \$53,234,000,000.
 - Fiscal year 2021:
 - (A) New budget authority, \$55,593,000,000.
 - (B) Outlays, \$54,455,000,000.
 - Fiscal year 2022:
 - (A) New budget authority, \$57,150,000,000.
 - (B) Outlays, \$55,777,000,000.
- (6) Agriculture (350):
 - Fiscal year 2013:
 - (A) New budget authority, \$21,228,000,000.
 - (B) Outlays, \$24,125,000,000.
 - Fiscal year 2014:
 - (A) New budget authority, \$17,892,000,000.
 - (B) Outlays, \$17,723,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, \$18,721,000,000.
 - (B) Outlays, \$18,214,000,000.
 - Fiscal year 2016:
 - (A) New budget authority, \$19,944,000,000.
 - (B) Outlays, \$19,494,000,000.
 - Fiscal year 2017:
 - (A) New budget authority, \$19,796,000,000.
 - (B) Outlays, \$19,333,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$18,887,000,000.
 - (B) Outlays, \$18,362,000,000.
- Fiscal year 2019:
 - (A) New budget authority, \$17,823,000,000.
 - (B) Outlays, \$17,343,000,000.
- Fiscal year 2020:
 - (A) New budget authority, \$18,066,000,000.
 - (B) Outlays, \$17,617,000,000.
- Fiscal year 2021:
 - (A) New budget authority, \$18,592,000,000.
 - (B) Outlays, \$18,131,000,000.
- Fiscal year 2022:
 - (A) New budget authority, \$18,947,000,000.
 - (B) Outlays, \$18,495,000,000.
- (7) Commerce and Housing Credit (370):
 - Fiscal year 2013:
 - (A) New budget authority, \$10,502,000,000.
 - (B) Outlays, \$11,855,000,000.
 - Fiscal year 2014:
 - (A) New budget authority, \$19,282,000,000.
 - (B) Outlays, \$6,586,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, \$18,044,000,000.
 - (B) Outlays, \$5,505,000,000.
 - Fiscal year 2016:
 - (A) New budget authority, \$17,529,000,000.
 - (B) Outlays, \$3,152,000,000.
 - Fiscal year 2017:
 - (A) New budget authority, \$19,060,000,000.
 - (B) Outlays, \$2,846,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$20,636,000,000.
 - (B) Outlays, \$3,592,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, \$22,134,000,000.
 - (B) Outlays, -\$853,000,000.
 - Fiscal year 2020:
 - (A) New budget authority, \$24,229,000,000.
 - (B) Outlays, \$362,000,000.
 - Fiscal year 2021:
 - (A) New budget authority, \$25,554,000,000.
 - (B) Outlays, \$8,580,000,000.
 - Fiscal year 2022:
 - (A) New budget authority, \$30,812,000,000.
 - (B) Outlays, \$12,616,000,000.
- (8) Transportation (400):
 - Fiscal year 2013:
 - (A) New budget authority, \$105,774,000,000.
 - (B) Outlays, \$105,474,000,000.
 - Fiscal year 2014:
 - (A) New budget authority, \$112,473,000,000.
 - (B) Outlays, \$108,565,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, \$119,935,000,000.
 - (B) Outlays, \$113,853,000,000.
 - Fiscal year 2016:
 - (A) New budget authority, \$126,924,000,000.
 - (B) Outlays, \$119,215,000,000.
 - Fiscal year 2017:
 - (A) New budget authority, \$133,899,000,000.
 - (B) Outlays, \$124,357,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$130,944,000,000.
 - (B) Outlays, \$127,535,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, \$132,922,000,000.
 - (B) Outlays, \$130,484,000,000.
 - Fiscal year 2020:
 - (A) New budget authority, \$134,989,000,000.
 - (B) Outlays, \$132,385,000,000.
 - Fiscal year 2021:
 - (A) New budget authority, \$137,095,000,000.
 - (B) Outlays, \$133,770,000,000.
 - Fiscal year 2022:
 - (A) New budget authority, \$139,283,000,000.
 - (B) Outlays, \$136,230,000,000.
- (9) Community and Regional Development (450):
 - Fiscal year 2013:
 - (A) New budget authority, \$26,408,000,000.
 - (B) Outlays, \$29,335,000,000.
 - Fiscal year 2014:
 - (A) New budget authority, \$29,083,000,000.
 - (B) Outlays, \$30,381,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, \$28,155,000,000.
 - (B) Outlays, \$30,848,000,000.
 - Fiscal year 2016:
 - (A) New budget authority, \$27,273,000,000.
 - (B) Outlays, \$28,966,000,000.
- Fiscal year 2017:
 - (A) New budget authority, \$27,679,000,000.
 - (B) Outlays, \$27,929,000,000.
- Fiscal year 2018:
 - (A) New budget authority, \$28,124,000,000.
 - (B) Outlays, \$27,607,000,000.
- Fiscal year 2019:
 - (A) New budget authority, \$28,575,000,000.
 - (B) Outlays, \$27,684,000,000.
- Fiscal year 2020:
 - (A) New budget authority, \$29,381,000,000.
 - (B) Outlays, \$28,194,000,000.
- Fiscal year 2021:
 - (A) New budget authority, \$30,215,000,000.
 - (B) Outlays, \$28,943,000,000.
- Fiscal year 2022:
 - (A) New budget authority, \$31,072,000,000.
 - (B) Outlays, \$29,813,000,000.
- (10) Education, Training, Employment, and Social Services (500):
 - Fiscal year 2013:
 - (A) New budget authority, \$215,477,000,000.
 - (B) Outlays, \$216,894,000,000.
 - Fiscal year 2014:
 - (A) New budget authority, \$133,185,000,000.
 - (B) Outlays, \$134,848,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, \$108,627,000,000.
 - (B) Outlays, \$108,401,000,000.
 - Fiscal year 2016:
 - (A) New budget authority, \$113,637,000,000.
 - (B) Outlays, \$113,530,000,000.
 - Fiscal year 2017:
 - (A) New budget authority, \$124,002,000,000.
 - (B) Outlays, \$120,819,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$128,980,000,000.
 - (B) Outlays, \$127,822,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, \$133,164,000,000.
 - (B) Outlays, \$131,731,000,000.
 - Fiscal year 2020:
 - (A) New budget authority, \$135,479,000,000.
 - (B) Outlays, \$134,698,000,000.
 - Fiscal year 2021:
 - (A) New budget authority, \$138,104,000,000.
 - (B) Outlays, \$137,088,000,000.
 - Fiscal year 2022:
 - (A) New budget authority, \$141,118,000,000.
 - (B) Outlays, \$139,748,000,000.
- (11) Health (550):
 - Fiscal year 2013:
 - (A) New budget authority, \$392,643,000,000.
 - (B) Outlays, \$383,806,000,000.
 - Fiscal year 2014:
 - (A) New budget authority, \$490,114,000,000.
 - (B) Outlays, \$475,603,000,000.
 - Fiscal year 2015:
 - (A) New budget authority, \$558,189,000,000.
 - (B) Outlays, \$552,620,000,000.
 - Fiscal year 2016:
 - (A) New budget authority, \$605,699,000,000.
 - (B) Outlays, \$609,918,000,000.
 - Fiscal year 2017:
 - (A) New budget authority, \$649,911,000,000.
 - (B) Outlays, \$652,349,000,000.
 - Fiscal year 2018:
 - (A) New budget authority, \$687,213,000,000.
 - (B) Outlays, \$685,849,000,000.
 - Fiscal year 2019:
 - (A) New budget authority, \$729,703,000,000.
 - (B) Outlays, \$728,299,000,000.
 - Fiscal year 2020:
 - (A) New budget authority, \$784,569,000,000.
 - (B) Outlays, \$772,420,000,000.
 - Fiscal year 2021:
 - (A) New budget authority, \$825,999,000,000.
 - (B) Outlays, \$823,927,000,000.
 - Fiscal year 2022:
 - (A) New budget authority, \$882,501,000,000.
 - (B) Outlays, \$879,975,000,000.
- (12) Medicare (570):
 - Fiscal year 2013:
 - (A) New budget authority, \$528,399,000,000.
 - (B) Outlays, \$528,311,000,000.
 - Fiscal year 2014:
 - (A) New budget authority, \$553,553,000,000.
 - (B) Outlays, \$552,856,000,000.

Fiscal year 2015:

(A) New budget authority, \$579,388,000,000.
 (B) Outlays, \$578,948,000,000.

Fiscal year 2016:

(A) New budget authority, \$629,995,000,000.
 (B) Outlays, \$629,761,000,000.

Fiscal year 2017:

(A) New budget authority, \$648,217,000,000.
 (B) Outlays, \$647,496,000,000.

Fiscal year 2018:

(A) New budget authority, \$670,465,000,000.
 (B) Outlays, \$670,015,000,000.

Fiscal year 2019:

(A) New budget authority, \$733,652,000,000.
 (B) Outlays, \$733,400,000,000.

Fiscal year 2020:

(A) New budget authority, \$786,074,000,000.
 (B) Outlays, \$785,321,000,000.

Fiscal year 2021:

(A) New budget authority, \$837,885,000,000.
 (B) Outlays, \$837,396,000,000.

Fiscal year 2022:

(A) New budget authority, \$917,799,000,000.
 (B) Outlays, \$917,656,000,000.

(13) Income Security (600):

Fiscal year 2013:

(A) New budget authority, \$600,167,000,000.
 (B) Outlays, \$589,067,000,000.

Fiscal year 2014:

(A) New budget authority, \$622,434,000,000.
 (B) Outlays, \$611,955,000,000.

Fiscal year 2015:

(A) New budget authority, \$620,983,000,000.
 (B) Outlays, \$617,542,000,000.

Fiscal year 2016:

(A) New budget authority, \$611,032,000,000.
 (B) Outlays, \$614,698,000,000.

Fiscal year 2017:

(A) New budget authority, \$604,154,000,000.
 (B) Outlays, \$602,171,000,000.

Fiscal year 2018:

(A) New budget authority, \$607,469,000,000.
 (B) Outlays, \$600,968,000,000.

Fiscal year 2019:

(A) New budget authority, \$625,364,000,000.
 (B) Outlays, \$623,236,000,000.

Fiscal year 2020:

(A) New budget authority, \$640,917,000,000.
 (B) Outlays, \$638,419,000,000.

Fiscal year 2021:

(A) New budget authority, \$658,585,000,000.
 (B) Outlays, \$655,964,000,000.

Fiscal year 2022:

(A) New budget authority, \$681,071,000,000.
 (B) Outlays, \$683,338,000,000.

(14) Social Security (650):

Fiscal year 2013:

(A) New budget authority, \$53,216,000,000.
 (B) Outlays, \$53,296,000,000.

Fiscal year 2014:

(A) New budget authority, \$31,892,000,000.
 (B) Outlays, \$32,002,000,000.

Fiscal year 2015:

(A) New budget authority, \$35,135,000,000.
 (B) Outlays, \$35,210,000,000.

Fiscal year 2016:

(A) New budget authority, \$38,953,000,000.
 (B) Outlays, \$38,991,000,000.

Fiscal year 2017:

(A) New budget authority, \$43,140,000,000.
 (B) Outlays, \$43,140,000,000.

Fiscal year 2018:

(A) New budget authority, \$47,590,000,000.
 (B) Outlays, \$47,590,000,000.

Fiscal year 2019:

(A) New budget authority, \$52,429,000,000.
 (B) Outlays, \$52,429,000,000.

Fiscal year 2020:

(A) New budget authority, \$57,425,000,000.
 (B) Outlays, \$57,425,000,000.

Fiscal year 2021:

(A) New budget authority, \$62,604,000,000.
 (B) Outlays, \$62,604,000,000.

Fiscal year 2022:

(A) New budget authority, \$68,079,000,000.
 (B) Outlays, \$68,079,000,000.

(15) Veterans Benefits and Services (700):

Fiscal year 2013:

(A) New budget authority, \$149,224,000,000.
 (B) Outlays, \$145,567,000,000.

Fiscal year 2014:

(A) New budget authority, \$156,328,000,000.
 (B) Outlays, \$152,548,000,000.

Fiscal year 2015:

(A) New budget authority, \$157,222,000,000.
 (B) Outlays, \$156,643,000,000.

Fiscal year 2016:

(A) New budget authority, \$163,556,000,000.
 (B) Outlays, \$163,960,000,000.

Fiscal year 2017:

(A) New budget authority, \$162,499,000,000.
 (B) Outlays, \$162,122,000,000.

Fiscal year 2018:

(A) New budget authority, \$161,341,000,000.
 (B) Outlays, \$160,695,000,000.

Fiscal year 2019:

(A) New budget authority, \$171,034,000,000.
 (B) Outlays, \$170,211,000,000.

Fiscal year 2020:

(A) New budget authority, \$176,196,000,000.
 (B) Outlays, \$174,995,000,000.

Fiscal year 2021:

(A) New budget authority, \$181,451,000,000.
 (B) Outlays, \$180,089,000,000.

Fiscal year 2022:

(A) New budget authority, \$192,540,000,000.
 (B) Outlays, \$191,089,000,000.

(16) Administration of Justice (750):

Fiscal year 2013:

(A) New budget authority, \$71,906,000,000.
 (B) Outlays, \$64,625,000,000.

Fiscal year 2014:

(A) New budget authority, \$66,516,000,000.
 (B) Outlays, \$66,844,000,000.

Fiscal year 2015:

(A) New budget authority, \$66,602,000,000.
 (B) Outlays, \$68,316,000,000.

Fiscal year 2016:

(A) New budget authority, \$68,761,000,000.
 (B) Outlays, \$70,667,000,000.

Fiscal year 2017:

(A) New budget authority, \$68,641,000,000.
 (B) Outlays, \$70,168,000,000.

Fiscal year 2018:

(A) New budget authority, \$70,425,000,000.
 (B) Outlays, \$71,745,000,000.

Fiscal year 2019:

(A) New budget authority, \$72,400,000,000.
 (B) Outlays, \$72,514,000,000.

Fiscal year 2020:

(A) New budget authority, \$74,692,000,000.
 (B) Outlays, \$73,924,000,000.

Fiscal year 2021:

(A) New budget authority, \$77,213,000,000.
 (B) Outlays, \$76,341,000,000.

Fiscal year 2022:

(A) New budget authority, \$83,484,000,000.
 (B) Outlays, \$82,533,000,000.

(17) General Government (800):

Fiscal year 2013:

(A) New budget authority, \$24,636,000,000.
 (B) Outlays, \$26,466,000,000.

Fiscal year 2014:

(A) New budget authority, \$25,311,000,000.
 (B) Outlays, \$25,862,000,000.

Fiscal year 2015:

(A) New budget authority, \$25,950,000,000.
 (B) Outlays, \$26,268,000,000.

Fiscal year 2016:

(A) New budget authority, \$26,692,000,000.
 (B) Outlays, \$26,969,000,000.

Fiscal year 2017:

(A) New budget authority, \$27,287,000,000.
 (B) Outlays, \$27,231,000,000.

Fiscal year 2018:

(A) New budget authority, \$28,186,000,000.
 (B) Outlays, \$27,967,000,000.

Fiscal year 2019:

(A) New budget authority, \$29,097,000,000.
 (B) Outlays, \$28,638,000,000.

Fiscal year 2020:

(A) New budget authority, \$29,877,000,000.
 (B) Outlays, \$29,490,000,000.

Fiscal year 2021:

(A) New budget authority, \$30,771,000,000.
 (B) Outlays, \$30,274,000,000.

Fiscal year 2022:

(A) New budget authority, \$31,715,000,000.
 (B) Outlays, \$31,190,000,000.

(18) Net Interest (900):

Fiscal year 2013:

(A) New budget authority, \$347,247,000,000.
 (B) Outlays, \$347,247,000,000.

Fiscal year 2014:

(A) New budget authority, \$361,372,000,000.
 (B) Outlays, \$361,372,000,000.

Fiscal year 2015:

(A) New budget authority, \$400,420,000,000.
 (B) Outlays, \$400,420,000,000.

Fiscal year 2016:

(A) New budget authority, \$464,626,000,000.
 (B) Outlays, \$464,626,000,000.

Fiscal year 2017:

(A) New budget authority, \$532,290,000,000.
 (B) Outlays, \$532,290,000,000.

Fiscal year 2018:

(A) New budget authority, \$599,375,000,000.
 (B) Outlays, \$599,375,000,000.

Fiscal year 2019:

(A) New budget authority, \$660,922,000,000.
 (B) Outlays, \$660,922,000,000.

Fiscal year 2020:

(A) New budget authority, \$712,948,000,000.
 (B) Outlays, \$712,948,000,000.

Fiscal year 2021:

(A) New budget authority, \$752,887,000,000.
 (B) Outlays, \$752,887,000,000.

Fiscal year 2022:

(A) New budget authority, \$794,191,000,000.
 (B) Outlays, \$794,191,000,000.

(19) Allowances (920):

Fiscal year 2013:

(A) New budget authority, \$0.00
 (B) Outlays, \$0.00

Fiscal year 2014:

(A) New budget authority, \$0.00
 (B) Outlays, \$0.00

Fiscal year 2015:

(A) New budget authority, \$0.00
 (B) Outlays, \$0.00

Fiscal year 2016:

(A) New budget authority, \$0.00
 (B) Outlays, \$0.00

Fiscal year 2017:

(A) New budget authority, \$0.00
 (B) Outlays, \$0.00

Fiscal year 2018:

(A) New budget authority, \$0.00
 (B) Outlays, \$0.00

Fiscal year 2019:

(A) New budget authority, \$0.00
 (B) Outlays, \$0.00

Fiscal year 2020:

(A) New budget authority, \$0.00
 (B) Outlays, \$0.00

Fiscal year 2021:

(A) New budget authority, \$0.00
 (B) Outlays, \$0.00

Fiscal year 2022:

(A) New budget authority, \$0.00
 (B) Outlays, \$0.00

(20) Undistributed Offsetting Receipts (950):

Fiscal year 2013:

(A) New budget authority, -\$75,736,000,000.
 (B) Outlays, -\$75,736,000,000.

Fiscal year 2014:

(A) New budget authority, -\$77,697,000,000.
 (B) Outlays, -\$77,697,000,000.

Fiscal year 2015:

(A) New budget authority, -\$83,531,000,000.
 (B) Outlays, -\$83,531,000,000.

Fiscal year 2016:

(A) New budget authority, -\$85,226,000,000.
 (B) Outlays, -\$85,226,000,000.

Fiscal year 2017:

(A) New budget authority, -\$93,507,000,000.
 (B) Outlays, -\$93,507,000,000.

Fiscal year 2018:

(A) New budget authority, -\$97,066,000,000.
 (B) Outlays, -\$97,066,000,000.

Fiscal year 2019:

(A) New budget authority, -\$103,845,000,000.
 (B) Outlays, -\$103,845,000,000.

(A) New budget authority, -\$103,845,000,000.
 (B) Outlays, -\$103,845,000,000.

March 26, 2012

CONGRESSIONAL RECORD — HOUSE

H1575

Fiscal year 2020:		Fiscal year 2021:		Fiscal year 2022:	
(A)	New budget authority,	(A)	New budget authority,	(A)	New budget authority,
-\$102,878,000,000.		-\$107,168,000,000.		-\$109,655,000,000.	
(B) Outlays, -\$102,878,000,000.		(B) Outlays, -\$107,168,000,000.		(B) Outlays, -\$109,655,000,000.	



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, SECOND SESSION

Vol. 158

WASHINGTON, MONDAY, MARCH 26, 2012

No. 49

Senate

The Senate met at 2 p.m. and was called to order by the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut.

PRAYER

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

Let us pray.

Almighty God, look beyond the harmful paths on which we have walked and see our spirits created in Your likeness and longing to commune with You.

Speak to our lawmakers today and teach them to listen through earthquakes, wind, and fire for Your still small voice. Guide them to learn the language of prayer and daily experience its power in their lives. May they be calm when You would have them listen and obedient when You would have them act, always eager to receive directions from You.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable RICHARD BLUMENTHAL led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U. S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 26, 2012.

To the Senate:

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

DANIEL K. INOUE,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, following any leader remarks the Senate will be in a period of morning business until 4:30 p.m. today. Following that morning business the Senate will resume consideration of the motion to proceed to S. 2204, the Repeal Big Oil Tax Subsidies Act. At 5:30 p.m. there will be up to two rollcall votes. The first vote will be a cloture vote on the motion to proceed to S. 2204. If cloture is not invoked, there will be a second cloture vote on the motion to proceed to the postal reform bill.

MEASURES PLACED ON THE CALENDAR—H.R. 5, S. 2230, AND S. 2231

Mr. REID. Mr. President, there are three bills at the desk due for a second reading. I would like the clerk to report them if you so order.

The ACTING PRESIDENT pro tempore. The clerk will read the bills by title for a second time.

The legislative clerk read as follows:

A bill (H.R. 5) to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system.

A bill (S. 2230) to reduce the deficit by imposing a minimum effective tax rate for high-income taxpayers.

A bill (S. 2231) to amend the Federal Credit Union Act, to advance the ability of credit unions to promote small business growth and economic development opportunities, and for other purposes.

Mr. REID. Mr. President, I object to any further proceedings with regard to these three pieces of legislation.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bills will be placed on the calendar.

TRANSPORTATION JOBS

Mr. REID. Mr. President, tens of thousands of bridges—70,000, to be exact—and millions of miles of roads across the country are in a state of disrepair. But rather than putting Americans to work fixing these roads and bridges—and, of course, repairing the crumbling train tracks, highways, and sidewalks across this country—House Republicans are pandering to the tea party. They cannot do a bill. They cannot do a bill. They have tried. They cannot do a bill. They are now not fighting us, they are fighting among themselves. As if putting the tea party ahead of efforts to repair our Nation's crumbling infrastructure was not bad enough, House Republicans are risking almost 3 million jobs in the process.

I was very disappointed last week to hear that the House Republican leaders hope to pursue a 3-month extension of the highway bill. That is, at this stage, without any suggestion that they would go to conference with us. It would seem to me that is the most practical thing to do—have a short-term extension and during the process work to see what we can come up with, working together. I know this is foreign language to what has gone on in the House in the last year and a half, but that would be a good idea—to try that, to work together to come up with a bill, a 2-year bill, a 3-year bill. Working together, we could do that on a bipartisan basis, as we did here. Their short-term bandaid bill is no solution. Communities and contractors need certainty—especially going into the summer construction season. We want to make sure projects do not grind to a halt in 3 months because the House once again refuses to act.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S2009

The American people certainly know at this stage whom to blame because of the problems over there. It is a crisis. It is a chaotic place we find over there. They are looking to cost us 3 million jobs. One week remains until these projects around the country lock their gates and lay off their workers. It is time for House Republican leaders to do what is responsible: take up the Senate-passed Transportation bill and pass it. The American people are watching and time is wasting.

FORGING A PATH FORWARD

Mr. REID. Mr. President, while House Republicans are squandering precious time and risking American jobs, the Senate will now move forward with a bill to repeal billions in subsidies to big oil companies.

Last year, Big Oil raked in \$137 billion in profits—more than ever before—but still received billions in taxpayer-funded giveaways. It does not make sense. Even with domestic oil production at its highest level in almost a decade, prices at the pump are rising. Oil companies are making money hand over fist.

When the price of a gallon of gas goes up by a single penny, quarterly profits for the five major oil companies go up \$200 million. I heard on the news this morning that the price of gas in the last couple weeks has gone up 12 cents. Well, that is more than \$2 billion for the oil companies.

This country continues to give taxpayer dollars to some of the most profitable corporations in the world—not some of the most profitable, the most profitable. They are doing better than Google and Microsoft and all of them. They are the No. 1 profitable corporations in the world. It is time to end this careless corporate welfare.

The only real way to bring down prices at the pump is to reduce U.S. dependence on foreign oil. That will take additional responsible domestic oil production and smart investments in clean energy technology.

The Senate will vote this evening to advance the Repeal Big Oil Tax Subsidies Act. This legislation ends more than \$2 billion a year in tax breaks for Big Oil, and it invests the savings in the clean energy industry, where it will grow our economy and create jobs.

Repealing wasteful subsidies will not cause oil prices to go up. Repealing wasteful subsidies, I repeat, will not cause oil and gas prices to rise. But reducing America's dependence on foreign oil will cause prices to fall for sure. But if Republicans continue to follow in lockstep to the drums of oil companies making record profits, one thing will be obvious: Republicans care less about bringing down gas prices than about helping oil companies that do not need help. Congress should pass this legislation and do it quickly before another taxpayer dollar is spent on wasteful handouts to Big Oil.

How do the American people feel about this? Of course, by an overwhelming margin, they agree with us.

The Senate must also quickly move to reform our postal system, and in the coming weeks, we also must reauthorize the Violence Against Women Act, pass additional job-creation measures, and take up the crucial cybersecurity bill.

The Pentagon says passing cybersecurity legislation is the single most important action Congress can take to improve national security. That is why I will bring a bill to the floor very soon. Bipartisan efforts to craft comprehensive cybersecurity legislation have been ongoing for years. It is now time to act. It is time for Republican colleagues who have been involved in this effort from the start to sit down and help us move this matter forward. We are going to move this bill onto the floor. We have had hard work done by Senator LIEBERMAN and Senator COLLINS. It is a bipartisan bill. I would hope both parties would agree this legislation is a priority. I hope so.

As always, Mr. President, I hope Democrats and Republicans will be able to work together to forge a path forward on these most important issues.

RESERVATION OF LEADER TIME

Mr. REID. Mr. President, would the Chair announce the business of the day.

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 4:30 p.m., with Senators permitted to speak therein for up to 10 minutes each.

Mr. REID. 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. JOHANNIS. 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.

ORDER OF PROCEDURE

Mr. JOHANNIS. Mr. President, I ask unanimous consent to enter into a colloquy with my Republican colleagues for up to 30 minutes.

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

HEALTH CARE

Mr. JOHANNIS. Mr. President, I rise today to once again speak about a

topic I have spoken to many times over the last 2 years; that is, the health care law.

Today I would like to focus on a number of aspects of the health care law, but to start I would point out that this law actually enacted the largest expansion of Medicaid since its inception in 1965. The law dramatically increases government spending, it ties the hands of States, it is going to bankrupt State budgets, and it traps nearly 26 million more Americans in a broken system.

Last week's Medicaid Actuary report indicates that 25.9 million more Americans will be dumped on Medicaid under the new law. The week before, the nonpartisan Congressional Budget Office pointed out that Federal spending on Medicaid will increase by \$168 billion. That is just compared to last year's projection. That means this expansion alone is projected to cost the Federal taxpayers \$795 billion through 2021.

That is at a time when not only our Federal budget is struggling, but in addition to that our State budgets are in trouble. Added up, the Federal Government will spend \$4.6 trillion on Medicaid over the next 10 years, a staggering number—\$4.6 trillion.

Medicaid spending is projected to increase 35 percent once the law is fully implemented. So with our national debt now approaching \$16 trillion and compounding exponentially, as we borrow 42 cents of every \$1 we spend every day, instead of reining in costs, the health care law is doubling down with spending.

But the Medicaid expansion did not stop with wrecking Federal budgets. It hammers State budgets as well. This program already consumes 24 percent of State budgets. The law's Medicaid expansion will force \$118 billion in additional unfunded mandates on our States through 2023. The National Governors Association has weighed in on this issue. They said: "Spending on Medicaid is expected to consume an increasing share of State budgets and grow much more rapidly than State revenue growth, resulting in slow or no growth in education, transportation, or public safety."

The Nebraska impact tells the story. The Governor commissioned a study in Nebraska to see what the impact would be on the health care law on the State budget. Nebraska will spend an additional \$526 million to \$766 million over the next 10 years on its Medicaid Program. The expansion could add up to 145,000 Nebraskans to the Medicaid Program over the next decade.

Currently, one in nine Nebraskans is enrolled in Medicaid. The new provisions of the law will expand eligibility to one in five Nebraskans, 20 percent. Governor Heineman addressed this issue. He said: This unfunded and unparalleled expansion of Medicaid is an unfair and unsustainable mandate on Nebraska and other States. The Federal health care law is an extraordinarily large and excessive unfunded

mandate for States. It is potentially devastating to our State budget.

Today, with me on the floor, I am joined by two former Governors. All three of us have had to deal with balancing budgets, and we had no choice but to make sure that at the end of our legislative sessions, our budgets were, in fact, balanced.

Senator ALEXANDER was vocal in speaking out against this policy during the health care debate. He has a rather unique perspective because not only is he a former Governor, he is a former U.S. Secretary of Education. I would like the Senator to take a few minutes and explain how this law is going to effect the health care system, our educational system, our States, and for that matter our country.

Mr. ALEXANDER. I thank the Senator. He has a unique perspective himself as a former Cabinet member, Governor, and now Senator. But all three of us here today, including the former Governor of North Dakota, have wrestled with this business of the rising costs of Medicaid, paid for partly by the States, according to rules set in Washington, and how do we deal with public education, especially higher education.

I remember during the debate two years ago, I suggested to our colleagues on the other side of the aisle who were supporting the health care law, which I thought was an historic mistake because it expanded a health care delivery system we already knew was too expensive, instead of taking steps to reduce it. I suggested to them that they go home and run for Governor. They ought to be sentenced to go home and run for Governor if they vote for it and see whether they can implement it over an 8-year-period of time.

Here is what the Senator from Nebraska is suggesting. Let me try to be very specific on the effect of the health care law on higher education in the States. This is not all President Obama's fault. Some 30 years ago, when I was a young Governor, I was still struggling with saying: We get down to the end of the budget process and we have money either to put in higher education or into Medicaid, and the rules from Washington say it has to go to Medicaid.

I remember going to see President Reagan and saying: Why do we not just swap it, Mr. President? You take all of Medicaid. Let the States take elementary and secondary education. I wish we had done that. But we did not do it. Gradually, the increasing Washington-directed costs have distorted State budgets until, as the Senator from Nebraska said, 24 percent of the State budgets go to the Medicaid program.

Now we are in a process where because of the health care law, we are going to add 25.9 million more Americans onto Medicaid, according to the Medicaid Chief Actuary. Employers are going to decide: I would rather pay my \$2,000 penalty and allow my employees to go into the exchange or, if they are

lower income, into Medicaid. Then the costs to States are going to go up.

The Senator from Nebraska talked about what the current Governor of Nebraska said. Our former Governor, Governor Bredesen, a Democratic Governor, estimated that between 2014 and 2019 it would be \$1.1 billion in new costs for the State of Tennessee from the Medicaid expansion.

What most people do not realize is the effect this has on higher education and student tuition. I hear a lot of talk about let's see if we can lower student tuition. One way we can lower it is not take money from student loans and spend it to pay for the health care bill. Most people are not aware we spent \$8.7 billion of so-called profits the government makes when it borrows money at 2.8 percent and loans it to students at 6.8 percent. The government took some of that money and spent it to pay for the health care bill.

If it did not do that, it could lower the interest rates on student loans, according to the Congressional Budget Office, to 5.3 percent and save \$2,200 per student over 10 years on the basis. So the health care law is costing students who borrow money more on their loans.

In addition, and I will close with this example, it is raising college tuition. You say: How could the health care law cause tuition to go up in California or Tennessee? If in Tennessee, as last year, the increase for Medicaid went up 15.8 percent. That is how much more State tax dollars it had to go up. Spending for the University of Tennessee and community colleges went down 15 percent. Then the result of that was tuition went up in our State by about 8 percent. That was true all across our country.

So the effect—and I will come back to this later if we have more time—is that the health care law mandates that the States spend more money on Medicaid, and, as a result, the State cuts the money it is spending for the University of Tennessee or Nebraska or North Dakota. In order to keep the quality of education up, tuition goes up. So students are paying more for tuition and they are paying more for interest rates on their student loans directly because of the health care law.

President Obama should not be blamed for the last 30 years of rising costs of Medicaid. But he should be held responsible and this health care law should be held responsible for making it worse.

Mr. JOHANNIS. Senator ALEXANDER has raised some excellent points there because Governors only have so much revenue they can deal with; they cannot invent it, if you know what I am saying. So Governors have to figure out what the needs of the State are. If the Federal Government is taking that decision away from Governors by forcing them into expanding their Medicaid, there is going to be less money available for programs such as K-12 education, higher education.

Let me, if I might, turn to our colleague Senator HOEVEN. He was a Governor for 10 years in the State of North Dakota. Will the Senator please explain the impact Medicaid expansion would have on budget decisions as a Governor and the impact the health care bill is going to have on the Senator's State.

Mr. HOEVEN. I thank Senator JOHANNIS. It is good to be with him. Also, to Senator LAMAR ALEXANDER from the great State of Tennessee, it is great to be with him as well. We share, I guess, the common experience of serving as Governors and certainly bring that perspective to our work in the Senate.

As Senator ALEXANDER just said, there is no question ObamaCare is making the health care challenge in the United States worse, is making it worse. We have to find a way to empower our people. In our roles as Governors, before serving in the Senate, that is what we tried to do. When it came to Medicaid, when it came to health care, it was how do we empower our people, whether it is health care or anything else, in a way that not only makes their lives better but that makes sure we are fulfilling our responsibility as good stewards of the State's treasury on behalf of the citizens of our respective States.

Last week was the second anniversary of the Obama health care legislation—the second anniversary. The fact is, since that law was passed—and just 1 minute ago, Senator ALEXANDER expressed some of the things he talked about when that debate was had in the Congress. But since that law was passed, over the past 2 years, Americans have become more unhappy with the legislation. The Obama health care legislation has actually become more unpopular over the last few years as time has gone by because, quite simply, Americans do not want government-run health care. Americans do not want government-run health care. That is what ObamaCare is.

Americans want to be free to choose their own health care provider, their own doctors, their own hospitals. They also want to be able to be free to choose their own health care insurance. Frankly, they are going to do a lot better job than having the Federal Government do it for them. That is just a fact. Of course, that is very much at issue now with the Supreme Court deliberations, the judicial review they are undertaking now on the constitutionality of the individual mandates in the Obama health care legislation.

Of course, the question is, Is that individual mandate constitutional? If it is, if they find that individual mandate is constitutional, then is there any limit to the government's ability to intrude into the lives of our citizens? This is a huge question. If so, what happened to the concept of limited government, which was so carefully developed by our Founding Fathers in our Constitution?

It seems to me that concept of limited government is gone. That is an incredible problem for all of us that extends far beyond health care. As former Governors, we understand the need to limit government, whether it is the local level—and the Senator was a mayor. Senator JOHANNIS was a mayor in Lincoln, NE, before he was the Governor of Nebraska, now a Senator from Nebraska, and he understands that one of the fundamental responsibilities of a mayor, of a Governor, of a Senator is to make sure we honor the Constitution and we limit the power of government, at the local, the State, and the Federal level, to intrude into the lives of our citizens. That is exactly what our Founding Fathers were striving to do in the Constitution, the whole concept of checks and balances.

We have a legislative branch and a judicial branch and an executive branch because that creates checks and balances on the respective powers of each branch. Why? To protect our citizens, to limit the reach of government. We have a bicameral Congress, the House and the Senate, to make it harder to pass laws, not easier—to make it harder to pass laws. Again, it is to protect the people of this country.

We have the 10th amendment that reserves powers to the State not expressly provided to the Federal Government; again, to limit the power of government and protect the people of this great country. Of course, that is what we have in our Bill of Rights. That is what it is all about.

So we have ObamaCare; it raises taxes by $\frac{1}{2}$ trillion. It raises taxes \$500 billion. It cuts Medicare $\frac{1}{2}$ trillion, \$500 billion. Yet, at the same time, it places huge costs, a huge burden on the States. The CBO now estimates that over the next 10 years it will cost the States \$118 billion. That is \$118 billion in costs to the States who are trying to balance their budgets. They are already facing challenges in doing that, and we will put that kind of huge cost on them.

At the same time, think of what it does to our small businesses. Again, as a Governor, I know how it was in my State. I think it was true when the Senator from Nebraska was Governor and when Senator ALEXANDER was Governor of Tennessee. We understood that job creation was job one. We had to make sure businesses were able to work effectively, to compete, and to employ people. That is the engine that drives our economy, the small businesses.

When we look at ObamaCare, we look at what it does to the States—the \$118 billion over 10 years—and look at the costs it creates for small businesses and look at the confusion it creates in trying to comply with all of this. What do small businesses do? The Senator from Nebraska talked a minute ago about, OK, what does the small business do?

Well, either, A, they try to comply, and that drives up their costs or, B,

they cancel their insurance and default to the government-run insurance. But it not only creates a problem for them in determining whether they are going to continue health care for their employees—and our citizens have shown they want the employer to continue doing that, and it goes to whether they hire more people.

Here we are with 8.3 percent unemployment, 13 million people looking for work, and we are going to make it harder for small businesses to put them to work because they don't know if they can comply with ObamaCare, let alone withstand the cost. That affects every single American.

We need to change the approach. That is what we are talking about today. We are talking about an approach where we can empower people to choose their own health insurance and provider, an approach that encourages competition, which will help bring costs down, giving our consumers more choice. We are here to talk about how we work with States and small businesses to reduce costs, reduce fraud, waste, and abuse.

The President of AARP, Barry Rand, estimates that \$100 billion is lost annually in waste, fraud, and abuse under Medicaid. Think what our States could do on behalf of their citizens in all 50 States if we in the Congress, working with an administration that will work with us, would empower the States to go after that waste, fraud, and abuse by giving their citizens more say over their health care and by encouraging competition among insurance companies to provide more choice, access, and to go after that waste, fraud, and abuse.

There are so many things we can do, but it is not through a big, monolithic, government-run insurance program that puts costs on the States and costs on its citizens. That is what we need to change. We need to change it now.

Again, I thank Senator ALEXANDER for being here and for his work to empower our people when it comes to health care. Also, I particularly thank Senator JOHANNIS for calling us together to discuss this very important issue on behalf of the people of America.

Mr. JOHANNIS. Mr. President, I thank Senator HOEVEN for his comments. He mentioned that job one for every Governor is job creation. Before I turn to Senator ALEXANDER, let me congratulate Senator HOEVEN. Whatever he did in that capacity worked. He has the lowest unemployment rate of any State. I am proud to say Nebraska is No. 2 in that regard.

I will guarantee one thing you learn: You don't create jobs by putting a big wet blanket of more regulations on the job creators. I worry that all these rules and regulations are going to have a very damaging impact on job creation.

I would like Senator ALEXANDER to talk about that, what he sees as the impact of this health care bill on job creation in our States.

Mr. ALEXANDER. I thank the Senator. I listened with interest to the former Governor of North Dakota and the former Governor of Nebraska. Let me give a specific example. In response to the question, after the passage of the health care law, I met with a number of representatives from chain restaurants. Chain restaurants are the kind at which we go out to dinner for a modest cost. They are among the largest employers in America. They employ largely low-income and young people—people who are the waiters and waitresses we see when we go into Ruby Tuesday or O'Charley's or one of these other places, and usually it is someone with a part-time job or somebody who is working his or her way up.

Many of those companies offer some health insurance to their employees. At one of the companies, Ruby Tuesday, headquartered in Tennessee, the chief executive officer told me the cost of the health care law to his company would equal the profit of the company that year. This is a company with several billion dollars in revenue.

One of the companies that is even more successful than Ruby Tuesday in terms of profit, and is larger, told me their goal was to have 90 employees per store. But after the health care law, they said they would have 70 employees per store in order to comply with the cost of the health care law. This not only raises the cost of business, but it reduces employment in the United States.

Unfortunately, I am afraid what we may find is these restaurant companies, after 2014—we are about 1 year away from a ticking time bomb for State budgets and businesses and also for people with employer health insurance. I am afraid these companies will look at the penalty and say they would rather pay \$2,000 per employee and let them find their way into one of these State exchanges or into the Medicaid Program.

Millions of Americans, because of the health care law, are going to lose their employer-sponsored insurance, and millions of Americans will not have as many jobs because of the costs imposed on businesses such as these restaurants.

Mr. JOHANNIS. The Senator raises a good point. I am mindful of our time limit. I am going to take a minute or two to wrap up. I do think Senator ALEXANDER and Senator HOEVEN both raised very good points.

I look at the health care law and I often think, whoever wrote this law, who were they talking to? They certainly were not talking to our small- and medium-sized businesses across this country. Why? Because just as Senator ALEXANDER points out, there is going to be a point where that business owner, large or small, and in each and every spot in between, will look at the penalty of \$2,000 per employee and say it is vastly cheaper for them to drop coverage and pay the penalty. In fact, we figured out what that savings would

be for a large retailer in the United States. It was over \$1 billion a year.

Does anybody believe for a moment that they are not going to do what is right by their shareholders and pay that penalty and save \$1 billion a year by dropping health care coverage? Once that dam breaks, the dam breaks.

Then do you remember that promise so often made—47 times? The President said, “If you like your plan, you are going to be able to keep it.” Well, people are not going to be able to keep it. They will lose their plans.

They certainly were not talking to Governors when they wrote this bill. Any Governor would tell us that Medicaid is a broken system. It is literally bankrupting State budgets under current circumstances. Then when we add 26 million more people to Medicaid, we begin to realize they are going to have a serious access problem.

Forty percent of doctors do not take Medicaid patients. Where are they going to find their health care? As many of us pointed out, it is like saying to someone: Here is your bus ticket, travel anywhere you want—oh, by the way, there are not enough buses to haul all the people we have given tickets to.

That is what we are going to be facing—a growing access problem. Then, with the cuts to Medicare, they sure could not have been talking to Medicare providers because when they start cutting reimbursement rates, which is exactly what they are doing with \$½ trillion cut out of Medicare, they are going to have access problems there too.

All of a sudden senior citizens cannot find a doctor. Don't believe my statement on that. Read the reports from Richard Foster, the Chief Actuary at CMS, who studied this and said these are the consequences of this legislation.

At the end of the day it is pretty clear to all of us that this is a failed policy that was quickly put together, rammed through to roll over the minority and get this done. We ended up with a very failed piece of legislation.

The American people do not like this legislation any better than the day it was passed. In fact, they like it less. The more they learn about this legislation, the less they like it.

I will wrap up with one thought. We all know the Supreme Court is hearing arguments on this case these days. It is my hope the Supreme Court will intervene and decide that this law is in fact unconstitutional, and then we can build a health care law the way it should be done—a step at a time, consulting with medical providers and Governors all across this country to build a policy that makes sense for the health care system and our citizens. That is what should have been done in the first place. That is what we need to do.

With that, I yield the floor and 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. BOOZMAN. I ask unanimous consent that the order for the quorum call be rescinded.

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

HONORING OUR ARMED FORCES

STAFF SERGEANT JERRY REED II

Mr. BOOZMAN. Mr. President, we are reading in the news about the violence in countries all around the world and are reminded about the tremendous sacrifice of American troops as they protect and preserve the interests of our Nation. These men and women serve with courage and honor and it is our duty to honor and stand for those who have stood for us.

Today, I am here to pay my respects to SSG Jerry Reed II, an Arkansas soldier who sacrificed his life for the love of his country while in support of Operation Enduring Freedom.

Staff Sergeant Reed graduated from Russellville High School in 2000 and enlisted in the Army. He served 4 years and then reenlisted in 2008 and served in Iraq, Germany, Korea, and Afghanistan. Staff Sergeant Reed served as a tank driver and gunner with the Army's 28th Infantry Brigade, 2nd Battalion, A Company at Grafenwoehr, Germany.

His sister Katherine, in an interview with the Russellville Courier, spoke of how he loved the military and planned to make it a career. Staff Sergeant Reed's family and friends describe him as a man who would have had no trouble fitting into the military, for he was one who faced danger head on. He was a protector and looked out for his friends. He loved being outdoors and fishing and spending time with his family.

On February 16, 2012, Staff Sergeant Reed passed away while serving in Afghanistan. Staff Sergeant Reed made the ultimate sacrifice for his country. He is a true American hero.

I ask my colleagues to keep his family and his friends in their thoughts and prayers during this very difficult time, and I humbly offer thanks to SSG Jerry Reed for his selfless service to the security and well-being of all Americans.

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. BAUCUS. 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.

SURFACE TRANSPORTATION ACT

Mr. BAUCUS. Mr. President, the British statesman Edmund Burke said:

All government—indeed every human benefit and enjoyment, every virtue, and every prudent act—is founded on compromise and barter.

Compromise and barter. That means give-and-take in order to work things out.

I want to apply Burke's famous aphorism to the two leaders of the Environment and Public Works Committee, the chairman, Senator BARBARA BOXER of California, and the ranking member, Senator JIM INHOFE of Oklahoma—one of the Senate's leading liberals and one of the Senate's most dyed-in-the-wool conservatives.

While Senators BOXER and INHOFE openly acknowledge there is much they do not agree on, they both agree transportation infrastructure is a smart investment in America's road safety and jobs. So they worked hard to craft a consensus highway bill that three-quarters of the Senate could agree to support. I have always believed this kind of cooperation is the key to success. We can do great things for this country when we work together.

When I had the honor of leading the Environment and Public Works Committee, I also had the truly distinct pleasure of working with Senators from both parties who understood Burke's principle of barter and compromise, such as John Warner of Virginia and John Chafee of Rhode Island. So it is very gratifying to know that tradition on the Environment and Public Works Committee continues to be strongly upheld by the chairman and the ranking member today.

In working to craft the highway bill, both of these leaders faced pressures not to compromise. Each had ample opportunity to give into those pressures and give up on the bill. But instead of drawing lines in the sand and pointing fingers, they chose to reach out their hands and meet in the middle. They talked to each other and, more importantly, they listened. They opted for pragmatism over ideology. They disagreed without being disagreeable. They worked closely with Senator VITTER and myself to incorporate the best ideas from all sides. Ultimately, those good-faith efforts prevailed when the committee reported our highway bill title with unanimous support.

We continued working together to meld that product with contributions from the Banking Committee and the Commerce Committee, along with a fiscally responsible plan to pay for this investment from the Finance Committee.

Earlier this month, 75 percent of the Senate came together to pass a highway bill that will create or sustain approximately 1.8 million American jobs each year. That is according to the Department of Transportation. What a tremendous achievement reached by working together—creating or sustaining 1.8 million jobs a year. For my State of Montana, this bill will create or sustain 14,000 jobs each year, and it cuts through redtape to put people to

work on those jobs even faster. It gives the State of Montana and our local communities the flexibility they need to fund the alternative transportation projects that work best for them. It invests in the Land and Water Conservation Fund and continues a vital program to support our timber communities. It does it all without adding one single dime to the Federal deficit.

Simply put, this bill is an investment in jobs we can't afford to pass up. That is why this weekend Montana's largest newspaper, the Billings Gazette, called on the House to pass the Senate bill, and I join that call today.

The current highway bill expires at the end of this month, and the construction season is starting soon. As the Gazette notes, a short-term extension doesn't provide the certainty we need to get highway projects off the ground and workers on the job. We cannot afford to put these jobs on hold by kicking the can down the road—especially when we don't have to, and, also, especially when we don't have much more road to kick the can.

The Senate bill is the product of months of debate and cooperation, of give-and-take from all sides, carefully crafted into a bipartisan investment we can all be proud to support. It has already passed the test of overwhelmingly bipartisan support in the Senate, and there is no reason the House should not take up this bill and pass it right away.

The House should understand that we need to work together to achieve solutions upon which the American people can rely. Edmund Burke understood that. Thankfully, Senators BOXER and INHOFE clearly understand it too. I thank them for that.

AFFORDABLE CARE ACT

Mr. BAUCUS. Mr. President, President Truman once said, "Healthy citizens constitute our greatest national resource."

Two years ago last week we passed the affordable care act. We passed it to help give every American access to quality affordable health care.

People such as Cece Whitney from Helena, MO, know exactly how much help this law provides. Doctors diagnosed Cece with cystic fibrosis by age 7. By high school she carried an oxygen tank. By the end of college she received a double lung transplant. Even with insurance coverage Cece and her family paid tens of thousands of dollars out of pocket. But things looked even worse when she hit an arbitrary coverage limit, and if she had lost her insurance before health reform she might not have been able to find any insurance coverage at all.

Insurance companies could have turned her away simply because she was born with cystic fibrosis. But now, thanks to the affordable care act, Cece will always be covered. She will always have access to the care she needs.

A year ago, on the affordable care act's first anniversary, Cece shared her

story about seeing health reform signed into law with her local newspaper. She said she cried tears—tears of extreme joy. She wrote:

I knew that I no longer had to worry about losing or being denied coverage because of my 'preexisting condition.' And I no longer was going to be denied coverage for exceeding arbitrary caps set by insurance companies.

Cece's story is not unique. Health reform is working for people in Montana and across the country, and it is saving them money. The law improved our health care system and enabled it to focus on prevention and keeping Americans healthy. We have reforms to pay for quality of care rather than quantity of services. In just 2 years, health reform has lowered costs for millions of Americans. Parents can now afford to cover their entire family, including children up to the age of 26. More than 2.5 million young adults have been able to stay on their parents' plan thanks to health reform.

Prescription drugs are now cheaper for seniors because of the act. Already more than 5 million Medicare beneficiaries have saved more than \$3 billion on drugs. Again, that is \$3 billion saved by seniors on drugs, and health reform eliminates the so-called Medicare prescription drug doughnut hole. This puts dollars back in seniors' pockets—dollars they can use for groceries or electricity bills.

Seniors now receive free annual wellness visits and free screenings. This focus on prevention leads to better health outcomes, and it keeps them healthier. It saves money by allowing seniors and their doctors to catch conditions such as high blood pressure and diabetes before they become serious and costly.

Health reform also helps those who wish to retire early to afford insurance until they qualify for Medicare. The law has provided almost \$4.5 billion in aid to businesses to give early-retiree coverage to these employees. Let me repeat that. The law has provided almost \$4.5 billion in aid to businesses to enable them to give early-retiree coverage for their employees.

Health reform is also saving Americans money through new consumer protections. It is ending insurance company abuses. Medical loss ratios is one that comes to my mind. Because of health reform, parents can now keep their kids who have preexisting conditions on their plan, and insurance companies can no longer exclude these children. Insurance companies can no longer place lifetime and restrictive yearly limits on their health coverage that can cost Americans such as Cece Whitney tens of thousands of dollars, and insurance companies can no longer go back and scrutinize applications for tiny errors as a way to deny payments after a customer gets sick.

Health reform has also created the Medicare and Medicaid Innovation Center to put good ideas from the private sector into action. The center is al-

ready working with more than 7,100 organizations—hospitals, physicians, consumer groups, and employers included—to reduce costly hospital readmissions.

Health reform provides law enforcement with new tools and resources to protect Medicare and Medicaid from fraud and abuse. These efforts recovered more than \$4 billion last year. New antifraud provisions in the act, in the health care bill, helped recover more than \$4 billion in fraud last year. Just a few weeks ago, Federal agents made the largest Medicare fraud bust in U.S. history. Ninety-one people were charged with defrauding taxpayers for nearly \$300 million.

More parts of the affordable care act that will help consumers will start in the year 2014, including the State-based affordable insurance exchanges. On these exchanges people will be able to save money. How? By shopping for an insurance plan that is right for them. It is like getting on Expedia or Orbitz: you just get on and shop around and find the one that is best for you.

For too long, individuals and small businesses shopping for insurance on their own have had very limited options. The plans that were available were often too expensive. Now, for the first time, insurance companies will have to compete against each other for business on a level playing field. That will mean lower premiums, better coverage, and more choices.

Health reform has also reduced government costs by dramatically slowing the growth in spending. According to our nonpartisan scorekeeper, the Congressional Budget Office, health reform slowed the growth in health spending by 4 percent. That will save taxpayer dollars and help get our deficit problem under control.

We need to let the law keep working to save families and taxpayers more money. The Congressional Budget Office tells us that repealing the affordable care act—repealing it now—would increase the Federal deficit by nearly \$143 billion over the next decade. Repeal would cost the Federal deficit \$143 billion over the next decade according to the Congressional Budget Office, and it would increase the deficit by more than \$1 trillion in the decade after that.

Repealing health reform would also leave tens of millions of Americans without insurance. Studies have shown this would cost every American family an extra \$1,000 a year. That is something we cannot afford. The affordable care act has already saved millions of Americans money and helped them get affordable health care, and millions more will gain access in the coming years. Healthy citizens are, indeed, the greatest asset our country has. We need to let health reform keep working for all Americans.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

CHENEY WELL WISHES

Mr. KYL. Mr. President, first I would like to take a moment to wish Vice President Cheney well as he recovers from his big-time heart transplant surgery. My wife Caryll and I have him in our thoughts and prayers, and we send our best wishes to him and to his entire family. I am sure "the Angler," as he was called, would rather be out fishing in Wyoming on the Snake River, where I know he has been very happy. I hope he can get back out West soon. In the meantime, I know he is fortified by his wonderful family, his wife Lynn, his two daughters, and his grand-children. We wish him all the best.

RYAN BUDGET

Mr. KYL. In a recent column in the Arizona Republic, my friend Bob Robb laid out a very thoughtful contrast between President Obama's budget and the alternative put forth by House Budget Committee chairman PAUL RYAN, which the House of Representatives will be acting on this week. In his column Robb notes that the Ryan budget would get the Federal deficit below 3 percent of GDP by 2015 and after a decade would reduce our debt-to-GDP ratio from today's 100 percent to about 87 percent or just under the share many economists believe affects private sector economic performance and casts doubt on the government's ability to even repay its obligations. Robb explains that "despite the caterwauling of critics, Ryan doesn't achieve this through brutal budget cuts. Quite the contrary." He explains why the Ryan budget would allow spending to increase about 3 percent each year, compared to the Obama budget's about 5 percent annual increases, and he concludes that low interest rates are currently muting the effects of our growing debt on the economy, but it could change overnight. "And if it changes, the federal government will have to take action much more drastic and quicker than the relatively gentle and gradual pathway provided by the Ryan budget."

I hope Senators will take a few moments to review this column in its entirety. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Arizona Republic, Mar. 23, 2012]

RYAN HAS A LESS-PAINFUL DEBT PLAN

(By Robert Robb)

Critics of Rep. Paul Ryan's proposed budget resolution are almost universally unserious about getting federal debt and deficits under control. The country will be very lucky if it gets a chance to implement as gentle and gradual a path to fiscal sobriety as the Ryan plan outlines.

Economists believe there are two red lines for debt and deficits. If accumulated debt exceeds 90 percent of GDP, it begins to affect private-sector economic performance and raise questions about the ability of the government to pay it back. And annual deficits

of more than 3 percent of GDP are regarded as a sign of a government that has lost control of its finances.

Right now, total federal debt exceeds 100 percent of GDP. The deficit is 8.5 percent of GDP. And that's the lowest it's been in four years.

The Ryan budget would get the annual deficit below 3 percent of GDP by 2015. At the end of the 10-year planning horizon, total federal debt would be an estimated 87 percent of GDP, barely out of the red zone.

Despite the caterwauling of critics, Ryan doesn't achieve this through brutal budget cuts. Quite the contrary.

Under Ryan's budget, federal spending would increase from \$3.6 trillion today to \$4.9 trillion 10 years from now. That's an average annual rate of increase of around 3 percent. Hardly a starvation diet.

What is the alternative to Ryan's plan to get the federal government out of the red zone on debt and deficits? It certainly isn't President Barack Obama's budget.

Under Obama's budget, the annual deficit wouldn't get under 3 percent of GDP until 2017. That would mean eight consecutive years of exceeding the deficit speed limit. That's not a country in control of its finances.

Under Obama's budget, the country would never get below 100 percent of GDP in terms of total debt. After 10 years, the country would still be deep in the red zone.

Rather than increase federal spending to \$4.9 trillion over 10 years, Obama would increase it to \$5.8 trillion—or nearly 5 percent a year, compared with Ryan's 3 percent.

Obama's tax increases aren't really to reduce the deficit, as he claims. They are to support his higher rate of growth in spending.

Right now, there's not a political urgency to do something meaningful about debt and deficits because the federal government can borrow a seemingly unlimited amount of money at very low interest rates.

But that could change. And it could change overnight. And if it changes, the federal government will have to take action much more drastic and quicker than the relatively gentle and gradual pathway provided by the Ryan budget.

The most controversial parts of the Ryan budget—tax reform and Medicare reform—are actually irrelevant to the task of getting out of the red zone for debt and deficits. The tax reform is intended to be revenue-neutral. The Medicare reform doesn't kick in until after the 10-year planning horizon of the budget resolution. It's intended to reduce the debt problem of the future, not get us out of our current hole.

If Democrats were serious about doing something about debt, there would be room for discussion about changes to the Ryan blueprint. The Simpson-Bowles Commission proposed tax reform similar to what Ryan advocates, lower rates on a broader base, but in a way that increases revenues to the government. Ryan proposes spending \$440 billion more on defense over 10 years than does Obama. The relative allocations within the Ryan spending limits are certainly arguable.

But Democrats aren't serious, so the Ryan budget is the only current alternative to just waiting for the credit markets to start saying no. If that day arrives, the Ryan plan will look awfully lovely in retrospect.

HEALTH CARE

Mr. KYL. Mr. President, as we know, today the Supreme Court began hearing arguments about the constitutionality of the affordable care act. It is one of the most critically important

Supreme Court cases of our time. A Wall Street Journal editorial noted last Friday:

Few legal cases in the modern era are as consequential, or as defining, as the challenges to [this law]. . . . The powers that the Obama administration is claiming change the structure of the American government as it has existed for 225 years. . . . The Constitutional questions the Affordable Care Act poses are great, novel, and grave.

The editorial, entitled "Liberty and ObamaCare," lays out the constitutional problems with the affordable health care act and focuses on the bill's centerpiece: the individual mandate to purchase health insurance. As the editorial notes, the case against this provision is anchored in ample constitutional precedent, and I quote their conclusion:

The Commerce Clause that the government invokes to defend such regulation has always applied to commercial and economic transactions, not to individuals as members of society. . . . The Court has never held that the Commerce Clause is an ad hoc license for anything the government wants to do.

I urge my colleagues to read this article, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[The Wall Street Journal, Mar. 22, 2012]

LIBERTY AND OBAMACARE

Few legal cases in the modern era are as consequential, or as defining, as the challenges to the Patient Protection and Affordable Care Act that the Supreme Court hears beginning Monday. The powers that the Obama Administration is claiming change the structure of the American government as it has existed for 225 years. Thus has the health-care law provoked an unprecedented and unnecessary constitutional showdown that endangers individual liberty.

It is a remarkable moment. The High Court has scheduled the longest oral arguments in nearly a half-century: five and a half hours, spread over three days. Yet Democrats, the liberal legal establishment and the press corps spent most of 2010 and 2011 deriding the government of limited and enumerated powers of Article I as a quaint artifact of the 18th century. Now even President Obama and his staff seem to grasp their constitutional gamble.

Consider a White House strategy memo that leaked this month, revealing that senior Administration officials are coordinating with liberal advocacy groups to pressure the Court. "Frame the Supreme Court oral arguments in terms of real people and real benefits that would be lost if the law were overturned," the memo notes, rather than "the individual responsibility piece of the law and the legal precedence [sic]." Those non-political details are merely what "lawyers will be talking about."

The White House is even organizing demonstrations during the proceedings, including a "'prayerful witness' encircling the Supreme Court." The executive branch is supposed to speak to the Court through the Solicitor General, not agitprop and crowds in the streets.

The Supreme Court will not be ruling about matters of partisan conviction, or the President's re-election campaign, or even about health care at all. The lawsuit filed by 26 states and the National Federation of Independent Business is about the outer

boundaries of federal power and the architecture of the U.S. political system.

The argument against the individual mandate—the requirement that everyone buy health insurance or pay a penalty—is carefully anchored in constitutional precedent and American history. The Commerce Clause that the government invokes to defend such regulation has always applied to commercial and economic transactions, not to individuals as members of society.

This distinction is crucial. The health-care and health-insurance markets are classic interstate commerce. The federal government can regulate broadly—though not without limit—and it has. It could even mandate that people use insurance to purchase the services of doctors and hospitals, because then it would be regulating market participation. But with ObamaCare the government is asserting for the first time that it can compel people to enter those markets, and only then to regulate how they consume health care and health insurance. In a word, the government is claiming it can create commerce so it has something to regulate.

This is another way of describing plenary police powers—regulations of private behavior to advance public order and welfare. The problem is that with two explicit exceptions (military conscription and jury duty) the Constitution withholds such power from a central government and vests that authority in the states. It is a black-letter axiom: Congress and the President can make rules for actions and objects; states can make rules for citizens.

The framers feared arbitrary and centralized power, so they designed the federalist system—which predates the Bill of Rights—to diffuse and limit power and to guarantee accountability. Upholding the ObamaCare mandate requires a vision on the Commerce Clause so broad that it would erase dual sovereignty and extend the new reach of federal general police powers into every sphere of what used to be individual autonomy.

These federalist protections have endured despite the shifting definition and scope of interstate commerce and activities that substantially affect it. The Commerce Clause was initially seen as a modest power, meant to eliminate the interstate tariffs that prevailed under the Articles of Confederation. James Madison noted in *Federalist No. 45* that it was “an addition which few oppose, and from which no apprehensions are entertained.” The Father of the Constitution also noted that the powers of the states are “numerous and infinite” while the federal government’s are “few and defined.”

That view changed in the New Deal era as the Supreme Court blessed the expansive powers of federal economic regulation understood today. A famous 1942 ruling, *Wickard v. Filburn*, held that Congress could regulate growing wheat for personal consumption because in the aggregate such farming would affect interstate wheat prices. The Court reaffirmed that precedent as recently as 2005, in *Gonzales v. Raich*, regarding homegrown marijuana.

The Court, however, has never held that the Commerce Clause is an ad hoc license for anything the government wants to do. In 1995, in *Lopez*, it gave the clause more definition by striking down a Congressional ban on carrying guns near schools, which didn’t rise to the level of influencing interstate commerce. It did the same in 2000, in *Morrison*, about a federal violence against women statute.

A thread that runs through all these cases is that the Court has always required some limiting principle that is meaningful and can be enforced by the legal system. As the Affordable Care Act suits have ascended through the courts, the Justice Department

has been repeatedly asked to articulate some benchmark that distinguishes this specific individual mandate from some other purchase mandate that would be unconstitutional. Justice has tried and failed, because a limiting principle does not exist.

The best the government can do is to claim that health care is unique. It is not. Other industries also have high costs that mean buyers and sellers risk potentially catastrophic expenses—think of housing, or credit-card debt. Health costs are unpredictable—but all markets are inherently unpredictable. The uninsured can make insurance pools more expensive and transfer their costs to those with coverage—though then again, similar cost-shifting is the foundation of bankruptcy law.

The reality is that every decision not to buy some good or service has some effect on the interstate market for that good or service. The government is asserting that because there are ultimate economic consequences it has the power to control the most basic decisions about how people spend their own money in their day-to-day lives. The next stops on this outbound train could be mortgages, college tuition, credit, investment, saving for retirement, Treasuries, and who knows what else.

Confronted with these concerns, the Administration has echoed Nancy Pelosi when she was asked if the individual mandate was constitutional: “Are you serious?” The political class, the Administration says, would never abuse police powers to create the proverbial broccoli mandate or force people to buy a U.S.-made car.

But who could have predicted that the government would pass a health plan mandate that is opposed by two of three voters? The argument is self-refuting, and it shows why upholding the rule of law and defending the structural checks and balances of the separation of powers is more vital than ever.

Another Administration fallback is the Constitution’s Necessary and Proper Clause, which says Congress can pass laws to execute its other powers. Yet the Court has never hesitated to strike down laws that are not based on an enumerated power even if they’re part of an otherwise proper scheme. This clause isn’t some ticket to justify inherently unconstitutional actions.

In this context, the Administration says the individual mandate is necessary so that the Affordable Care Act’s other regulations “work.” Those regulations make insurance more expensive. So the younger and healthier must buy insurance that they may not need or want to cross-subsidize the older and sicker who are likely to need costly care. But that doesn’t make the other regulations more “effective.” The individual mandate is meant to offset their intended financial effects.

Some good-faith critics have also warned that overturning the law would amount to conservative “judicial activism,” saying that the dispute is only political. This is reductive reasoning. Laws obey the Constitution or they don’t. The courts ought to defer to the will of lawmakers who pass bills and the Presidents who sign them, except when those bills violate the founding document.

As for respect of the democratic process, there are plenty of ordinary, perfectly constitutional ways the Obama Democrats could have reformed health care and achieved the same result. They could have raised taxes to fund national health care or to make direct cross-subsidy transfers to sick people. They chose not to avail themselves of those options because they’d be politically unpopular. The individual mandate was in that sense a deliberate evasion of the accountability the Constitution’s separation of powers is meant to protect.

Meanwhile, some on the right are treating this case as a libertarian seminar and rooting for the end of the New Deal precedents. But the Court need not abridge *stare decisis* and the plaintiffs are not asking it to do so. The Great Depression farmer in *Wickard*, Roscoe Filburn, was prohibited from growing wheat, and that ban, however unwise, could be reinstated today. Even during the New Deal the government never claimed that nonconsumers of wheat were affecting interstate wheat prices, or contemplated forcing everyone to buy wheat in order to do so.

The crux of the matter is that by arrogating to itself plenary police powers, the government crossed a line that Justice Anthony Kennedy drew in his *Lopez* concurrence. The “federal balance,” he wrote, “is too essential a part of our constitutional structure and plays too vital a role in securing freedom for us to admit inability to intervene when one or the other level of government has tipped the scale too far.”

The constitutional questions the Affordable Care Act poses are great, novel and grave, as much today as they were when they were first posed in an op-ed on these pages by the Washington lawyers David Rivkin and Lee Casey on September 18, 2009. The appellate circuits are split, as are legal experts of all interpretative persuasions.

The Obama Administration and its allies are already planning to attack the Court’s credibility and legitimacy if it overturns the Affordable Care Act. They will claim it is a purely political decision, but this should not sway the Justices any more than should the law’s unpopularity with the public.

The stakes are much larger than one law or one President. It is not an exaggeration to say that the Supreme Court’s answers may constitute a hinge in the history of American liberty and limited and enumerated government. The Justices must decide if those principles still mean something.

Mr. KYL. Finally, continuing on the point about the argument on ObamaCare and referring to a different piece that appeared in the *Wall Street Journal*, I wanted to talk just a little bit in more detail about the justification of this mandate to purchase health insurance, the requirement that every individual in the United States be the recipient of a specifically defined policy by the U.S. Government.

The rationale the government has provided is that if we do not do this, then free riders or people who do not have insurance but might get sick will end up shifting all of the burden of their care onto the rest of us, and therefore the government needs to regulate that by forcing everybody to buy insurance. On March 20 the *Journal* published a piece by Douglas Holtz-Eakin and Vernon Smith, a former CBO Director and an economics professor, respectively, which I think really debunks this argument on the merits. It explains the real reason this mandate, as well as a dramatic expansion of Medicaid, is unconstitutional. I just wanted to highlight the points they make.

First, Holtz-Eakin and Smith address this individual mandate question. States, of course, have general police power to regulate the conduct of their citizens, but Federal power, by contrast, is very limited over individuals.

The authors make the important point that health care policy has traditionally been a State function. Health

care needs relate to individuals and vary from person to person and region to region. As a policy matter, States have a better understanding of what kind of improvements to health care access are needed.

Here is what they wrote:

The administration's attempt to fashion a singular, universal solution is not necessary to deal with the variegated issues arising in these markets. States have taken the lead in past reform efforts. They should be an integral part of improving the functioning of health-care and health-insurance markets.

If the States have the legal power to address health issues and are better equipped to do so, then where does the justification for Federal jurisdiction come from? The authors note that the administration's argument is that the Federal Government mandate is needed to address the cost-shifting, the thing I talked about before. But they note that this is a red herring. "In reality," the authors write, "the mandate has almost nothing to do with cost-shifting." That is because, in actuality, the young and the healthy—the people who are not buying health insurance—aren't imposing much of a burden on the system because they do not get sick that often. They do not need as much insurance because they do not need as much health care. The authors say that "the insurance mandate cannot reasonably be justified on the ground that it remedies costs imposed on the system by the voluntarily uninsured." In other words, as I said, there is not that much free-riding going on.

The authors conclude that the real purpose of the mandate is not to decrease the costs of uncompensated care, it is meant to force the young and the healthy to buy health insurance at rates far above the amount and scope of coverage they actually need because they are generally healthy individuals. But this extra money will help fund health insurance companies and therefore offset the huge increased costs imposed upon them by ObamaCare's many new regulations. This is the real reason for the individual mandate. In fact, as an amicus brief by over 100 economists points out, "The [Affordable Care] Act is projected to impose total net costs of \$360 billion on health insurance companies from 2012 to 2021." With the mandates, however, "insurance companies can be expected to essentially break even." This is no coincidence.

If this is the real justification for the mandate to purchase health care, I submit it should have been done through an enumerated power—perhaps under the tax power of the Federal Government, which is at least one of the powers the Constitution explicitly provides.

In any event, this individual mandate cannot be justified to regulate interstate commerce. The supporters of the mandate have therefore introduced a second argument. They say health care is just different from all other commerce. It is bigger. Everybody has to have health care—as if they did not

have to have food on the table or shelter over their head or clothes on their back and so on. In any event, they say health care is different and somehow this difference gives Congress the right to force people to buy government-mandated health insurance under its power to regulate interstate commerce. But the argument that "this particular market is just different" is beside the point even if it were true because it does not articulate a constitutional limitation that is judicially enforceable.

The question before the Court is whether there is any limit to Congress's power to regulate commerce. Obviously, the Framers would never have countenanced a Federal requirement to purchase a product so that the government could then regulate it. So what limit on constitutional power is suggested by the health care market? None. That is precisely the point. The government cannot draw a line, and, as a result, it would have to argue that there is no limit to its powers, and that, of course, would run counter to the reason the Framers put limitations into the Constitution.

The individual mandate is not the only provision in ObamaCare that is constitutionally impermissible. The Medicaid expansion is also violative. While Congress has well-established power to use its purse strings to encourage the States to adopt certain Federal policies, it cannot force them or compel them to do so. ObamaCare's Medicaid expansion essentially coerces the States into complying with new Medicaid policies.

This occurs in two different ways. First, if a State does not comply with the ObamaCare eligibility expansion, it would lose all of its Federal Medicaid funds—even for patient populations that the State had already covered long before ObamaCare was passed. Few if any States would be able to continue their existing Medicaid Programs if they lost all of this Federal funding.

An amicus brief signed by over 100 economists examined Medicaid data to determine the economic impact of States losing all of their Medicaid funds, and it found that if States were forced to absorb Federal Medicaid expenditures into their own State budgets, "the State's total budgetary expenditures would jump by 22.5 percent." In other words, there is no real choice. The options for States are to do as the Federal Government says or leave Medicaid, which by now is so engrained in the care for the indigent that unwinding it, in effect, disentangling it from existing Federal-State relationships, would be virtually impossible and would obviously jeopardize care for the population without other health coverage. This is coercion, plain and simple. It is unconstitutional.

Second, ObamaCare expands Medicaid eligibility to everyone under 138 percent of the Federal poverty level. For individuals who make less than 138 percent of the poverty level,

ObamaCare provides no means for complying with the individual mandate other than enrolling in Medicaid. In their brief to the Supreme Court, the States suing over the Medicaid expansion said it best:

When Congress mandates that Medicaid-eligible individuals maintain insurance, but provides no alternative means for them to obtain it, it is impossible to label the States' participation in Medicaid voluntary.

If it is the only way someone can get it, it is not voluntary.

Well, ObamaCare, as a whole, cannot survive without these unconstitutional provisions, and these are the reasons I believe it will and can be struck down as unconstitutional.

MISSILE DEFENSE

Mr. KYL. Mr. President, the last subject I would like to comment on is an unrelated subject. It has to do with comments the President was overheard making in a meeting he was holding with Russian President Dmitri Medvedev at the Nuclear Security Summit in South Korea. He had a hot mike which captured comments he was making privately to President Medvedev. He requested a little space, as he put it, in negotiations over missile defense issues until after the election when he said he would have more flexibility.

Well, obviously, this presents a problem that is going to have to be discussed with the Congress because if the President is, in effect, saying he would like to make a deal to limit U.S. missile defenses now, but he would be accountable to the American public if they became aware of it before his reelection bid, it would be very difficult for him to make the kind of concessions that President Medvedev wants. But if the Russian President would just wait until after the next election, then the President will have more flexibility to work with the Russians on what they want.

Well, President Medvedev very helpfully said: I will pass this on to Vladimir.

Here are a few things we know: We know President Obama canceled plans to station antiballistic defense systems in Poland and the Czech Republic. We know the President supported language in a new START treaty to link missile defense to nuclear reduction. We know the administration is sharing information with Russia, including plans to deploy missile defenses in Europe. We know the President has significantly reduced funding for and curtailed development of the U.S. national missile defense system, undermining our ability to effectively intercept long-range ballistic missiles, and we know the President has doubled down on efforts to reduce our nuclear arsenal while failing to honor his promises to modernize the aging nuclear weapon complex.

What we don't know is what President Obama has in mind for working

with the Russians after his reelection when he would—as he put it—have some flexibility in negotiating with them. Perhaps the Russians in whom the President confided could shed some light on missile defense plans. Then perhaps the President should shed that light on these negotiations with the American people before discussing them with the Russians.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

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

FACING THE ISSUES

Mr. McCONNELL. Mr. President, as Americans filled up their cars with gas this weekend, I am sure a lot of them wondered how much higher gas prices could actually go. Well, today the Democratic-controlled Senate plans to send these folks a message: If they had their way, gas prices would be even higher.

Today Democrats will propose raising taxes on America's energy manufacturers, something common sense and basic economics tell us will lead to even higher prices at the pump. This is the Democratic response to high gas prices, and, frankly, I cannot think of a better way to illustrate how completely and totally out of touch they are on this issue. That is why Republicans plan to support moving forward on a debate over the legislation because it is a debate the country deserves.

We are going to use this opportunity to explain how out of touch Democrats are on high gas prices and put a spotlight on the commonsense ideas Republicans have been urging for years—ideas that reflect our genuine commitment to the kind of “all of the above” approach the President claims to support but actually doesn't.

Look, this isn't terribly complicated. Americans from Maine to California are frustrated at high gas prices. What do they see in Washington? They see Democrats pushing legislation that even they admit doesn't have a thing to do with lowering gas prices. At least seven Democrats are on record saying this bill doesn't do a thing to lower gas prices. Last year its own sponsor said nobody has made the claim this is about reducing gas prices—all of which raises an obvious question: What are we doing it for? How does this help the American people now?

Of course it doesn't. In response to record-high gas prices, Democrats in Congress want to raise taxes on the very people who produce it. Meanwhile the President is blocking a pipeline that would decrease our dependence on Middle East oil and create literally thousands of American jobs.

Americans see the Democratic response to high gas prices to make them

even worse. That is the Democrats' response to high gas prices, to make them even worse. They are starting to wonder if this might as well be the Democrats' official slogan: Vote for us, and we will make things worse. Because whether it is jobs or debt or spending or gas prices, that is the Democratic record, which leads me to health care.

Today, as we all know, the Supreme Court began hearing arguments on the President's health care law. Among other things, the Court will consider whether the mandate at the core of this law is constitutional. As one of the many public officials who filed a brief before the Court opposing this law, I believe strongly the law is, in fact, unconstitutional, and I hope the Court agrees.

Even if the Court ends up disagreeing with me, the case for repeal becomes increasingly difficult to refute. The President was right to seek reform, but the bill he gave us and the Democrats forced through Congress on a party-line vote is not working. Instead of lowering costs, it is increasing them. Instead of strengthening Medicare, it raided Medicare. Instead of helping States, it has created financial burdens they cannot even bear. Instead of lowering insurance premiums, it has caused them actually to go up.

When it comes to jobs, some have called the law the single biggest detriment to job creation in America right now, and most Americans believe it is unconstitutional. This law is a mess, an absolute mess, and regardless of what the Court decides, it needs to be repealed and replaced with commonsense reforms that actually lower costs and that Americans really want.

So we will keep one eye on the Supreme Court this week, and we are basing our opinion on something simpler than the legal arguments we will hear this week. We are looking at whether this law helped or hurt. On that question the verdict is already in, just like so much else this President has done over the past few years.

Look, we need health care reform, but this law has made things worse. On that basis alone it should be repealed and replaced. That is what Americans want, and that is what we plan to do.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Michigan.

OIL MARKET SPECULATION

Mr. LEVIN. Mr. President, once again, oil prices have spiked to high levels threatening our economic recovery. Prices are now nearing \$110 a barrel, up nearly 30 percent since October 2011, only 5 months ago. For years now the commodity markets have taken the American people on an expensive and damaging roller coaster ride with rapidly changing prices for crude oil.

In 2007, a barrel of crude oil started out costing \$50 a barrel. By the end of the year, the price had nearly doubled.

In 2008, oil prices shot up in July to nearly \$150 a barrel, and then by the end of the year crashed to \$35. In the beginning of 2011, oil prices took off again, climbing to over \$110 per barrel in May. Then they began falling. In October oil traded at \$75 per barrel, a drop of more than 30 percent over 4 months.

Now 5 months later oil prices are back up to nearly \$110 a barrel. This unpredictable and incessant price volatility is burdening American consumers and businesses with both uncertainty and expense.

Some in the media are blaming recent events in the Middle East for the latest oil price spikes, but Middle East instability cannot explain these large gyrations. We have seen uncertainty, unrest, and armed conflict in that region for more than 50 years without seeing this same pattern of extreme price volatility in oil prices. That volatility has become a feature of U.S. oil markets over the last 7 years.

There is something else at work behind the spikes and sudden drops in the price of oil and other commodities in recent years, and we have strong evidence showing what it is. It is the increasing role of market speculators betting on price swings.

For years now the Permanent Subcommittee on Investigations, which I chair, has been digging into the problem of excessive speculation in the commodity markets. Since 2002, the subcommittee has conducted a series of investigations into commodities pricing, in particular focusing on how speculators have changed the game. Our investigations have used specific case histories involving oil, natural gas, and wheat prices to show how excessive speculation in the futures and swaps markets have distorted prices, overwhelmed normal supply-and-demand factors, and pushed up prices at the expense of consumers and American businesses.

For example, in 2006 the subcommittee released a report that found that billions of dollars of commodity index trading by speculators in the crude oil market had helped push up futures prices in 2006, causing a corresponding increase in cash prices and was responsible for an estimated \$20 out of the then \$70 cost for a barrel of oil. Since then even more speculators have entered the commodities markets. Today we have commodity index traders, exchange-traded products, even mutual funds betting billions of dollars on crude oil prices on a daily basis.

Speculators have now come to dominate our futures and swaps markets, overwhelming the commercial users and producers who use and need these markets to set fair prices and hedge risks.

At a November hearing before my subcommittee, the Chairman of the Commodity Futures Trading Commission, Gary Gensler, testified that over 80 percent of the outstanding futures

contracts for crude oil are now held by speculators. That fact is new, it is significant, and we cannot ignore it.

It used to be that prices were determined primarily by fundamental market forces of supply and demand for physical commodities. When commodities were tight and demand high, prices generally went up. In contrast, when supplies were ample and demand low, prices generally went down. Nowadays that relationship is largely absent.

Here are some startling facts from recent press and government reports that show how U.S. crude oil prices today have become disconnected to supply and demand. First is the fact that the United States has ample oil supplies in the neighborhood of 350 million barrels in storage, which is toward the higher range since 2008. World supplies are also adequate with the Saudi Arabian oil minister recently stating that world supplies are stronger today than they were 4 years ago in 2008.

In addition, the United States is producing more domestic oil than it has in years. In 2010, U.S. domestic crude oil production increased to 5.5 million barrels per day, up from 5.1 million barrels in 2007, and is still climbing. In 2011, overall U.S. refining capacity also increased. Perhaps most surprising of all in 2011, for the first time since 1949, the United States exported more gasoline, diesel, and other petroleum products than it imported. The United States is projected to do the same in 2012 and 2013. At the same time U.S. oil supplies stayed steady and production increased, U.S. demand went down. In 2011, U.S. fuel consumption actually sank and oil demand in North America contracted by 0.5 percent. Some of that drop was due to lower economic activity, some to greater energy efficiencies, and some to higher energy costs.

For example, U.S. demand for gasoline sank nearly 3 percent last year. More broadly, in 2011, total U.S. demand for all types of oil products fell to 18.8 million barrels a day, from 20.8 million barrels a day in 2005. That is a drop of 10 percent. The end result is that over the last year oil demand was down and supply was up in the United States. Under normal economic conditions, both factors should have led to lower oil prices. Instead, despite steady or improving oil supplies and steady or dropping demand, U.S. crude oil prices became more like a roller coaster than ever.

What explains the price volatility and escalation? The answer is pretty clear to me after 10 years of investigations by our subcommittee: It is the large amount of speculation in oil markets which is a major contributing factor to high prices. Speculators who now comprise more than 80 percent of the U.S. futures oil market are bidding on contracts, speculating on price swings, and helping to drive up price volatility and crude oil prices. Higher crude oil prices translate directly into

higher gasoline prices. According to a February 27, 2012 article in *Forbes* magazine citing a recent report by Goldman Sachs, oil speculation “translates out into a premium for gasoline at the pump of 56 cents a gallon.” In other words, speculation is adding 56 cents to the price of each gallon of gas bought at the pump.

Here is a Reuters chart that uses CFTC data. It focuses on the crude oil holdings of speculators, the group of traders that the CFTC refers to as “managed money” and which includes commodity index funds, hedge funds, commodity pool operators, and commodity trading advisers. The chart uses CFTC data to track the ratio of their long to short crude oil futures holdings over time. Last month, there was a spike, way over here to the right. Speculators held more longs than shorts by a 12-to-1 ratio, the largest recorded difference in 5 years. That same week, U.S. crude prices hit a 9-month high of \$110. And it is no surprise that when more than 80 percent of the market suddenly bets 12 to 1 on prices going up, oil prices do just this.

As we can see from this chart, these spikes occurred in the last year or two. Before that, we did not have the spikes. Before this, there was this huge amount of speculation in the oil futures market and we did not have these large spikes which we have had in the last few years.

The reality is that oil prices again are not just affected by physical supply and demand but by speculative pressures on prices. That means if we are to get a handle on oil prices, excessive speculation must be curbed. There is a lot we can do to combat excessive speculation, and I will spell out some of these steps.

Congress has already taken the first steps. In July 2010, Congress enacted the Dodd-Frank Act which, in Section 737, directed the CFTC to establish speculative position limits on energy and other previously exempted commodities, and broadened CFTC authority to apply those limits to all types of commodity-related instruments, including futures, options, and swaps. The Dodd-Frank Act also required all large commodity traders to begin reporting their trades in real time to a central repository, increasing transparency, producing new detailed trading data, and strengthening regulatory oversight.

In November 2011, in compliance with the Dodd-Frank requirements, the CFTC issued a new position limits rule. The rule sets limits that are not as tough as they should be, but the real problem is that they are not yet fully in force. That means this important new tool to clamp down on excessive speculation lies dormant.

One big roadblock is that, within a month of the rule's issuance, the financial industry filed a lawsuit to stop it from taking effect. The lawsuit claims Dodd-Frank didn't require the CFTC to impose position limits, although those

of us in the Senate who fought for the law know position limits were made mandatory by Dodd-Frank and were regarded as vital to curbing excessive speculation. The court is considering the case now and hopefully will not allow the lawsuit to delay or thwart the legal protections needed to stop American families and businesses from being whipsawed by excessive speculation in oil and other commodities.

In the meantime, what should Congress do? First, we should stop pretending that \$110 per barrel of oil is caused solely by Mideast unrest or physical supply and demand factors, and acknowledge a major contributing role played by speculators in crude oil prices. Second, we ought to urge the CFTC to find that current U.S. oil prices, which do not reflect physical supply and demand factors, are evidence of a severe market disturbance. That finding would allow the CFTC to exercise its emergency authority, without waiting any longer, to clamp down on excessive speculation in the oil markets. Among other options, the CFTC could tighten position limits for oil traders, make those limits immediately effective in the futures, options, and swap markets, strengthen margin requirements, and take other actions needed to bring oil prices back into alignment with supply and demand.

Third, on a longer term basis, we should revamp the rules that enable commodity index traders, exchange traded products, and mutual funds to flood U.S. commodity markets with speculative bets on commodities to the detriment of American families and businesses. Legislation is needed to require the SEC and CFTC to impose joint registration and reporting obligations for traders that use securities to gain exposure in commodities, joint regulation of hybrid products that combine securities and commodities trading, and increased margin and capital requirements for risky speculative bets. The Internal Revenue Service needs to stop allowing mutual funds to use phony offshore corporations to circumvent a longstanding 10 percent limit on their commodity investments. Additional restrictions on commodity index trading should also be considered, since it is the largest root cause of modern day excessive speculation.

Finally, we should ask more of the President's task force on commodity speculation. In March 2011, a year ago, Senator JACK REED and I sent a letter asking President Obama to convene a task force to investigate and combat excessive speculation and manipulation of oil prices. While the Attorney General did convene a task force, it has concentrated principally on detecting a few cases of alleged criminal activity, instead of tackling the broader issue of excessive speculation cases in which no one is committing a crime, but aggregate commodity trading tactics are driving up prices and price volatility to the point where they damage the U.S.

economy. The task force needs to urgently refocus and bring its firepower to the battle to stop excessive speculation.

In closing, until we limit excessive speculation in commodity markets, the American economy will continue to be vulnerable to violent price swings and American consumers and businesses will continue to be whipsawed by oil prices unconnected to actual supply and demand. American families cannot afford the current price of oil and gas and neither can our economy, which, after 4 years, is beginning to turn a corner toward real growth. Today's prices—\$110 for a barrel of oil and \$4 for a gallon of gasoline—are a clarion call to action that Congress and the CFTC ignore at the Nation's peril.

Mr. President, I thank the Chair, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Indiana.

HEALTH CARE

Mr. COATS. Mr. President, this past Friday marked the 2-year anniversary of when the president's health care law, the affordable care act, otherwise known as ObamaCare, was signed in to law. I wasn't in the Senate at the time; I was actually in the State of Indiana campaigning to be in the Senate as a representative of that State. As such, I had spent a considerable amount of time crisscrossing the State and talking to Hoosiers about the health care plan. From diners and restaurants all across Indiana to small businesses, large businesses, medium-size businesses, big industrial giants, small mom-and-pop operations, medical providers, and ordinary citizens, we in Indiana join the nearly two-thirds—or perhaps even more than two-thirds—of the country that oppose this law.

Hoosiers didn't then, and they don't now, want to have a one-size-fits-all nationalized health care system. They want a healthier health care system. They want reforms to the current problems and excessive rising costs of health care. This is the first of many attempts I will make to discuss why we need to address this law, which is moving toward ever and ever greater implementation and particularly kicks in over the next two years. Hoosiers, as I said, did not want the plan then and they don't want it now. They don't want to have Federal bureaucrats making their health care decisions for them. They want less government intervention and higher quality of care, and they don't want a health care system that increases costs and premiums while hurting job creators with fines and penalties. They want affordable care and good job opportunities.

Two years after passage of that act, I continue to hear these messages from the people of Indiana and from others as we discover more and more information about what is contained in this massive 2,700-page bill that was passed in early 2010. I wish to discuss a few of

the impacts of the ObamaCare law today. The first is the individual mandate, and of course that is one of the issues the Supreme Court is hearing right now and will be making a determination on.

ObamaCare is the biggest example of government intrusion in the everyday lives of Americans, whether by forcing individuals to buy health insurance, enacting onerous regulations on small businesses, or by raising taxes and imposing penalties. The health care law forces every American to purchase a health insurance plan or, if they choose not to do so, to pay the government a fine. This is unprecedented in American history. It is the first time the Federal Government is forcing citizens to purchase a product or a service they may or may not want or pay a fine for their decision to say no.

This administration basically is saying to Americans: We know what is better for you than you know for yourself. We know what is better for you than what your doctor suggests is needed, and if you don't get a government-approved health care plan, we are going to assess you a fine.

That is a basic, fundamental principle of constitutional law and the Supreme Court will be making that determination. But I suggest that this Congress needs to continue to debate this and be prepared to act depending on what the Supreme Court decision is, which will come down several months from now.

The second thing I wish to talk about briefly is the higher costs that emanate from this particular piece of legislation. In addition to mandating that all Americans have health insurance, ObamaCare hits individuals and families with increased costs at higher premiums. The Nation's nonpartisan budget experts at the Congressional Budget Office estimate that when fully implemented, this law will increase insurance premiums on a family policy by an average of \$2,100 a year. Therefore, the affordable care act is hardly affordable and increases the already high premiums people have to pay for insurance.

The President's own Chief Actuary at the Center for Medicare Services reported that the law will increase national health care costs by \$311 billion in the first 10 years alone—*increase* is the key word here. The goal of reforming the Nation's health care system initially was to reduce the skyrocketing costs for Americans, not increase them. Yet, we are now being told by the experts and the President's own people that Obamacare will increase costs.

I also wish to speak about the impact of this law on businesses. I talked to dozens if not hundreds of businesses across the State of Indiana, both in the campaign year of 2010 and then last year traveling as a Senator throughout the State. The President's health care prescription results in bad side effects for American businesses by hitting job

creators with new taxes and new regulations that they desperately don't need at this point in our struggle to regain economic growth. Take the employer mandate. The law penalizes businesses that do not provide employees with government-approved health care plans. Beginning in 2014, American businesses with more than 50 employees will be fined \$2,000 per employee if they do not offer a health insurance plan approved by the Federal Government.

I have talked to a number of business people who have gone through painful negotiations with their workers and with their laborers and with staff. They have put together a health care plan that is accepted by both management and by employees who recognize that if they cannot maintain some semblance of control over costs, the jobs might not be available in the future because the company cannot afford to keep people at work. So in recognition of all of this negotiation that goes on and the contractual obligations that both sides work to achieve, understanding that if the business is hit with too much tax and too many regulations the business may not survive, those plans now come under the scrutiny of the Federal Government, and the Federal Government will determine whether those plans are sufficient and adequate. If it determines they are not, then a fine is levied against the business.

I cannot tell my colleagues how many business people told me: Look, I would rather pay the fine than have the government impose all of these new regulations on us when we are working carefully with each employee to make sure they have their basic insurance needs covered. Yet, if we are forced into a set plan of set procedures for every employee, then I have two choices, the business people say: I can either refuse to do so and pay the penalty of about \$2,000 per employee, or I can let people go. The bottom line is, if I can't make my bottom line, I cannot keep these people employed.

The arbitrarily fixed basis that small businesses under 50 employees will not be subject to this leaves manufacturers and business people who are slightly below that level—say at 45 or 40 or 35—a dilemma as they are seeking to expand their business. "As soon as I hire No. 50, then my business is no longer exempt. So what do I do? I freeze out hiring more people and look to double up people's salaries or put people on overtime." At a time when we have over 12 million people looking for a job and millions of people underworked or working two and three part-time jobs to make ends meet, we are imposing this law on them. It could not have come at a worse time.

Then there is a medical device tax and several other taxes that are included in this bill that we continue to find as we read the fine print.

Indiana is a State that is home to a lot of medical device manufacturers. In

fact, there are over 300 registered medical device manufacturers that employ 20,000 Hoosiers in the State of Indiana and another 28,000 people who benefit from that employment. There are more than 400,000 workers employed nationwide by this industry.

So what did the ObamaCare plan propose? Well, we need some pay-fors. To pay for the law, the administration decided to impose a 2.3 percent tax on these medical device manufacturers.

The PRESIDING OFFICER (Mr. TESTER). The Senator's time has expired.

Mr. COATS. Mr. President, I sense I am approaching a deadline in time. I am wondering if I could, with the consent of my colleague, ask unanimous consent for 5 more minutes.

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

Mr. COATS. Thank you, Mr. President.

These medical device manufacturers are employing people at an average rate of about 41 percent greater than the average worker rate of pay in my State, so these are desired jobs. But, again, employers and manufacturers of medical devices are telling me they are being forced to go overseas because of the burden of regulation and a tax that has nothing to do with the essential program of the health care plan.

That is not the only tax that is imposed in this law. There are many hidden taxes here that we are just learning about. Let me name five: the excise tax on charitable hospitals; the drug industry tax, separate from medical devices; the health insurance industry tax; the insurer excise tax; and a Blue Cross-Blue Shield tax hike.

The Joint Committee on Taxation found that the health care law imposes more than \$550 billion in new taxes and penalties, most of which will fall on the middle class.

Third, the impact on the State of Indiana.

ObamaCare forces States to expand Medicaid rolls so significantly that it will be imposed—and this has been talked about earlier today—upon the States in a way that can cripple their ability to try to find some balance in their budgets. In Indiana, where our budget is in far better shape than many other States, we still cannot afford the current Medicaid Program, let alone the projected new costs that will be required under the ObamaCare law.

An outside group has estimated that \$3.1 billion in new costs over the next decade will be imposed on Indiana taxpayers if the 1.5 eligible Hoosiers enroll in Medicaid as a result of this health care law. This added expense does not include any payment relief to providers and, therefore, shifts costs to patients by driving up premiums for all Hoosiers.

In conclusion, we have to ask the question: What is the remedy for this fatal disease called ObamaCare? Well, the remedy may lie with the Supreme Court. They are hearing arguments on

this today, and will for the next 2 days, and we will have a decision on the constitutionality of this law by the summer. But the health care debate also, most likely, will end up back here in Congress one way or another, and that leaves us the responsibility of addressing this.

From forcing individuals to purchase insurance, to taxing successful job creators and burdening State budgets, I believe the health care law is so deeply flawed that it must be scratched and replaced with real reform, reform that lowers the cost of care, allows the doctor—your doctor, not the government—to decide the kind of medical care you need, and provides flexibility to States.

Real health care reform lowers costs, it improves access to quality care, empowers individuals, and preserves personal liberties; and that is not what we have in the law that currently is on the books. So whether through congressional legislation or court action, ObamaCare needs to be overturned and replaced with commonsense provisions that put patients—not government, not bureaucrats—in charge of health care decisions.

ObamaCare has proven to be the wrong prescription, and it is time for a new treatment. Americans want reform that remedies our ailing health care system, not one that weakens it and drives it deeper and drives us deeper as a Nation into debt.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, since this is the 2-year anniversary of the passage of the health care reform law, the affordable care act, and since the Supreme Court, of course, is meeting across the street hearing various arguments attacking the legislation—they heard arguments this morning; they are going to hear arguments again tomorrow morning; and they are going to hear arguments again Wednesday morning—I believe it is a crucial time to remind all Americans why this law was needed, why it still is needed, and how it will benefit families across this country.

In my view, there is considerable confusion about what the health care reform legislation will accomplish. And I am not surprised. The opponents of the legislation have worked hard in the last couple of years trying to confuse many Americans into thinking the bill contains all kinds of nefarious provisions.

The Kaiser Family Foundation did a poll, however, that demonstrated when Americans are asked about the actual provisions that are contained in the law, there is strong bipartisan support for those reforms. So I wish to take a little time to straighten out what the provisions in the law are and how I see them impacting on our health care system.

Health care reform was needed when it was enacted 2 years ago for two important reasons. First, before reform—

and even today—one in six Americans was uninsured. That number was growing, is still growing. In my home State of New Mexico, the situation was even worse. We had more than one in five people in my State uninsured. That is the second highest rate of any State in the Nation. The large majority of the uninsured are working people. They have low incomes. They cannot afford to pay the very high cost of health insurance.

The second important reason we enacted health care reform was that the cost of health care was continuing to grow at an unreasonable rate.

As you can see on this chart I have in the Chamber—this is based on data from the Centers for Medicare and Medicaid Services, Office of the Actuary—they estimate that national health expenditures per capita increased from 5 percent of gross domestic product in 1960 to 18 percent in 2010. So absent any intervention, this figure was projected to exceed 40 percent by 2080.

The affordable care act significantly improves the situation. It does not solve all the problems in our health care system, but it substantially improves the situation. Due to the affordable care act, over the next 10 years, the rate of uninsured will be reduced by more than half. That is according to the Congressional Budget Office estimate. Low-income families will be able to afford health insurance, so they will not have to worry about going broke because they get sick. The rest of America will not see their insurance premiums rise to absorb the cost of expensive hospital care when the uninsured have nowhere else to turn.

With full implementation of this law, Americans will get higher quality health care while at the same time we begin to rein in the growing costs of health care. The law does so while protecting key parts of the health care system, such as Medicare. It extends the solvency of Medicare from 2017—prior to the enactment of this legislation—to 2024. Despite claims to the contrary, these reforms are fiscally responsible. They decrease Federal health care spending by well over \$1 trillion over the next two decades.

Stated simply, the law protects the aspects of our health care system that are working well and fixes many of those aspects that are broken, and it does so in a fiscally responsible way. It achieves this through provisions that are intended to support three main goals. Let me go through those briefly.

The first of those goals is to expand coverage and ensure health insurance is affordable. The second of those goals is to improve the quality of health care. The third is to begin reining in the rapidly rising costs of health care and create efficiencies in our health care system.

Let me start with this coverage expansion under the affordable care act. Under the law people who need health care can get health insurance coverage.

There is financial assistance to those who cannot afford it. According to the Congressional Budget Office's most recent projections, 93 percent of Americans will have affordable health insurance coverage by 2016 with full implementation of this act. That is 30 million more Americans who will be covered who are currently uninsured.

Some of these provisions have already taken effect and have had a significant impact. For example, young adults up to the age of 26 can now receive health insurance coverage under their parents' insurance regardless of their marital or school or employment situation. Since the implementation of this provision, 2.5 million uninsured young people across the country have gained health insurance coverage. This includes over 21,000 young people in my home State of New Mexico.

In addition, 20,000 seniors in my State who are in the so-called coverage gap for prescription drugs under Medicare are now saving on their prescription drugs because that so-called doughnut hole is decreasing in size as a result of this legislation. This is already benefiting 3.6 million seniors nationwide.

Children with preexisting conditions are no longer able to be discriminated against, and adults with preexisting conditions who cannot get insurance have the option for coverage in a high-risk pool. With full implementation of the law, those adults will be in the same circumstance as children with preexisting conditions in that they will not be able to be discriminated against.

What is more, the major coverage provisions are still to come. They begin in 2014. Medicaid will be expanded to cover more low-income Americans, those whose incomes go up to 133 percent of the Federal poverty level. This is a critical provision since experts tell us the expansion of Medicaid coverage is the most cost-effective way to provide insurance to low-income uninsured individuals and families.

Seventeen percent of the nonelderly population nationwide benefit from the Medicaid expansion and the tax credits in this legislation. In New Mexico, as well as the States of Texas and Louisiana and California, which have high rates of uninsured, the estimate is that 36 percent to 40 percent of residents could benefit.

Lower and middle-class income families will be eligible for health insurance tax credits to help purchase health insurance. While most Americans will still get health insurance through their employers, those who do not can purchase health insurance through the health insurance exchanges. These will be virtual insurance shopping malls in each State that will offer an easy-to-understand menu of options with which to compare insurance plans. So we will have informed and empowered consumers who can choose the plan that is right for them and their family. The intent of the health insurance exchange is to

level the playing field, increase competition among insurers, and thereby keep rates competitive.

Contrary to much of the rhetoric we have heard, States will not shoulder the fiscal burden of this coverage expansion. Limiting costs to States was a priority when we drafted this health care reform legislation. In fact, the Federal Government commits to assume 100 percent of the cost of the Medicaid expansion for newly eligible individuals during the first 3 years, beginning in 2014. Federal contributions are going to phase down after that slightly over the following years, so that by 2020 the Federal Government will be responsible for 90 percent of the cost of those newly covered individuals.

For example, my State of New Mexico is expected to receive \$4.5 billion in 2014, 2015, and 2016, as we expand coverage to more enrollees. This will allow access to Medicaid for about 180,000 newly eligible New Mexicans.

Let me refer to this chart that is beside me. This shows the Congressional Budget Office's estimate of the expansion impact on State spending on Medicaid. As we can see, contrary to a lot of the statements that are made on the Senate floor and elsewhere, this increase is less than 3 percent. This is additional spending on expansion. It is a small fraction, 2.8 percent, of State Medicaid spending. This is for the period 2014 through 2022.

While reform expands Medicaid, it also makes it possible for some current Medicaid enrollees to become eligible to participate in the health insurance exchanges and brings them into the private market. According to the Urban Institute analysis, the net effect of enactment of the affordable care act on State budgets, in the worst case scenario, will see States realizing net budgetary savings of at least \$40 billion during the period 2014 to 2019. It is possible those gains could be as high as \$131 billion.

With respect to affordability—and I know my colleague who was just on the floor was talking about affordability—the impact on New Mexico families is a good example. On average, families in my State will see a decrease in insurance premiums, perhaps as much as 60 percent. In addition, two-thirds of New Mexicans could potentially qualify for subsidies or Medicaid, and nearly one-quarter could qualify for near full subsidies or Medicaid.

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

Mr. BINGAMAN. I see a colleague who wishes to speak. Therefore, I will ask unanimous consent that the balance of my statement be printed in the RECORD as if read.

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

Mr. INHOFE. Does the Senator wish to continue?

Mr. BINGAMAN. Mr. President, my colleague has said I could proceed for a few more minutes. Let me just—

Mr. INHOFE. Mr. President, I ask unanimous consent that at the conclusion of the remarks of the Senator from New Mexico, I be recognized for up to 25 minutes.

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

Mr. BINGAMAN. I thank my colleague from Oklahoma for his courtesy. Let me talk a little about the second and the third goals I outlined earlier.

The second goal of the affordable care act is to improve the quality of care. There is not a lot of discussion about that, but that is a main thrust of this legislation. A strong, well-trained health care workforce is essential if we are going to have quality health care in this country.

Many provisions of the bill will strengthen the health care workforce. One obvious question is, What is the need we are trying to address? Let me point out that 25 percent of the counties in the United States are designated as health care professional shortage areas. In my State, 32 of the 33 counties are designated as health care professional shortage areas. We are absolutely last. New Mexico is absolutely last in all States with regard to both access to health care and the utilization of preventive medicine.

The affordable care act contains key provisions to improve access and delivery of health care services to these areas. We train a great many additional physicians, nurses, pediatric specialists, and other health care providers. There is a major push to improve the quality of care by focusing on outcomes and effectiveness of medical treatments. All this is very positive and should have been done many years ago in this country. I am glad we are finally doing it as part of this health care reform legislation.

The third and final goal of the legislation, as I mentioned earlier, is to begin to rein in costs and eliminate waste and inefficiency. Experts agree there is a tremendous amount of waste and inefficiency in our health care system. Anyone who has gone to a hospital can see that. Estimates indicate that as much as one-third of medical care does not, in fact, improve anyone's health. I think this bears repeating. A full one-third of all dollars spent on health care in this country does not contribute to the overall health of the population.

We are trying to deal with that in a variety of ways in this legislation, to get more cost-effective treatment and to get more efficiency in our health care system.

The law provides for savings by stopping investments in so-called Cadillac insurance plans. Second, there is new transparency and accountability for insurers to justify premium increases. Third, the law requires that insurers spend at least 80 percent of the premiums they collect on actually providing medical care rather than on CEO salaries and shareholder profits and administrative costs. Fourth, the

affordable care act increases competition and price transparency through these health insurance exchanges we established. Fifth, the law establishes an independent body to recommend policies to Congress to help Medicare lower costs while providing better care. I can go into quite a discussion of the advisory board we established to try to control growth in the cost of Medicare. I think it is a very meritorious provision and one about which a great deal of bad information has been provided.

In conclusion, the facts demonstrate clearly to me that these reforms will move us forward toward more affordable health care, with greater choice for American families. We will see less waste. We will see less inefficiency in our health care system. We will see higher quality of care. We will start to bring rising health care costs under control.

These are worthy goals. They are the goals of this health care reform legislation. I look forward to seeing them achieved in the coming months and years.

Again, I thank my colleague for his courtesy in allowing me to continue longer than was planned.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

ENERGY

Mr. INHOFE. Mr. President, we are going to have a vote this afternoon. It is going to be a procedural vote. Some will be voting different ways. There is a substance behind the issue at large.

Last week, President Obama visited Cushing, OK. It may have been the first time he has ever been to Oklahoma. I do not know. He claimed that under his watch, he said, "America is producing more oil today than at any time in the last 8 years." It seems that in the midst of \$4- to \$5-a-gallon gasoline, he is trying to convince the American people he is not one to blame. Clearly, he is the one to blame.

That is why I think it is important to set the record straight. After all, it was Obama's Energy Secretary Steven Chu—we cannot forget this—who said: "Somehow we have to figure out how to boost the price of gasoline to the levels in Europe." That was his Energy Secretary who was speaking on behalf of President Obama.

So the motive is to raise the price of gas. Right now, we are almost over halfway there. We all remember the President's statement during the 2008 campaign when he said: "Under my plan, electric rates will necessarily skyrocket." His policy agenda has been in lockstep with this goal.

President Obama has had a 4-year war on fossil fuels, and now we are paying for that at the pump. As to the oil and gas taxes, nowhere has the President been more resolute in stopping oil and gas development than in his tax proposals, every budget since he was sworn in. Now we are talking about

four budgets this President has presided over. Keep in mind, when a budget is designed by a President, whether he is a Democrat or Republican, it is the President, not the Democrats, not the Republicans, not the House, not the Senate, it is the President who is responsible for that budget.

In every budget the President has called for the elimination of all tax provisions made available to the oil and gas industry. This year these tax increases totaled about \$40 billion over 10 years. So while the President was going around the country last week trying to convince everyone he is actually pro oil and gas, he laid the groundwork for Senator MENENDEZ to push a bill through the Senate to raise taxes on the industry.

Senator MENENDEZ's bill, S. 2204, proposes to either modify or outright cancel the following tax provisions for major integrated oil and gas firms. First, the section 199 manufacturer's tax deduction; secondly, intangible drilling costs, sometimes referred to as IDC; third, the percentage depletion; and, four, the foreign tax credit for oil and gas firms.

Last time we actually had a vote in the Senate on these provisions was in June of 2010. I remember it very well because that was when the distinguished Senator from Vermont Mr. SANDERS offered an amendment that would have raised taxes on oil and gas producers by \$35 billion over 10 years by repealing section 199—same thing he is trying to do—percentage depletion and IDC.

While the Menendez bill is a little different, it applies to the larger companies, those with substantial production levels. It is important to point out that the Sanders amendment—and I led the opposition to the Sanders amendment—was defeated almost 2 to 1, 35 to 61.

The President insists these tax and accounting provisions are actually subsidies, but nothing can be further from the truth. This has not been done yet, to my knowledge—been explained. It is so important people understand what these provisions are.

Section 199 is the manufacturer's tax deduction. Section 199 was added to the Tax Code as a part of President Bush's 2004 tax law. It was designed to support domestic manufacturing, and it did this by providing a 9-percent tax deduction for manufacturers, effectively lowering their tax rates from 35 to 32 percent.

The provision was phased in between 2005 and 2010. But, in 2008, something strange happened. The oil and gas industry was singled out so it could only claim a portion of that deduction. In other words, all other manufacturers of all other goods in America could claim that deduction, except oil and gas.

The Menendez proposal would repeal section 199 from major integrated oil companies. In the President's budget, a similar proposal was scored at \$11.6 billion. I am going to add all these in a

minute and let everyone know why we are paying so much at the pump. What is most interesting to me about the section 199 tax deduction is that it is available to any company in the United States that creates any kind of manufactured goods here at home.

Firms that build and sell refinery equipment, airplanes, washing machines can all claim the deduction. It may be surprising, however, that the deduction is also available for movie producers—not oil and gas producers but movie producers. That is right. The American film industry can claim a deduction for making movies. So President Obama and Senator MENENDEZ are putting their Hollywood friends and movie stars ahead of an industry that makes us less reliant upon oil imports from the Middle East. There is no surprise there.

The next thing is—that was section 199. That is a manufacturer's deduction, applies to all, and benefits all manufacturers to encourage domestic manufacturing.

The second thing is intangible drilling costs, IDC. This is a little bit more complicated. But the intangible drilling costs are expenses oil and gas firms incur when they drill and prepare new wells. These costs often total between 60 and 80 percent of a well's cost. They are generally not recoverable and include things such as site preparation, labor, design.

Intangible drilling costs are firmly grounded in sound accounting principles. Every basic accounting course discusses the principles of cost recovery. It is safe that businesses should be allowed to write off their expenses from the revenue they earn to account for the cost of doing business. That is logical. No one is going to disagree with that.

When purchasing substantial capital equipment, depreciation is often used to recover the costs of an investment over its useful life. But things such as wages are nearly always deducted immediately because once a company has paid an employee for work, it has no lasting value. To retain the value, they have to keep paying the employee. Hence, it is an immediate expense, and it is deducted from the revenue when determining the net profit.

The IDC deduction has been on the books since 1913. This is not anything new. We have lived with it for almost a century.

Most of the costs associated with the preparation of new wells should be classified as an immediate expense—things such as labor. The expenses of IDCs make sense. To claim it is a subsidy is totally dishonest. Every company, regardless of whether it is an oil or gas firm or any other company, is allowed to recover costs associated with their investments in business operations. If this is going to be labeled a subsidy for the entire economy, then we have big problems.

Current law allows most oil and gas firms to write off these expenses as an

alternative to capitalizing their costs into the total value of the asset being developed and then depreciated. But at some point along the way, the law was changed so that major integrated oil firms are required to capitalize 30 percent of their IDCs and amortize them over a 60-month period.

The Menendez bill would eliminate this option and require oil and gas firms to capitalize all of their IDCs. A similar proposal was in the President's budget scored as a \$13.9 billion tax increase. We are going to add that up in a minute. Together with the repeal of section 199, an IDC should compromise 10 percent of America's oil and gas production capacity by 2017. This translates into a potential loss of 59,000 jobs, 600,000 barrels of oil a day in domestic production, and the loss of \$15 billion in capital expenditures in 2012, and potentially \$130 billion over the next 10 years.

Percentage depletion is very similar. It has been with us. Since 1926, small producers and millions of royalty owners have had the option to utilize percentage depletion to both simplify their tax filing and to account for the decline in the value of the minerals produced from their properties. Current law allows small producers to take a 15 percent deduction from the gross income from a given producing property in lieu of a complicated depreciation deduction. This tax provision is particularly important for the production of America's nearly 700,000 low-value, marginal wells, making it essential to Oklahoma.

Even though the small marginal wells only produce about two barrels a day, they account for 28 percent of the total production. We are one of the, if not the, largest marginal States out there. These are truly the little guys, and the President wants to go after them and destroy the incentives that keep the older wells producing by repealing percentage depletion. If he were able to do this, it would increase taxes on the industry by \$11.5 billion.

What is most interesting about the Menendez proposal is that it only applies to major integrated oil companies, which are not even allowed to claim percentage depletion, proving that 2204 is nothing more than political theater.

As to the modification of the foreign tax credit for dual capacity taxpayers, the United States is one of the only developed—I think it is the only developed country in the world that has a global corporate tax system. This means the IRS and Uncle Sam reach all over the world to tax profits made by U.S. companies outside of our borders.

When we combine this with our 35-percent corporate tax rate, which is one of the largest and highest on Earth, our corporate tax policies are the worst in the world.

The global corporate tax system works like this: When a U.S. firm is operating overseas, they pay taxes on those profits in the country in which

they are operating. For example, a U.S. company makes a product in South Korea, sells it to the South Koreans, and they make a \$1 million profit. Because their corporate rate is 22 percent, as opposed to ours at 35 percent, the firm pays \$220,000 in taxes. That makes sense.

If a U.S. firm has made the same product and profit in the United States, it would be subjected to a 35-percent tax, which would be \$350,000 in corporate taxes. This also makes sense except it is too high. However, because of our global corporate tax system, if a firm does this same thing in Korea, they have to pay the differential between 22 percent and 35 percent when they bring the money back into the United States.

Wait, we want to bring the money back. We want to stimulate our economy. Why would they have a disincentive to bring that money to invest in America? In this example, a U.S. firm would have to pay an additional \$130,000. They would be doing a great thing for foreign countries but certainly not for us. It doesn't make any sense at all.

Senator MENENDEZ's bill makes this awful policy even worse by limiting the ability of major integrated oil firms to account for the taxes they pay in other countries when they calculate what they owe the United States.

The President made a similar proposal in his budget this year, and if enacted it would raise taxes by about \$10 billion over 10 years. You would pay for more of this at the pump. Instead of making the corporate tax system even less competitive than it is today, we should aim to completely reform it so we move to a territorial system that doesn't reach outside our borders to collect more taxes.

Those are the major provisions of the Menendez-Obama bill. If they were enacted to the extent proposed by President Obama's budget, they would be a tax hike of \$47.1 billion.

Again, that relates to the cost of gas at the pump. The President claims he is doing this in the name of forcing the oil and gas industry to pay its fair share. He claims it would not harm domestic oil production. But this claim rejects the well-known process companies follow when making investment decisions. Successful oil and gas companies, like those in all industries, are faced with seemingly endless opportunities. To sort through the opportunities they have to have a way to rationally decide which projects are in the best interest of their investors and which are not. Most companies do this by determining which investments will give the highest rate of return given the risk.

Taxes play an incredibly important role in this matter. If taxes increase, then cash flow from the project decreases. Therefore, taxes in the United States increase; the competitiveness of domestic projects decreases significantly relative to the opportunities available abroad.

When the rubber meets the road, this means the U.S. oil and gas firms—especially the big ones—targeted by the Menendez-Obama bill will be more likely to select international projects than U.S.-based projects, and this is bad for our economy.

As to the other ways Obama is killing oil and gas, the taxes aren't the only thing the President is doing. They are significant. I mentioned four of them that are significant. But look at the Keystone Pipeline.

I just got back from Oklahoma, a visit there. It is another example of why he was in Cushing, OK, the central part of Oklahoma. For those who are not familiar with it, that is sort of the intersection of all of the pipelines. He said he was going to expedite the permitting of the southern leg of Keystone. That would be the leg going from Cushing, OK, down to the Houston area. What he didn't say is that this is the part he doesn't have any control over.

In other words, he has no control over the southern half. The reason he does over the northern half is because that crosses a country boundary from Canada to the United States. But he doesn't have a say in this. He could not stop it if he wanted to. Obviously, he would want to because he has demonstrated that. Moreover, his action to block the northern leg is preventing the immediate creation of over 20,000 jobs and up to 465,000 jobs by 2035. I don't think anybody argues with that analysis.

The President's effort to stop hydraulic fracturing is another example. Much of today's renaissance in oil and gas production is the result of the advancements in this technology. He has done everything he can to paint a nasty and suspicious picture of it. He has 10 Federal agencies, including the EPA, the Department of Energy, and the Bureau of Land Management looking at ways to regulate hydraulic fracturing at the Federal level. In addition, he has also kept millions of Federal lands off-limits to oil and gas.

As far as the hydraulic fracturing, I know a little about that; we had the first hydraulic fracturing that took place in Duncan, OK, in 1949. There has not been one documented case of ground water contamination using hydraulic fracturing. The only reason he is opposed to it is that this is part of his war on fossil fuels. If he can stop hydraulic fracturing, he will stop all of these types of production, and everybody knows that. We have already done that.

So we have the tax problems, the pipeline, and hydraulic fracturing. In addition to that, his attempt has been to stop production on Federal lands and make Federal lands off-limits to oil and gas exploration, and even through some lease-sales conducted during the Bush administration, citing the need for more environmental review.

Today—and this is significant—83 percent of Federal onshore lands are

inaccessible or restricted to drilling. No drilling is allowed on the entire east and west coasts. No drilling is allowed in ANWR, in Alaska, and very limited drilling is in the gulf.

Oil and gas production is skyrocketing in States such as North Dakota and Texas simply because the President has very little control over the drilling there. That is not Federal land. This is in Texas, Oklahoma, and North Dakota. The Congressional Research Service concurs, stating in a recent report that about 96 percent of the increase in oil and gas production since 2007 took place on nonfederal lands. In other words, it has happened in spite of the President's efforts. The President imposes all of these punitive taxes because he doesn't have control over private lands. He tries to say: In my administration we expanded production. That has happened in spite of his policies.

At end of the day, all of President Obama's oil and gas policies make it harder for U.S. firms to justify projects at home. This is to the detriment of our economy. Just look at the increase in taxes, the killing of the pipelines, the stopping of hydraulic fracturing, making drilling off-limits. To let you know what States are missing out on, a Friday New York Times front-page article ran about oil and gas development going on in west Texas describes how this helped the local economy, saying new-found wealth is spreading beyond the fields in nearby towns.

Petroleum companies are buying so many pickup trucks that dealers are leasing parking lots the size of city blocks to stock their inventory. Housing is in such short supply the drillers are importing contractors from Houston. The hotels are leased out before they are even built. Two new office buildings are going up in Midland, a city of just over 110,000 people—the first in 30 years—while the total value of downtown real estate has jumped 50 percent since 2008, with virtually no unemployment.

Restaurants cannot be found. They cannot find people to work because they are fully employed. One of the individuals from Oklahoma, a great producer, went up to North Dakota. He is up there right now. I talked to him yesterday and he said: The biggest problem we have is that we cannot hire anyone. It is full employment. Things are great.

That is what the rest of the country is missing out on. When we make the United States less competitive for U.S. oil and gas firms, as the President's tax policies propose, this sort of red-hot growth goes to places such as Azerbaijan and Nigeria instead of Midland, TX, and Oklahoma City. Rather than help our economy, the President's tax policies make us more reliant on foreign oil imports from unstable regions of the world.

I don't know about you, but I would rather see pickup truck dealerships running out of vehicles to sell in Cushing, OK, than in Caracas, Venezuela.

The President will not admit this, but we have seen what punitive tax hikes do to the oil and gas industry. They hurt our economy. President Carter, way back in the early eighties, confirmed this with the windfall profits tax. He was going to punish the bad oil companies. As a result of that, it decreased domestic production by 3 to 6 percent, which increased American dependence on foreign oil sources by 8 to 16 percent. Almost all of it was from the Middle East. It doubled our dependence by putting taxes on the oil industry here. A side effect was also declining, not increasing, tax collections.

Since we know what happens when we do this sort of thing, we don't need to try the experiment again. Regardless, the President and most on the left insist that taxpayers are subsidizing oil and gas firms. But, apparently, they have not been reading the facts.

The Tax Foundation recently estimated that between 1981 and 2008, oil and gas companies sent more money to Washington and State capitols than they earned in profits for shareholders.

The administration's own Energy Information Administration reported that the industry paid about \$35.7 billion in corporate taxes in 2009.

The oil and gas industry sends \$86 million per day to Federal and State governments, and their effective income tax rate is over 41 percent, which may be the highest of any industry in America. But the President and congressional Democrats want them to pay more.

In addition to these tax increases, Secretary Salazar recently told Congress his department is planning to raise the onshore royalty rate by 50 percent. These are the royalty rates to ensure taxpayers get a fair return on the development of oil and gas leases on public lands. If what we are trying to do is raise more revenue, we should get it by growing the economy.

We have used the figure over and over that with each 1 percent increase in economic activity that translates into about \$50 billion in new revenue. We can do that by unlocking more domestic supply for development, and this will lower prices at the same time. We have plenty of it. The CRS report recently stated we have the largest combined oil, natural gas, and coal recoverable reserves on Earth—more than any other country, more than Saudi Arabia, more than any other country. This means we have a 50-year supply of oil in present consumption in the United States, for 50 years, just exporting our own development or 90 years' supply of natural gas.

At the end of the day, this bill, and the rest of the President's proposals, will only make U.S. oil firms less competitive compared to their international peers. It will raise the cost of energy by restricting global prices. It will force us to become more reliant on others, which will make us more vulnerable from a defense and economic security perspective. The only way to

resolve this problem and to do something about reducing the price at the pump is to start developing our own resources.

A minute ago I talked about what is happening in Midland, TX, and North Dakota, and what is happening in some areas in Oklahoma. I can remember when I was a little kid I worked on cable-and-tool rigs. That was very difficult at the time.

A man by the name of A.W. Swift had 18 cable-and-tool rigs. At that time, instead of rotaries, they would pound down. Sometimes I would work two shifts. One night I was working the second shift, and the well blew up. The owner had one son named Burt. Burt was killed and I wasn't. When I stop to think about the prosperity in those days of the oil and gas industry in Oklahoma, I think about the nearby town of Pawhuska, where people had to wait in line to pay their lunch bill. It was full employment and not an empty storefront. But up until we started producing again in Oklahoma, it was very much almost a ghost town.

Now things are coming back, and we can take advantage of that. In spite of the tax policies of President Obama, we are coming back, and we can do this throughout the United States. The most important thing we can do is make sure the Menendez-Obama bill to increase taxes on the oil and gas companies in the United States is defeated. We hope we have the opportunity to do that.

With that I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

Mr. TESTER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

REPEAL BIG OIL TAX SUBSIDIES ACT—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 2204, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 337, S. 2204, a bill to eliminate unnecessary tax subsidies and promote renewable energy and energy conservation.

The PRESIDING OFFICER. Under the previous order, the time until 5:30 p.m. will be equally divided between the two leaders or their designees.

Mr. INHOFE. Mr. President, I ask unanimous consent that the time on each side be equally divided during the quorum calls.

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

Mr. INHOFE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. CORNYN. Mr. President, I come to the floor today to express concerns about the rising cost of gasoline and the Obama administration's efforts to further increase the American consumers' pain at the pump.

As we all know, the average price of gasoline has now more than doubled since the first week of the President's inauguration in January 2009, from \$1.84 a gallon to \$3.86. Furthermore, the Associated Press has reported the typical American household spends about \$4,155 a year filling up at the pump—an all-time high—and 8.4 percent of the median household income, the highest percentage spent for gasoline since 1981 when oil prices soared due to the crisis in the Middle East.

The Energy Information Administration estimates that 72 percent of the price of a gallon of gasoline is made up from the cost of crude oil, which is a globally traded commodity. Although some would like to distract from the fundamentals, Congress cannot repeal the law of supply and demand.

Indeed, President Obama used to agree with us. Last March, for example, he said "producing more oil in America will help lower oil prices." However, his administration has adopted policies that directly conflict with our goal of lowering gasoline prices. To add insult to injury, with the public outcry, the President is out to further confuse the facts and actually take credit for increasing production when those increases have been on private lands outside of his control, and while opposing greater exploration on Federal lands under his purview. At the same time he is even seeking now to push prices even higher by raising taxes in his fiscal year 2013 budget.

This week the Senate will be debating a bill by Senator MENENDEZ of New Jersey to increase taxes on oil producers. I don't know of anyone who could reach any other conclusion than that by raising taxes on the people who produce oil and gas, it will raise, not lower, the cost of oil, thus the refined petroleum product known as gasoline. So, actually, by punitively and in a discriminatory sort of way raising prices on an unpopular sector of the economy, we will actually make matters worse, not better.

The Tax Code supports the energy sector by providing a number of targeted tax incentives—or tax incentives only available to the energy industry. In addition to targeted tax incentives, there are a number of broader tax pro-

visions that are available for energy- and nonenergy-related industries. For example, the section 199 domestic production deduction incentive is available to most domestic manufacturers with income derived from production property that was manufactured, produced, grown, or extracted within the United States.

So this section 199 provision applies to a whole host of American businesses, not just the oil and gas business. Yet the Menendez bill and the Obama administration continue to single out oil producers for tax increases, even though oil-related activities are already limited from claiming the deduction compared to other industries.

Analysis by the Congressional Research Service for the energy targeted tax incentives shows that while the majority of U.S. primary energy production comes from fossil fuels, the majority of energy tax-related revenue losses are associated with provisions designed to support renewables.

During 2009, 77.9 percent of U.S. primary energy production could be attributed to fossil fuels—77.9 percent in 2009. Of the Federal tax support targeted to energy in 2009, an estimated 12.6 percent went toward fossil fuels. In contrast, in that same year, more than 10 percent of U.S. primary energy sources came from renewable fuels.

In other words, just to repeat: 10.6 percent from renewable, 77.9 in that same year from oil and gas, but notwithstanding the fact only 10 percent of energy produced came from renewable fuels, 77.4 percent of energy targeted Federal tax support went toward supporting renewable fuels.

If we want to put all these tax provisions on the table, I think we should do that. As a matter of fact, the Simpson-Bowles study identified more than \$1 trillion of tax expenditures. But let's not just pick out one sector of the economy and, in the process, raise taxes and increase the price of gasoline at the pump as an unintended but clearly likely outcome.

We know the Menendez bill is not about tax reform. This is about mixing the message and trying to drive a wedge between the American people and the people who actually create jobs. Unfortunately for the administration, raising taxes will, in fact, translate into higher prices.

It is a fair question to ask whether this administration can defend its policies, such as their budget proposal to raise taxes where they argued these tax provisions should be repealed because they "encourage overproduction of oil" and are thereby "detrimental to long-term energy security."

I am not sure most Americans understand that the official policy of this administration is that tax deductions should be removed because they encourage overproduction of oil in America. I thought the goal—one of our goals—was to produce more at home so we would depend less on imported energy from abroad.

Then there is the Keystone Pipeline, which is well-known. The President is the primary obstacle to the completion of that pipeline which will create more than 20,000 new jobs and produce 700,000 barrels of oil at refineries in the United States from a safe and friendly source—the nation of Canada. Because the President is blocking completion of the Keystone XL Pipeline, they are looking for alternative customers. Indeed, the Prime Minister of Canada has visited China to prospect that potential purchase.

What is worse, it is not just that the President hasn't acted, it is that the President has actually lobbied in the Senate to defeat efforts to bypass his obstruction to the completion of the Keystone XL Pipeline.

Well, the President must be feeling the heat because he showed up in Cushing, OK, to celebrate and to say he would expedite about one-third of the pipeline, which, ironically, doesn't require him to do anything. It certainly doesn't turn on the spigot in Canada to get the oil in that pipeline to come from Canada down to the United States.

So we can see our Nation has no coherent energy policy. We see that not only is this an area that has been neglected to the detriment of the American consumer, but actually the sorts of policies being pursued by the administration—particularly with regard to the Keystone XL Pipeline and raising taxes on domestic oil producers—are designed to make matters worse for American consumers at a time when they are struggling to recover from this recession, with historically high rates of unemployment and too few jobs.

Looking at all the evidence on energy prices, it is hard to come to any conclusion other than that high energy prices are part of President Obama's plan. The policies he has put in place have intentionally elevated the price of gasoline, much to the detriment of the American people.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from the State of New Jersey.

Mr. PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I rise in support of S. 2204, which is my legislation to repeal Big Oil subsidies.

This bill is pretty simple. We end wasteful subsidies to the big five oil companies, and we use those proceeds to invest in clean energy, in creating jobs, and reducing the deficit. I think the American people are sick and tired of paying ridiculously high gasoline prices at the pump and then paying Big Oil again with our collective taxpayer subsidies. I think that money is better spent keeping our economy going and developing alternatives to oil that will create competition in the marketplace and help to reduce gas prices.

We are poised to waste \$24 billion over the next 10 years subsidizing only five companies that are poised to make

over \$1 trillion in profits—not proceeds, in profits—over the same time frame. And as we all pay more at the pump, Big Oil rakes in more money.

Exxon boasts in its Securities and Exchange Commission filings that for every \$1 increase in the price of oil, their profits rise by \$375 million. For every \$1 the price of oil goes up, they boast in their filings that their profits—not proceeds, profits—rise by \$375 million. The American driver's pain is Big Oil's profit.

What is Big Oil doing with its profits? Well, the answer is not useful. As you can see in this chart, the profits from the big five oil companies were \$137 billion in 2011. That is an impressive 75-percent increase from 2010. Did they use that extra money to produce more oil, as some of my colleagues here would suggest? No, they didn't. They took your money and actually in that time frame didn't produce a drop more of oil. As you can see, despite the fact that overall U.S. production is higher now than it has been in the last 8 years, last year these five companies actually produced 4 percent less oil.

So it is fair to ask: If they did not invest to produce more oil, then what are they doing with this \$137 billion in profits, this 75-percent increase in profits in 1 year? Well, they spent about \$38 billion repurchasing their own stock to enrich themselves, and they spent nearly \$70 million on campaign contributions and lobbying to protect their billions of dollars in subsidies. As you can see here, it was a pretty smart investment. For every \$1 they spent in lobbying, they got about \$30 in subsidies. One might say that is not a bad return on their investment.

So instead of giving these subsidies to Big Oil so they can enrich themselves and seek to affect and control our political system, I think we could use some of those funds to reduce the deficit. I think we can all agree we need to reduce the deficit, but there seems to be some considerable disagreement on how to do it. Last week, those on the other side of the aisle came out with what I call the Romney-Ryan budget, their proposed budget, and it would drastically cut funding for wounded soldiers, for seniors, for students, but it leaves in place these wasteful subsidies even though we have this enormous profit.

Through some political sleight of hand they defy reality when they tell us with a straight face that we have to make tough choices, and then they cut funding for wounded soldiers, for seniors, and students but won't touch the subsidies for Big Oil.

Somehow, in this Republican parallel universe, logic is turned on its head and we are asked to believe that fairness doesn't mean treating everyone equally. It means more for the very rich and more for Big Oil. But we don't live in a parallel universe. We live in the real world. Fairness means that working families should not be the only people sacrificing. And we can't

lower the deficit while we give taxpayer dollars away to Big Oil companies that are making record profits and not producing more energy. It is amazing to me that anybody can come and make that argument.

What makes these subsidies even more ridiculous is that when we pressed those who have supported the industry or those who have come from the industry, everyone seems to admit that oil companies do not need these subsidies. Former President Bush, who was very good with the oil industry, said that oil companies do not need incentives to drill when oil hits \$55 per barrel. Those were his remarks. Now it is over \$100 a barrel. So if they didn't need incentives to drill when it was at \$55 a barrel, how does anybody come to the floor and suggest they need incentives now when it is over \$100 a barrel?

Then the former CEO of Shell said that subsidies are not necessary for drilling and production. That is pretty much probably clear when they are making \$137 billion in that 1 year, and where they will make \$1 trillion over the next decade.

Of the \$24 billion we save by cutting these subsidies to the big five, we can use over \$11 billion to extend a series of critically important expiring energy tax incentives. These clean energy technologies will cut demand for oil, they will drive economic growth, will create jobs, and will allow America to lead the global clean energy market.

Despite Big Oil's rhetoric—let me tell you, it is amazing. I see they are spending a lot of that money, all this money here not making oil, but they are spending it on television to scare everybody and to say that, Oh, if you take any of those subsidies away, somehow prices will rise. Well, we know that, despite Big Oil's rhetoric, cutting subsidies will not raise gas prices. We know that. Why? Because experts from the U.S. States Treasury Department, from the nonpartisan Congressional Research Service, and from oil executive testimony that came before the Finance Committee that I sit on, made it very clear that is not the case.

But more than that, some of the most important tax policies that will be extended in this bill will help drive down gas prices by creating competition for oil as a transportation fuel. These incentives include the one for biofuels such as cellulosic ethanol, biodiesel, also incentives for natural gas and propane used as a transportation fuel. There are also incentives for alternative fuel refueling infrastructure and for electric vehicles. Taken together, these incentives are laying the groundwork for a truly competitive market where we are not beholden to one type of fuel to power our vehicles. But the good news doesn't even end there. There are also tax incentives that will help the United States compete for the renewable industries of the 21st century.

For example, the section 1603 Treasury grant program has helped finance

renewable energy projects around the country. It has leveraged over \$35 billion in investments to create tens of thousands of energy projects. In my home State of New Jersey alone, 750 grants were given for solar, geothermal, landfill gas, hydropower, wind projects. These projects are worth over \$350 million, creating many jobs, and will help New Jersey on energy bills for decades to come.

Another important renewable energy incentive is the production tax credit for wind. Since the last reauthorization of PTC in 2005, wind power capacity has more than tripled. But if that production tax credit is not extended, it is estimated that annual installations of wind will drop by more than 75 percent and wind-supported jobs will decline from 78,000 in 2012 to 41,000 in 2013, and total wind energy investment will drop by nearly two-thirds. So it is time to get back to reality. It is time to tell middle-class families struggling to make ends meet that fairness means everyone—everyone—pays their fair share when it comes to reduce the deficit. It means ending ridiculous taxpayer giveaways to the five most profitable companies in the world.

I cannot understand how the oil industry is spending money on radio and other forms of media to say, Oh, my God, if you take any of our subsidies away—and these aren't even all of the subsidies they have. These are just a couple, the \$24 billion over 10 years. They are going to make \$1 trillion over 10 years. So you are telling the American people that when you are going to make \$1 trillion over 10 years, we collectively as taxpayers must still give you \$24 billion or else somehow \$1 trillion minus \$24 billion wouldn't be enough for you in profits that you would gouge the consumer at the pump? I don't think the American people are going to accept that.

It is time for us to stop wasting taxpayer money on oil subsidies and use this money to invest in clean energy, in jobs, in lowering the deficit. All of that can be done on this opportunity when we vote in favor of moving forward on S. 2204, the Repeal Big Oil Subsidies Act. It is time to put the interests of the American people ahead of the money interests in this Congress with this vote, and then moving forward.

I hear my colleagues may very well vote for us today to have a debate—which I more than welcome. I am looking forward to it. I have got a lot more to talk about in this regard—but then won't vote at the end to repeal the subsidies. So I guess what we will hear is a chorus of voices that will speak about defending Big Oil and defending its \$24 billion in subsidies, and justifying that even with \$1 trillion in profits they still need to get their hands into the pockets of taxpayers and take another \$24 billion in addition to what they get at the pump so they can make even more profits. And, somehow, there will be a justification to that. I hope

the American people will be watching, because that type of justification is beyond comprehension. I know it as I hear it from families in New Jersey.

I hope we will have this debate. I hope we will be able to move forward. I want to be able to talk about how I hear my colleagues talk about drill, baby, drill. Well, I was incredulously amazed that actually we are now exporting from the United States millions of gallons of gasoline and refined petroleum products every day to other places in the world. It seems to me that if we drill it here, particularly on Federal lands and water, we should keep it here because obviously the bigger the supply we have, the more we are going to create downward pressure on prices. But I think most Americans would be pretty shocked to know that we are actually exporting. They think everything that is created here is kept here, which is why I found it interesting—I keep hearing my colleagues talk about the Keystone Pipeline. Well, there are those of us who said, You know what. If you will make it with materials made in America so that we can ensure American jobs are created with it, and if you keep the energy here and not export it someplace around the world, then there are a lot of people who would say: Yes, along with the right environmental safeguards, let's consider it. But overwhelmingly that was voted against. So so much for American jobs. So much for securing American energy. Because what is the use of a pipeline to bring an energy source and then have it sent to other places in the world? That doesn't help us.

I am a big believer if we are going to drill it on Federal lands and water, we are going to keep it here, we are going to help us lower prices. I am a big believer if we are going to do something such as Keystone, let's make sure it is made with American materials and made with American hands and, at the end of the day, the energy is kept in the United States. I am a big believer in saying at a time of shared sacrifice, it is wrong to ask working families to do more and yet give the oil companies \$24 billion, when they will make \$1 trillion in profits. It is wrong to say to a wounded soldier we are going to cut programs in his long-term health care that will ultimately help him get back on his feet, but we are going to give Big Oil \$24 billion. It is wrong to tell students who are trying to determine their future and get access to that college education and who will encumber themselves with significant costs along the way, no, they pay more, but we are going to give Big Oil \$24 billion. It is wrong to tell seniors we are going to end Medicare as we know it, but we are going to give Big Oil \$24 billion. That is beyond my comprehension.

I look forward to the debate because it is going to be very interesting to see some of the remarkable ways in which people are going to have to explain that. I don't think it is explainable to

the American people. Tonight's vote starts a process: Which side are we on? Are we on the side of the American taxpayer or are we on the side of Big Oil? I hope an overwhelming number of our colleagues will, starting tonight and moving toward final passage, say we are on the side of the American taxpayer and the American consumer. If we do that, we can create some justice in this process. We can help create competition in the energy market to drive down prices, we can reduce the deficit by another \$12 billion, and we can be a lot more fair to working families in this country. That is the choice before us. That is a choice the Senate will make in a positive way.

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

The PRESIDING OFFICER (Ms. KLOBUCHAR). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BINGAMAN. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

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

Mr. BINGAMAN. I thank the Chair.

CLOTURE MOTION

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

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the Reid motion to proceed to Calendar No. 337, S. 2204, a bill to eliminate unnecessary tax subsidies and promote renewable energy and energy conservation.

Harry Reid, Robert Menendez, Richard J. Durbin, Patrick J. Leahy, Patty Murray, Carl Levin, Charles E. Schumer, Bernard Sanders, Amy Klobuchar, Al Franken, Benjamin L. Cardin, Sheldon Whitehouse, Sherrod Brown, Mark Udall, Daniel K. Akaka, Debbie Stabenow, John F. Kerry.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 2204, a bill to eliminate unnecessary tax subsidies and promote renewable energy and energy conservation shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) is necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Utah (Mr. HATCH), the Senator from Utah (Mr. LEE), and the Senator from Illinois (Mr. KIRK).

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

The yeas and nays resulted—yeas 92, nays 4, as follows:

[Rollcall Vote No. 59 Leg.]

YEAS—92

Akaka	Franken	Murkowski
Alexander	Gillibrand	Murray
Ayotte	Graham	Nelson (FL)
Barrasso	Grassley	Paul
Baucus	Hagan	Portman
Bennet	Harkin	Pryor
Bingaman	Heller	Reed
Blumenthal	Hoeben	Reid
Blunt	Hutchison	Risch
Boozman	Inouye	Roberts
Brown (MA)	Isakson	Rockefeller
Brown (OH)	Johanns	Rubio
Burr	Johnson (SD)	Sanders
Cantwell	Johnson (WI)	Schumer
Cardin	Kerry	Sessions
Carper	Klobuchar	Shaheen
Casey	Kohl	Shelby
Chambliss	Kyl	Snowe
Coats	Lautenberg	Stabenow
Coburn	Leahy	Tester
Cochran	Levin	Thune
Collins	Lieberman	Toomey
Conrad	Lugar	Udall (CO)
Coons	Manchin	Udall (NM)
Corker	McCain	Vitter
Cornyn	McCaskill	Warner
Crapo	McConnell	Webb
DeMint	Menendez	Whitehouse
Durbin	Merkley	Wicker
Enzi	Mikulski	Wyden
Feinstein	Moran	

NAYS—4

Begich	Landrieu
Inhofe	Nelson (NE)

NOT VOTING—4

Boxer	Kirk
Hatch	Lee

The PRESIDING OFFICER. On this vote, the yeas are 92 and the nays are 4. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

VOTE EXPLANATION

● Mrs. BOXER. Madam President, I was absent from the vote to invoke cloture on the motion to proceed to S. 2204, the "Repeal Big Oil Subsidies Act." Had I been present, I would have enthusiastically vote "aye."●

Mr. SCHUMER. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. HAGAN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. DURBIN. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

TRIBUTE TO SENATOR BARBARA MIKULSKI

Mr. HARKIN. Madam President, I join with the entire Senate family in congratulating my great friend, the distinguished senior Senator from Maryland, BARBARA MIKULSKI, on becoming the longest serving female

Member of Congress in our Nation's history. She reached that milestone recently, having served in Congress for 12,858 days—more than 35 years—surpassing the previous longest serving Member of Congress, the late Representative Edith Nourse Rogers.

Representative Rogers famously quipped, “The first 30 years are the hardest.” But I dare say that Senator MIKULSKI has had a somewhat different experience. As with other pathbreaking women, she has encountered sexism and discrimination. But from her first day in the House in 1977 right up to today, in her much respected role as dean of women Senators, BARBARA MIKULSKI has been a singularly formidable and forceful public servant. Pity the Representative or Senator who has made the mistake of in any way underestimating this remarkable person.

For three and a half decades in Congress, BARBARA MIKULSKI has been an outspoken and proud progressive—a tireless advocate for quality public education, access to health care, and a strong safety net for those she calls “the least of these our sisters and brothers”—including the elderly, people with disabilities, and the poor. Her passion for social and economic justice was nurtured by the nuns who taught her at Catholic school in working-class east Baltimore.

Senator MIKULSKI's legislative accomplishments are too numerous to cite here. But I am particularly grateful for the lead role that she played in early 2009 in passing the Lilly Ledbetter Fair Pay Restoration Act—the very first bill signed into law by President Obama. This law reversed an outrageous Supreme Court decision that allowed discrimination against women to go unpunished. But, as Senator MIKULSKI knows all too well, even the Lilly Ledbetter Act leaves in place an outrageous status quo where women are paid only 78 cents for every \$1 that their male counterparts are paid. That is why she and I have continued to work closely together to advance the cause of equal pay. We are the respective leads on the two Democratic equal pay bills in the Senate.

As chair of the Health, Education, Labor, and Pensions Committee, I want to pay special tribute to the extraordinary role she has long played on our committee.

Senator MIKULSKI's legislative skills and leadership were critically important in crafting and passing the Patient Protection and Affordable Care Act 2 years ago—an achievement that she calls one of the “greatest social justice initiatives” of our time. She led the team that wrote the quality title in the bill, insisting that higher quality care does not have to be higher cost care. Thanks to Senator MIKULSKI, the health care reform law includes a whole range of provisions that shift the emphasis—rewarding providers not for quantity of service but for quality of service. I would add that throughout the debate on health care reform and

during the many months the bill was being written, Senator MIKULSKI was a fierce advocate for women's health and for ending the brazen discrimination against women by health insurance companies.

On the HELP Committee, and also in her role as chair of the Appropriations subcommittee that funds the Legal Services Corporation, Senator MIKULSKI has been a great leader on another issue near and dear to my heart: legal services for the poor. She has fought hard—and it has always been an uphill struggle—to provide adequate funding so that people without resources are not barred from the courthouse door.

Of course, Senator MIKULSKI has also been one of the Senate's leading proponents of national and community service. In 2009, she was the Senate manager for the Edward M. Kennedy Serve America Act, which retooled our national service programs for the 21st century and provided expanded opportunities for young people to gain valuable skills and experience by helping neighbors in need.

Let me share a brief anecdote that illustrates the remarkable role that Senator MIKULSKI plays in the body and the respect that she commands among her colleagues. We all remember the debate, in late February, on the Blunt amendment, which would have allowed employers to deny health insurance coverage for contraception. In my role as chair of the HELP Committee, I was invited to attend a press conference in the LBJ Room of the Capitol organized by Senator MIKULSKI to speak out against the amendment. Let me tell you, this was a remarkable event. Senator MIKULSKI spoke first, with tremendous power and passion. One by one, other Senators spoke—women who, over the decades, have been counseled and mentored by Senator MIKULSKI: Senator PATTY MURRAY of Washington, Senators BARBARA BOXER and DIANNE FEINSTEIN of California, and Senator JEANNE SHAHEEN of New Hampshire. Senator MIKULSKI's message, echoed by the other Senators, was characteristically loud and clear: Decisions about medical care should be made by a woman and her doctor, not a woman and her boss. Needless to say, Senator MIKULSKI carried the day; the amendment was defeated.

Other Senators have noted Senator MIKULSKI's many firsts, including the first woman elevated to a leadership position in the Senate. I would simply add that BARBARA MIKULSKI is also first when it comes to a Senator being true to her roots, a fierce and effective champion for her State and passionate fighter for social and economic justice. Again, I salute the Senator on reaching the historic milestone as the longest serving female Member of Congress, and I wish her many more years of distinguished service to our Nation.

RECOGNIZING GRACE EPISCOPAL CHURCH

Mr. BURR. Madam President, I am very proud to extend my recognition and congratulations to the congregation and administration of the Grace Episcopal Church in Plymouth, NC, as this wonderful institution celebrates 175 years of providing spiritual guidance and community service to Washington County and the State of North Carolina.

This year marking the 175th anniversary of the founding of Grace Church, we give the citizens of Washington County as well as the State of North Carolina the opportunity to pay tribute and homage to a place of worship that has impacted many and assisted those in need of spiritual guidance.

Plymouth, NC traces its historical roots back to the 18th century and the beginnings of our Nation. It has served as a port on the Roanoke River off the Albemarle Sound for over two centuries, acting as a place of trade for much of North Carolina and the United States. By 1837, Plymouth had grown into an important port in North Carolina and with that growth came the establishment of the Grace Episcopal Church.

Plymouth was one of the ports targeted for blockade by Union forces during the Civil War and in that time it is believed that only 11 buildings survived the war, 1 of them being the Grace Episcopal Church.

Grace Episcopal Church has provided the town of Plymouth and the surrounding areas in Washington County spiritual guidance and leadership for the last 175 years. This institution has been a beacon of light and hope to many people in the region and the world.

Grace Episcopal Church has provided many charitable services and events for citizens in need, for example one guild at the church is comprised of a group of knitters and other handcrafters that make goods for distribution to those in need locally and abroad. Grace Episcopal Church has also been an active partner in the Washington County Habitat for Humanity projects, providing financial donations in addition to donating office space for the organization.

I ask my colleagues to join me in paying tribute to the Grace Episcopal Church in Plymouth, NC for the countless acts of charity and good will this institution has provided and will continue to provide eastern North Carolina. May their work be recognized and forever appreciated by the citizens of North Carolina as well as this Congress.

ADDITIONAL STATEMENTS

TRIBUTE TO PATRICK DOYLE

● Mr. THUNE. Madam President, today I recognize Patrick Doyle, an intern in my Rapid City, SD, office for all of the

hard work he has done for me, my staff, and the State of South Dakota over the past few months.

Patrick is a graduate of Stevens High School in Rapid City, SD. Currently, he is attending the University of South Dakota, where he is majoring in political science and history. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to Patrick for all of the fine work he has done and wish him continued success in the years to come.●

NOTIFICATION OF THE PRESIDENT'S INTENT TO ADD THE REPUBLIC OF SOUTH SUDAN (SOUTH SUDAN) TO THE LIST OF BENEFICIARY DEVELOPING COUNTRIES UNDER THE GENERALIZED SYSTEM OF PREFERENCES (GSP) PROGRAM—PM 44

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States which was referred to the Committee on Finance:

To the Congress of the United States:

In accordance with section 502(f)(1)(A) of the Trade Act of 1974, as amended (the "1974 Act") (19 U.S.C. 2462(f)(1)(A)), I am notifying the Congress of my intent to add the Republic of South Sudan (South Sudan) to the list of beneficiary developing countries under the Generalized System of Preferences (GSP) program. South Sudan became an independent nation on July 9, 2011. After considering the criteria set forth in section 502(c) of the 1974 Act (19 U.S.C. 2462(c)), I have determined that South Sudan should be designated as a GSP beneficiary developing country.

In addition, in accordance with section 502(f)(1)(B) of the 1974 Act (19 U.S.C. 2462(f)(1)(B)), I am providing notification of my intent to add South Sudan to the list of least-developed beneficiary countries under the GSP program. After considering the criteria set forth in section 502(c) of the 1974 Act, I have determined that it is appropriate to extend least-developed beneficiary developing country benefits to South Sudan.

BARACK OBAMA.
THE WHITE HOUSE, March 26, 2012.

NOTIFICATION OF THE PRESIDENT'S INTENT TO SUSPEND DESIGNATION OF ARGENTINA AS A BENEFICIARY DEVELOPING COUNTRY UNDER THE GENERALIZED SYSTEM OF PREFERENCES (GSP) PROGRAM—PM 45

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States which was referred to the Committee on Finance:

To the Congress of the United States:

In accordance with section 502(f)(2) of the Trade Act of 1974, as amended (the

"1974 Act") (19 U.S.C. 2462(f)(2)), I am providing notification of my intent to suspend designation of Argentina as a beneficiary developing country under the Generalized System of Preferences (GSP) program. Section 502(b)(2)(E) of the 1974 Act (19 U.S.C. 2462(b)(2)(E)) provides that the President shall not designate any country a beneficiary developing country under the GSP if such country fails to act in good faith in enforcing arbitral awards in favor of U.S.-owned companies. Section 502(d)(2) of the 1974 Act (19 U.S.C. 2462(d)(2)) provides that, after complying with the requirements of section 502(f)(2) of the 1974 Act (19 U.S.C. 2462(f)(2)), the President shall withdraw or suspend the designation of any country as a beneficiary developing country if, after such designation, the President determines that as the result of changed circumstances such country would be barred from designation as a beneficiary developing country under section 502(b)(2) of the 1974 Act.

Pursuant to section 502(d) of the 1974 Act, having considered the factors set forth in section 502(b)(2)(E), I have determined that it is appropriate to suspend Argentina's designation as a beneficiary developing country under the GSP program because it has not acted in good faith in enforcing arbitral awards in favor of U.S.-owned companies.

BARACK OBAMA.
THE WHITE HOUSE, March 26, 2012.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 2230. A bill to reduce the deficit by imposing a minimum effective tax rate for high-income taxpayers.

S. 2231. A bill to amend the Federal Credit Union Act, to advance the ability of credit unions to promote small business growth and economic development opportunities, and for other purposes.

H.R. 5. An act to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 2237. A bill to provide a temporary income tax credit for increased payroll and extended bonus depreciation for an additional year, and for other purposes.

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. SCHUMER (for himself, Mr. LEE, Ms. MIKULSKI, Mr. BLUNT, Ms. KLOBUCHAR, Mr. KIRK, Mr. RUBIO, and Mr. COONS):

S. 2233. A bill to amend the Immigration and Nationality Act to stimulate inter-

national tourism to the United States; to the Committee on the Judiciary.

By Mr. BLUMENTHAL (for himself, Mr. PORTMAN, Mr. FRANKEN, Mr. RUBIO, Ms. COLLINS, Mr. LIEBERMAN, and Mrs. MCCASKILL):

S. 2234. A bill to prevent human trafficking in government contracting; to the Committee on Homeland Security and Governmental Affairs.

By Mr. NELSON of Nebraska:

S. 2235. A bill to prohibit the establishment by air carriers and airport operators of expedited lines at airport screening checkpoints for specific categories of passengers, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BENNET (for himself, Mr. HATCH, and Mr. BURR):

S. 2236. A bill to provide for the expedited development and evaluation of drugs designated as breakthrough drugs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REID:

S. 2237. A bill to provide a temporary income tax credit for increased payroll and extended bonus depreciation for an additional year, and for other purposes; read the first time.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. WARNER (for himself, Mr. BINGAMAN, Ms. MURKOWSKI, Mr. LUGAR, Ms. COLLINS, Mr. PRYOR, and Mr. UDALL of Colorado):

S. Res. 406. A resolution commending the achievements and recognizing the importance of the Alliance to Save Energy on the 35th anniversary of the incorporation of the Alliance; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 418

At the request of Mr. HARKIN, the names of the Senator from Georgia (Mr. ISAKSON) and the Senator from Wisconsin (Mr. JOHNSON) were added as cosponsors of S. 418, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 550

At the request of Mr. LIEBERMAN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 550, a bill to improve the provision of assistance to fire departments, and for other purposes.

S. 641

At the request of Mr. DURBIN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 641, a bill to provide 100,000,000 people with first-time access to safe drinking water and sanitation on a sustainable basis within six years by improving the capacity of the United States Government to fully implement the Senator Paul Simon Water for the Poor Act of 2005.

S. 722

At the request of Mr. WYDEN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 722, a bill to strengthen and protect Medicare hospice programs.

S. 835

At the request of Mr. CRAPO, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 835, a bill to reform the Bureau of Alcohol, Tobacco, Firearms, and Explosives, modernize firearms laws and regulations, protect the community from criminals, and for other purposes.

S. 960

At the request of Mr. KERRY, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 960, a bill to provide for a study on issues relating to access to intravenous immune globulin (IVG) for Medicare beneficiaries in all care settings and a demonstration project to examine the benefits of providing coverage and payment for items and services necessary to administer IVG in the home.

S. 1309

At the request of Mr. SCHUMER, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 1309, a bill to amend title XIX of the Social Security Act to cover physician services delivered by podiatric physicians to ensure access by Medicaid beneficiaries to appropriate quality foot and ankle care.

S. 1575

At the request of Mr. CARDIN, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 1575, a bill to amend the Internal Revenue Code of 1986 to modify the depreciation recovery period for energy-efficient cool roof systems.

S. 1696

At the request of Mr. LEAHY, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1696, a bill to improve the Public Safety Officers' Benefits Program.

S. 1718

At the request of Mr. WYDEN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 1718, a bill to amend title XVIII of the Social Security Act with respect to the application of Medicare secondary payer rules for certain claims.

S. 1872

At the request of Mr. JOHANNIS, his name was added as a cosponsor of S. 1872, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 1884

At the request of Mr. DURBIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1884, a bill to provide States with incentives to require elementary schools and secondary schools to maintain, and permit school personnel to administer, epinephrine at schools.

S. 1947

At the request of Mr. BLUMENTHAL, the name of the Senator from Lou-

isiana (Ms. LANDRIEU) was added as a cosponsor of S. 1947, a bill to prohibit attendance of an animal fighting venture, and for other purposes.

S. 2003

At the request of Mrs. FEINSTEIN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2003, a bill to clarify that an authorization to use military force, a declaration of war, or any similar authority shall not authorize the detention without charge or trial of a citizen or lawful permanent resident of the United States and for other purposes.

S. 2060

At the request of Mr. KOHL, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2060, a bill to provide for the payment of a benefit to members eligible for participation in the Post-Deployment/Mobilization Respite Absence program for days of nonparticipation due to Government error.

S. 2066

At the request of Ms. MURKOWSKI, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 2066, a bill to recognize the heritage of recreational fishing, hunting, and shooting on Federal public land and ensure continued opportunities for those activities.

S. 2085

At the request of Mr. PAUL, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 2085, a bill to strengthen employee cost savings suggestions programs within the Federal Government.

S. 2103

At the request of Mr. LEE, the names of the Senator from Oklahoma (Mr. COBURN) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 2103, a bill to amend title 18, United States Code, to protect pain-capable unborn children in the District of Columbia, and for other purposes.

S. 2112

At the request of Mr. BEGICH, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 2112, a bill to amend title 10, United States Code, to authorize space-available travel on military aircraft for members of the reserve components, a member or former member of a reserve component who is eligible for retired pay but for age, widows and widowers of retired members, and dependents.

S. 2121

At the request of Ms. KLOBUCHAR, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2121, a bill to modify the Department of Defense Program Guidance relating to the award of Post-Deployment/Mobilization Respite Absence administrative absence days to members of the reserve components to exempt any member whose qualified mobilization commenced before October 1, 2011, and continued on or after that date,

from the changes to the program guidance that took effect on that date.

S. 2155

At the request of Mrs. MCCASKILL, her name was added as a cosponsor of S. 2155, a bill to amend the Farm Security and Rural Investment Act of 2002 to promote biobased manufacturing.

S. 2160

At the request of Mr. MORAN, the name of the Senator from Nebraska (Mr. JOHANNIS) was added as a cosponsor of S. 2160, a bill to improve the examination of depository institutions, and for other purposes.

S. 2165

At the request of Mrs. BOXER, the names of the Senator from Nevada (Mr. HELLER) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 2165, a bill to enhance strategic cooperation between the United States and Israel, and for other purposes.

S. 2179

At the request of Mr. WEBB, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 2179, a bill to amend title 38, United States Code, to improve oversight of educational assistance provided under laws administered by the Secretary of Veterans Affairs and the Secretary of Defense, and for other purposes.

S. 2204

At the request of Mr. MENENDEZ, the names of the Senator from Maryland (Ms. MIKULSKI), the Senator from California (Mrs. BOXER), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Oregon (Mr. WYDEN), the Senator from Pennsylvania (Mr. CASEY), the Senator from Maryland (Mr. CARDIN), the Senator from California (Mrs. FEINSTEIN), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 2204, a bill to eliminate unnecessary tax subsidies and promote renewable energy and energy conservation.

S. 2219

At the request of Mr. WHITEHOUSE, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 2219, a bill to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements for corporations, labor organizations, Super PACs and other entities, and for other purposes.

S. 2221

At the request of Mr. THUNE, the names of the Senator from Montana (Mr. BAUCUS) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 2221, a bill to prohibit the Secretary of Labor from finalizing a proposed rule under the Fair Labor Standards Act of 1938 relating to child labor.

S.J. RES. 39

At the request of Mr. CARDIN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S.J. Res. 39, a joint resolution removing the deadline for the ratification of the equal rights amendment.

S. RES. 356

At the request of Mrs. FEINSTEIN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. Res. 356, a resolution expressing support for the people of Tibet.

S. RES. 370

At the request of Mr. CASEY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. Res. 370, a resolution calling for democratic change in Syria.

S. RES. 380

At the request of Mr. GRAHAM, the names of the Senator from Montana (Mr. TESTER), the Senator from Kansas (Mr. ROBERTS) and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of S. Res. 380, a resolution to express the sense of the Senate regarding the importance of preventing the Government of Iran from acquiring nuclear weapons capability.

S. RES. 402

At the request of Mr. JOHANNIS, his name was added as a cosponsor of S. Res. 402, a resolution condemning Joseph Kony and the Lord's Resistance Army for committing crimes against humanity and mass atrocities, and supporting ongoing efforts by the United States Government and governments in central Africa to remove Joseph Kony and Lord's Resistance Army commanders from the battlefield.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REID:

S. 2237. A bill to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes; read the first time.

Mr. REID. 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. 2237

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 "Small Business Jobs and Tax Relief Act".

SEC. 2. TEMPORARY TAX CREDIT FOR INCREASED PAYROLL.

(a) IN GENERAL.—In the case of a qualified employer who elects the application of this section, there shall be allowed as a credit against the tax imposed by chapter 1 of the Internal Revenue Code of 1986 for the taxable year which includes December 31, 2012, an amount equal to 10 percent of the excess (if any) of—

(1) the sum of the wages and compensation paid by such qualified employer for qualified services during calendar year 2012, over

(2) the sum of such wages and compensation paid during calendar year 2011.

(b) LIMITATION.—The amount of the excess taken into account under subsection (a) with respect to any qualified employer shall not exceed \$5,000,000.

(c) WAGES AND COMPENSATION.—For purposes of this section—

(1) WAGES.—The term "wages" has the meaning given such term under section 3121 of the Internal Revenue Code of 1986 for purposes of the tax imposed by section 3111(a) of such Code.

(2) COMPENSATION.—The term "compensation" has the meaning given such term under section 3231 of such Code for purposes of the portion of the tax imposed by section 3221(a) of such Code that corresponds to the tax imposed by section 3111(a) of such Code.

(3) APPLICATION OF CONTRIBUTION AND BENEFIT BASE TO CALENDAR YEAR 2011.—For purposes of determining wages and compensation under subsection (a)(2), the contribution and benefit base as determined under section 230 of the Social Security Act shall be such amount as in effect for calendar year 2012.

(4) SPECIAL RULE WHEN NO WAGES OR COMPENSATION IN 2011.—In any case in which the sum of the wages and compensation paid by a qualified employer for qualified services during calendar year 2011 is zero, then the amount taken into account under subsection (a)(2) shall be 80 percent of the amount taken into account under subsection (a)(1).

(5) COORDINATION WITH OTHER EMPLOYMENT CREDITS.—The amount of the excess taken into account under subsection (a) shall be reduced by the sum of all other Federal tax credits determined with respect to wages or compensation paid in calendar year 2012.

(d) OTHER DEFINITIONS.—

(1) QUALIFIED EMPLOYER.—For purposes of this section—

(A) IN GENERAL.—The term "qualified employer" has the meaning given such term under section 3111(d)(2) of the Internal Revenue Code of 1986, determined by substituting "section 101 of the Higher Education Act of 1965" for "section 101(b) of the Higher Education Act of 1965" in subparagraph (B) thereof.

(B) AGGREGATION RULES.—Rules similar to the rules of sections 414(b), 414(c), 414(m), and 414(o) of such Code shall apply to determine when multiple entities shall be treated as a single employer, and rules with respect to predecessor and successor employers may be applied, in such manner as may be prescribed by the Secretary of the Treasury or the Secretary's designee (in this section referred to as the "Secretary").

(2) QUALIFIED SERVICES.—The term "qualified services" means services performed by an individual who is not described in section 51(i)(1) of such Code (applied by substituting "qualified employer" for "taxpayer" each place it appears)—

(A) in a trade or business of the qualified employer, or

(B) in the case of a qualified employer exempt from tax under section 501(a) of such Code, in furtherance of the activities related to the purpose or function constituting the basis of the employer's exemption under section 501 of such Code.

(e) APPLICATION OF CERTAIN RULES.—Rules similar to the rules of sections 280C(a) and 6501(m) of the Internal Revenue Code of 1986 shall apply with respect to the credit determined under this section.

(f) TREATMENT OF CREDIT.—For purposes of the Internal Revenue Code of 1986—

(1) TAXABLE EMPLOYERS.—

(A) IN GENERAL.—The credit allowed under subsection (a) with respect to qualified services described in subsection (d)(2)(A) for any taxable year shall be added to the current year business credit under section 38(b) of such Code for such taxable year and shall be treated as a credit allowed under subpart D of part IV of subchapter A of chapter 1 of such Code.

(B) LIMITATION ON CARRYBACKS.—No portion of the unused business credit under section 38 of such Code for any taxable year which is attributable to an increase in the

current year business credit by reason of subparagraph (A) may be carried to a taxable year beginning before the date of the enactment of this section.

(2) TAX-EXEMPT EMPLOYERS.—

(A) IN GENERAL.—The credit allowed under subsection (a) with respect to qualified services described in subsection (d)(2)(B) for any taxable year—

(i) shall be treated as a credit allowed under subpart C of part IV of subchapter A of chapter 1 of such Code, and

(ii) shall be added to the credits described in subparagraph (A) of section 6211(b)(4) of such Code.

(B) CONFORMING AMENDMENT.—Section 1324(b)(2) of title 31, United States Code, is amended by inserting "or due under section 2 of the Small Business Jobs and Tax Relief Act" after "the Housing Assistance Tax Act of 2008".

(g) TREATMENT OF POSSESSIONS.—

(1) PAYMENTS TO POSSESSIONS.—

(A) MIRROR CODE POSSESSIONS.—The Secretary shall pay to each possession of the United States with a mirror code tax system amounts equal to the loss to that possession by reason of the application of subsections (a) through (f). Such amounts shall be determined by the Secretary based on information provided by the government of the respective possession of the United States.

(B) OTHER POSSESSIONS.—The Secretary shall pay to each possession of the United States which does not have a mirror code tax system the amount estimated by the Secretary as being equal to the loss to that possession that would have occurred by reason of the application of subsections (a) through (f) if a mirror code tax system had been in effect in such possession. The preceding sentence shall not apply with respect to any possession of the United States unless such possession establishes to the satisfaction of the Secretary that the possession has implemented (or, at the discretion of the Secretary, will implement) an income tax benefit which is substantially equivalent to the income tax credit allowed under such subsections.

(2) COORDINATION WITH CREDIT ALLOWED AGAINST UNITED STATES INCOME TAXES.—No increase in the credit determined under section 38(b) of the Internal Revenue Code of 1986 against United States income taxes for any taxable year determined by reason of subsection (f)(1)(A) shall be taken into account with respect to any person—

(A) to whom a credit is allowed against taxes imposed by the possession by reason of this section for such taxable year, or

(B) who is eligible for a payment under a plan described in paragraph (1)(B) with respect to such taxable year.

(3) DEFINITIONS AND SPECIAL RULES.—

(A) POSSESSION OF THE UNITED STATES.—For purposes of this subsection, the term "possession of the United States" includes American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, and the United States Virgin Islands.

(B) MIRROR CODE TAX SYSTEM.—For purposes of this subsection, the term "mirror code tax system" means, with respect to any possession of the United States, the income tax system of such possession if the income tax liability of the residents of such possession under such system is determined by reference to the income tax laws of the United States as if such possession were the United States.

(C) TREATMENT OF PAYMENTS.—For purposes of section 1324(b)(2) of title 31, United States Code, the payments under this subsection shall be treated in the same manner as a refund due from credit provisions described in such section.

(h) REGULATIONS.—The Secretary shall prescribe such regulations or guidance as are necessary to carry out the provisions of this section.

SEC. 3. EXTENSION OF ALLOWANCE FOR BONUS DEPRECIATION FOR CERTAIN BUSINESS ASSETS.

(a) EXTENSION OF 100 PERCENT BONUS DEPRECIATION.—

(1) IN GENERAL.—Paragraph (5) of section 168(k) of the Internal Revenue Code of 1986 is amended—

(A) by striking “January 1, 2012” each place it appears and inserting “January 1, 2013”, and

(B) by striking “January 1, 2013” and inserting “January 1, 2014”.

(2) CONFORMING AMENDMENTS.—

(A) The heading for paragraph (5) of section 168(k) of such Code is amended by striking “PRE-2012 PERIODS” and inserting “PRE-2013 PERIODS”.

(B) Clause (ii) of section 460(c)(6)(B) of such Code is amended by striking “January 1, 2011 (January 1, 2012)” and inserting “January 1, 2013 (January 1, 2014)”.

(3) EFFECTIVE DATES.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the amendments made by this section shall apply to property placed in service after December 31, 2011.

(B) CONFORMING AMENDMENT.—The amendment made by paragraph (2)(B) shall apply to property placed in service after December 31, 2010.

(b) EXPANSION OF ELECTION TO ACCELERATE AMT CREDITS IN LIEU OF BONUS DEPRECIATION.—

(1) IN GENERAL.—Paragraph (4) of section 168(k) of the Internal Revenue Code of 1986 is amended to read as follows:

“(4) ELECTION TO ACCELERATE AMT CREDITS IN LIEU OF BONUS DEPRECIATION.—

“(A) IN GENERAL.—If a corporation elects to have this paragraph apply for any taxable year—

“(i) paragraph (1) shall not apply to any eligible qualified property placed in service by the taxpayer in such taxable year,

“(ii) the applicable depreciation method used under this section with respect to such property shall be the straight line method, and

“(iii) the limitation imposed by section 53(c) for such taxable year shall be increased by the bonus depreciation amount which is determined for such taxable year under subparagraph (B).

“(B) BONUS DEPRECIATION AMOUNT.—For purposes of this paragraph—

“(i) IN GENERAL.—The bonus depreciation amount for any taxable year is an amount equal to 20 percent of the excess (if any) of—

“(I) the aggregate amount of depreciation which would be allowed under this section for eligible qualified property placed in service by the taxpayer during such taxable year if paragraph (1) applied to all such property, over

“(II) the aggregate amount of depreciation which would be allowed under this section for eligible qualified property placed in service by the taxpayer during such taxable year if paragraph (1) did not apply to any such property.

The aggregate amounts determined under subclauses (I) and (II) shall be determined without regard to any election made under subsection (b)(2)(D), (b)(3)(D), or (g)(7) and without regard to subparagraph (A)(ii).

“(ii) LIMITATION.—The bonus depreciation amount for any taxable year shall not exceed the lesser of—

“(I) 50 percent of the minimum tax credit under section 53(b) for the first taxable year ending after December 31, 2011, reduced (but not below zero) by the sum of the bonus de-

preciation amounts for all taxable years ending after such date for which an election under this paragraph was made which precede the taxable year for which the determination is made (other than amounts determined with respect to property placed in service by the taxpayer on or before such date), or

“(II) the minimum tax credit under section 53(b) for such taxable year determined by taking into account only the adjusted minimum tax for taxable years ending before January 1, 2012 (determined by treating credits as allowed on a first-in, first-out basis).

“(iii) AGGREGATION RULE.—All corporations which are treated as a single employer under section 52(a) shall be treated—

“(I) as 1 taxpayer for purposes of this paragraph, and

“(II) as having elected the application of this paragraph if any such corporation so elects.

“(C) ELIGIBLE QUALIFIED PROPERTY.—For purposes of this paragraph, the term ‘eligible qualified property’ means qualified property under paragraph (2), except that in applying paragraph (2) for purposes of this paragraph—

“(i) ‘March 31, 2008’ shall be substituted for ‘December 31, 2007’ each place it appears in subparagraph (A) and clauses (i) and (ii) of subparagraph (E) thereof,

“(ii) ‘April 1, 2008’ shall be substituted for ‘January 1, 2008’ in subparagraph (A)(iii)(I) thereof, and

“(iii) only adjusted basis attributable to manufacture, construction, or production—

“(I) after March 31, 2008, and before January 1, 2010, and

“(II) after December 31, 2010, and before January 1, 2013, shall be taken into account under subparagraph (B)(ii) thereof.

“(D) CREDIT REFUNDABLE.—For purposes of section 6401(b), the aggregate increase in the credits allowable under part IV of subchapter A for any taxable year resulting from the application of this paragraph shall be treated as allowed under subpart C of such part (and not any other subpart).

“(E) OTHER RULES.—

“(i) ELECTION.—Any election under this paragraph may be revoked only with the consent of the Secretary.

“(ii) PARTNERSHIPS WITH ELECTING PARTNERS.—In the case of a corporation making an election under subparagraph (A) and which is a partner in a partnership, for purposes of determining such corporation’s distributive share of partnership items under section 702—

“(I) paragraph (1) shall not apply to any eligible qualified property, and

“(II) the applicable depreciation method used under this section with respect to such property shall be the straight line method.

“(iii) CERTAIN PARTNERSHIPS.—In the case of a partnership in which more than 50 percent of the capital and profits interests are owned (directly or indirectly) at all times during the taxable year by one corporation (or by corporations treated as 1 taxpayer under subparagraph (B)(iii)), for purposes of subparagraph (B), each partner shall take into account its distributive share of the amounts determined by the partnership under subclauses (I) and (II) of clause (i) of such subparagraph for the taxable year of the partnership ending with or within the taxable year of the partner. The preceding sentence shall apply only to amounts determined with respect to property placed in service after December 31, 2011.

“(iv) SPECIAL RULE FOR PASSENGER AIRCRAFT.—In the case of any passenger aircraft, the written binding contract limitation under paragraph (2)(A)(iii)(I) shall not apply for purposes of subparagraphs (B)(i)(I) and (C).”.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to taxable years ending after December 31, 2011.

(3) TRANSITIONAL RULE.—In the case of a taxable year beginning before January 1, 2012, and ending after December 31, 2011, the bonus depreciation amount determined under paragraph (4) of section 168(k) of the Internal Revenue Code of 1986 for such year shall be the sum of—

(A) such amount determined under such paragraph as in effect on the date before the date of enactment of this Act—

(i) taking into account only property placed in service before January 1, 2012, and

(ii) multiplying the limitation under subparagraph (C)(ii) of such paragraph (as so in effect) by a fraction the numerator of which is the number of days in the taxable year before January 1, 2012, and the denominator of which is the number of days in the taxable year, and

(B) such amount determined under such paragraph as amended by this Act—

(i) taking into account only property placed in service after December 31, 2011, and

(ii) multiplying the limitation under subparagraph (B)(ii) of such paragraph (as so in effect) by a fraction the numerator of which is the number of days in the taxable year after December 31, 2011, and the denominator of which is the number of days in the taxable year.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 406—COMMENDING THE ACHIEVEMENTS AND RECOGNIZING THE IMPORTANCE OF THE ALLIANCE TO SAVE ENERGY ON THE 35TH ANNIVERSARY OF THE INCORPORATION OF THE ALLIANCE

Mr. WARNER (for himself, Mr. BINGAMAN, Ms. MURKOWSKI, Mr. LUGAR, Ms. COLLINS, Mr. PRYOR, and Mr. UDALL of Colorado) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 406

Whereas March 18, 2012, marks the first day of a year-long celebration of the 35th anniversary of the Alliance to Save Energy, which was incorporated as a nonprofit organization in accordance with section 501(c)(3) of the Internal Revenue Code of 1986 on March 18, 1977;

Whereas the Alliance to Save Energy was founded by Senators Charles H. Percy and Hubert H. Humphrey;

Whereas the Alliance to Save Energy is a unique national, nonprofit, bipartisan public-policy organization that works with prominent leaders in the fields of business, government, education, the environment, and consumer affairs to promote the efficient and clean use of energy throughout the world to benefit the economy, environment, and security of the United States;

Whereas the Alliance to Save Energy operates programs and collaborative projects throughout the United States, and has worked in the international community for more than a decade in more than 30 developing and transitional countries;

Whereas the Alliance to Save Energy leverages international relationships with government and industry leaders to promote energy efficiency throughout the world and has worked to launch affiliate organizations such as the European Alliance to Save Energy and the Australian Alliance to Save Energy;

Whereas the Alliance to Save Energy has shown that energy efficiency and conservation measures taken by the United States during the past 35 years have caused annual energy consumption in the United States to decrease by more than 52 quads;

Whereas the Alliance to Save Energy is recognized across the United States as an authority on energy efficiency, and regularly provides testimony and resources to the Federal Government, State governments, and members of the business and media communities;

Whereas the Alliance to Save Energy contributes to a variety of educational and outreach initiatives, including—

(1) the award-winning Green Schools and Green Campus programs;

(2) award-winning public service announcements; and

(3) a variety of targeted energy-efficiency campaigns; and

Whereas the Alliance to Save Energy collaborates with other prominent organizations to form partnerships and create groups that advance the cause of energy efficiency, including—

(1) the Building Codes Assistance Project (commonly known as “BCAP”);

(2) the Southeast Energy Efficiency Alliance (commonly known as “SEEA”);

(3) the Clean and Efficient Energy Program (commonly known as “CEEP”);

(4) the Efficient Windows Collaborative; and

(5) the Appliance Standards Awareness Project (commonly known as “ASAP”): Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Alliance to Save Energy on the 35th anniversary of the incorporation of the Alliance; and

(2) recognizes the important contributions that the Alliance to Save Energy has made to further the cause of energy efficiency.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1946. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2204, to eliminate unnecessary tax subsidies and promote renewable energy and energy conservation; which was ordered to lie on the table.

SA 1947. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2204, *supra*; which was ordered to lie on the table.

SA 1948. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2204, *supra*; which was ordered to lie on the table.

SA 1949. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2204, *supra*; which was ordered to lie on the table.

SA 1950. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2204, *supra*; which was ordered to lie on the table.

SA 1951. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2204, *supra*; which was ordered to lie on the table.

SA 1952. Mr. SANDERS (for himself, Mr. BLUMENTHAL, Mrs. FEINSTEIN, Mr. TESTER, Mrs. MCCASKILL, Ms. KLOBUCHAR, Mr. LEVIN, Mr. FRANKEN, Mr. BROWN of Ohio, Mr. CARDIN, and Ms. MIKULSKI) submitted an amendment intended to be proposed by him to the bill S. 2204, *supra*; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1946. Mr. MCCAIN submitted an amendment intended to be proposed by

him to the bill S. 2204, to eliminate unnecessary tax subsidies and promote renewable energy and energy conservation; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE — FOREIGN EARNINGS REINVESTMENT

SEC. 01. SHORT TITLE.

This title may be cited as the “Foreign Earnings Reinvestment Act”.

SEC. 02. ALLOWANCE OF TEMPORARY DIVIDENDS RECEIVED DEDUCTION FOR DIVIDENDS RECEIVED FROM A CONTROLLED FOREIGN CORPORATION.

(a) APPLICABILITY OF PROVISION.—

(1) IN GENERAL.—Subsection (f) of section 965 of the Internal Revenue Code of 1986 is amended to read as follows:

“(f) ELECTION; ELECTION YEAR.—

“(1) IN GENERAL.—The taxpayer may elect to apply this section to—

“(A) the taxpayer’s last taxable year which begins before the date of the enactment of the Foreign Earnings Reinvestment Act, or

“(B) the taxpayer’s first taxable year which begins during the 1-year period beginning on such date.

Such election may be made for a taxable year only if made on or before the due date (including extensions) for filing the return of tax for such taxable year.

“(C) ELECTION YEAR.—For purposes of this section, the term ‘election year’ means the taxable year—

“(i) which begins after the date that is one year before the date of the enactment of the Foreign Earnings Reinvestment Act, and

“(ii) to which the taxpayer elects under paragraph (1) to apply this section.”.

(2) CONFORMING AMENDMENTS.—

(A) EXTRAORDINARY DIVIDENDS.—Section 965(b)(2) of such Code is amended—

(i) by striking “June 30, 2003” and inserting “September 30, 2011”, and

(ii) by adding at the end the following new sentence: “The amounts described in clauses (i), (ii), and (iii) shall not include any amounts which were taken into account in determining the deduction under subsection (a) for any prior taxable year.”.

(B) DETERMINATIONS RELATING TO RELATED PARTY INDEBTEDNESS.—Section 965(b)(3)(B) of such Code is amended by striking “October 3, 2004” and inserting “September 30, 2011”.

(C) APPLICABLE FINANCIAL STATEMENT.—Section 965(c)(1) of such Code is amended by striking “June 30, 2003” each place it appears and inserting “September 30, 2011”.

(D) DETERMINATIONS RELATING TO BASE PERIOD.—Section 965(c)(2) of such Code is amended by striking “June 30, 2003” and inserting “September 30, 2011”.

(b) DEDUCTION INCLUDES CURRENT AND ACCUMULATED FOREIGN EARNINGS.—

(1) IN GENERAL.—Paragraph (1) of section 965(b) of the Internal Revenue Code of 1986 is amended to read as follows:

“(1) IN GENERAL.—The amount of dividends taken into account under subsection (a) shall not exceed the sum of the current and accumulated earnings and profits described in section 959(c)(3) for the year a deduction is claimed under subsection (a), without diminution by reason of any distributions made during the election year, for all controlled foreign corporations of the United States shareholder.”.

(2) CONFORMING AMENDMENTS.—

(A) Section 965(c) of such Code, as amended by subsection (a), is amended by striking paragraph (1) and by redesignating paragraphs (2), (3), (4), and (5), as paragraphs (1), (2), (3), and (4), respectively.

(B) Paragraph (4) of section 965(c) of such Code, as redesignated by subparagraph (A), is amended to read as follows:

“(4) CONTROLLED GROUPS.—All United States shareholders which are members of an affiliated group filing a consolidated return under section 1501 shall be treated as one United States shareholder.”.

(c) AMOUNT OF DEDUCTION.—

(1) IN GENERAL.—Paragraph (1) of section 965(a) of the Internal Revenue Code of 1986 is amended by striking “85 percent” and inserting “75 percent”.

(2) BONUS DEDUCTION IN SUBSEQUENT TAXABLE YEAR FOR INCREASING JOBS.—Section 965 of such Code is amended by adding at the end the following new subsection:

“(g) BONUS DEDUCTION.—

“(1) IN GENERAL.—In the case of any taxpayer who makes an election to apply this section, there shall be allowed as a deduction for the first taxable year following the election year an amount equal to the applicable percentage of the cash dividends which are taken into account under subsection (a) with respect to such taxpayer for the election year.

“(2) APPLICABLE PERCENTAGE.—For purposes of paragraph (1), the applicable percentage is the amount which bears the same ratio (not greater than 1) to 10 percent as—

“(A) the excess (if any) of—

“(i) the qualified payroll of the taxpayer for the calendar year which begins with or within the first taxable year following the election year, over

“(ii) the qualified payroll of the taxpayer for calendar year 2010, bears to

“(B) 10 percent of the qualified payroll of the taxpayer for calendar year 2010.”

“(3) QUALIFIED PAYROLL.—For purposes of this paragraph:

“(A) IN GENERAL.—The term ‘qualified payroll’ means, with respect to a taxpayer for any calendar year, the aggregate wages (as defined in section 3121(a)) paid by the corporation during such calendar year.

“(B) EXCEPTION FOR CHANGES IN OWNERSHIP OF TRADES OR BUSINESSES.—

“(i) ACQUISITIONS.—If, after December 31, 2009, and before the close of the first taxable year following the election year, a taxpayer acquires the trade or business of a predecessor, then the qualified payroll of such taxpayer for any calendar year shall be increased by so much of the qualified payroll of the predecessor for such calendar year as was attributable to the trade or business acquired by the taxpayer.

“(ii) DISPOSITIONS.—If, after December 31, 2009, and before the close of the first taxable year following the election year, a taxpayer disposes of a trade or business, then—

“(I) the qualified payroll of such taxpayer for calendar year 2010 shall be decreased by the amount of wages for such calendar year as were attributable to the trade or business which was disposed of by the taxpayer, and

“(II) if the disposition occurs after the beginning of the first taxable year following the election year, the qualified payroll of such taxpayer for the calendar year which begins with or within such taxable year shall be decreased by the amount of wages for such calendar year as were attributable to the trade or business which was disposed of by the taxpayer.

“(C) SPECIAL RULE.—For purposes of determining qualified payroll for any calendar year after calendar year 2011, such term shall not include wages paid to any individual if such individual received compensation from the taxpayer for services performed—

“(i) after the date of the enactment of this paragraph, and

“(ii) at a time when such individual was not an employee of the taxpayer.”.

(3) **REDUCTION FOR FAILURE TO MAINTAIN EMPLOYMENT LEVELS.**—Paragraph (4) of section 965(b) of such Code (relating to limitations) is amended to read as follows:

“(4) **REDUCTION IN BENEFITS FOR FAILURE TO MAINTAIN EMPLOYMENT LEVELS.**—

“(A) **IN GENERAL.**—If, during the period consisting of the calendar month in which the taxpayer first receives a distribution described in subsection (a)(1) and the succeeding 23 calendar months, the taxpayer does not maintain an average employment level at least equal to the taxpayer’s prior average employment, an additional amount equal to \$75,000 multiplied by the number of employees by which the taxpayer’s average employment level during such period falls below the prior average employment (but not exceeding the aggregate amount allowed as a deduction pursuant to subsection (a)(1)) shall be taken into income by the taxpayer during the taxable year that includes the final day of such period.

“(B) **AVERAGE EMPLOYMENT LEVEL.**—For purposes of this paragraph, the taxpayer’s average employment level for a period shall be the average number of full-time United States employees of the taxpayer, measured at the end of each month during the period.

“(C) **PRIOR AVERAGE EMPLOYMENT.**—For purposes of this paragraph, the taxpayer’s ‘prior average employment’ shall be the average number of full-time United States employees of the taxpayer during the period consisting of the 24 calendar months immediately preceding the calendar month in which the taxpayer first receives a distribution described in subsection (a)(1).

“(D) **FULL-TIME UNITED STATES EMPLOYEE.**—For purposes of this paragraph—

“(i) **IN GENERAL.**—The term ‘full-time United States employee’ means an individual who provides services in the United States as a full-time employee, based on the employer’s standards and practices; except that regardless of the employer’s classification of the employee, an employee whose normal schedule is 40 hours or more per week is considered a full-time employee.

“(ii) **EXCEPTION FOR CHANGES IN OWNERSHIP OF TRADES OR BUSINESSES.**—Such term does not include—

“(I) any individual who was an employee, on the date of acquisition, of any trade or business acquired by the taxpayer during the 24-month period referred to in subparagraph (A), and

“(II) any individual who was an employee of any trade or business disposed of by the taxpayer during the 24-month period referred to in subparagraph (A) or the 24-month period referred to in subparagraph (C).

“(E) **AGGREGATION RULES.**—In determining the taxpayer’s average employment level and prior average employment, all domestic members of a controlled group shall be treated as a single taxpayer.”.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall apply to taxable years ending after the date of the enactment of this Act.

SA 1947. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2204, to eliminate unnecessary tax subsidies and promote renewable energy and energy conservation; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE IV—WAIVER OF JONES ACT REQUIREMENTS FOR OIL AND GASOLINE TANKERS

SEC. 401. WAIVER OF JONES ACT REQUIREMENTS FOR OIL AND GASOLINE TANKERS.

(a) **IN GENERAL.**—Section 12112 of title 46, United States Code, is amended—

(1) in subsection (a), by striking “A coastwise” and inserting “Except as provided in subsection (b), a coastwise”;

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following:

“(b) **WAIVER FOR OIL AND GASOLINE TANKERS.**—The requirements of subsection (a) shall not apply to an oil or gasoline tanker vessel and a coastwise endorsement may be issued for any such tanker vessel that otherwise qualifies under the laws of the United States to engage in the coastwise trade.”.

(b) **REGULATIONS.**—Not later than 90 days after the date of the enactment of this Act, the Commandant of the United States Coast Guard shall issue regulations to implement the amendments made by subsection (a). Such regulations shall require that an oil or gasoline tanker vessel permitted to engaged in the coastwise trade pursuant to subsection (b) of section 12112 of title 46, United States Code, as amended by subsection (a), meets all appropriate safety and security requirements.

SA 1948. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2204, to eliminate unnecessary tax subsidies and promote renewable energy and energy conservation; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE IV—WAIVER OF JONES ACT REQUIREMENTS FOR OIL AND GASOLINE TANKERS

SEC. 401. WAIVER OF JONES ACT REQUIREMENTS FOR OIL AND GASOLINE TANKERS.

(a) **IN GENERAL.**—The Commandant of the United States Coast Guard may issue a coastwise endorsement to a oil or gasoline taker vessel that does not meet the requirements of section 12112(a) of title 46, United States Code.

(b) **PERIOD.**—A coastwise endorsement issued under subsection (a) shall expire no later than the date that is 6 months after the date of the enactment of this Act.

(c) **REGULATIONS.**—The Commandant shall ensure that a tanker vessel issued a coastwise endorsement under subsection (a) meets all appropriate safety and security requirements.

SA 1949. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2204, to eliminate unnecessary tax subsidies and promote renewable energy and energy conservation; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE IV—COASTWISE TRADE

SEC. 401. REPEAL OF JONES ACT LIMITATIONS ON COASTWISE TRADE.

(a) **IN GENERAL.**—Section 12112(a) of title 46, United States Code, is amended to read as follows:

“(a) **IN GENERAL.**—A coastwise endorsement may be issued for a vessel that qualifies under the laws of the United States to engage in the coastwise trade.”.

(b) **REGULATIONS.**—Not later than 90 days after the date of the enactment of this Act, the Commandant of the United States Coast

Guard shall issue regulations to implement the amendment made by subsection (a). Such regulations shall require that a vessel permitted to engaged in the coastwise trade meets all appropriate safety and security requirements.

(c) **CONFORMING AMENDMENTS.**—

(1) **TANK VESSEL CONSTRUCTION STANDARDS.**—Section 3703a(c)(1)(C) of title 46, United States Code, is amended by striking “Coast Guard and is qualified for documentation as a wrecked vessel under section 12112 of this title.” and inserting “Coast Guard.”.

(2) **LIQUEFIED GAS TANKERS.**—Section 12120 of title 46, United States Code, is amended by striking “United States,” and all that follows and inserting “United States.”.

(3) **SMALL PASSENGER VESSELS.**—Section 12121(b) of title 46, United States Code, is amended by striking “12112.”.

(4) **LOSS OF COASTWISE TRADE PRIVILEGES.**—Section 12132 of title 46, United States Code, is repealed.

(5) **TABLE OF SECTIONS.**—The table of sections for chapter 121 of title 46, United States Code, is amended by striking the item relating to section 12132.

SA 1950. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2204, to eliminate unnecessary tax subsidies and promote renewable energy and energy conservation; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE IV—WAIVER OF JONES ACT REQUIREMENTS

SEC. 401. WAIVER OF JONES ACT REQUIREMENTS.

(a) **IN GENERAL.**—The Commandant of the United States Coast Guard may issue a coastwise endorsement to a vessel that does not meet the requirements of section 12112(a) of title 46, United States Code.

(b) **PERIOD.**—A coastwise endorsement issued under subsection (a) shall expire no later than the date that is 6 months after the date of the enactment of this Act.

(c) **REGULATIONS.**—The Commandant shall ensure that a vessel issued a coastwise endorsement under subsection (a) meets all appropriate safety and security requirements.

SA 1951. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2204, to eliminate unnecessary tax subsidies and promote renewable energy and energy conservation; which was ordered to lie on the table; as follows:

On page 22, strike lines 4 and 5 and insert the following:

TITLE III—MISCELLANEOUS

SEC. 301. PROHIBITION ON USE OF FEDERAL FUNDS RELATING TO ETHANOL BLENDER PUMPS AND ETHANOL STORAGE FACILITIES.

Effective beginning on the date of enactment of this Act, no funds made available by Federal law shall be expended to construct, fund, install, or operate an ethanol blender pump or an ethanol storage facility (unless the funds are expended to construct, fund, install, or operate an ethanol blender pump or an ethanol storage facility for use by motor vehicle fleets operated by a Federal agency), including—

(1) funds in any trust fund to which funds are made available by Federal law; and

(2) any funds made available under the Rural Energy for America Program established under section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107).

TITLE IV—BUDGETARY EFFECTS

SEC. 401. DEFICIT REDUCTION.

SA 1952. Mr. SANDERS (for himself, Mr. BLUMENTHAL, Mrs. FEINSTEIN, Mr. TESTER, Mrs. MCCASKILL, Ms. KLOBUCHAR, Mr. LEVIN, Mr. FRANKEN, Mr. BROWN of Ohio, Mr. CARDIN, and Ms. MIKULSKI) submitted an amendment intended to be proposed by him to the bill S. 2204, to eliminate unnecessary tax subsidies and promote renewable energy and energy conservation; which was ordered to lie on the table; as follows:

On page 22, strike lines 4 and 5 and insert the following:

TITLE III—MISCELLANEOUS

SEC. 301. ENERGY MARKETS.

(a) FINDINGS.—Congress finds that—

(1) the Commodity Futures Trading Commission was created as an independent agency, in 1974, with a mandate—

(A) to enforce and administer the Commodity Exchange Act (7 U.S.C. 1 et seq.);

(B) to ensure market integrity;

(C) to protect market users from fraud and abusive trading practices; and

(D) to prevent and prosecute manipulation of the price of any commodity in interstate commerce;

(2) Congress has given the Commodity Futures Trading Commission authority under the Commodity Exchange Act (7 U.S.C. 1 et seq.) to take necessary actions to address market emergencies;

(3) the Commodity Futures Trading Commission may use the emergency authority of the Commission with respect to any major market disturbance that prevents the market from accurately reflecting the forces of supply and demand for a commodity;

(4) Congress declared in section 4a of the Commodity Exchange Act (7 U.S.C. 6a) that excessive speculation imposes an undue and unnecessary burden on interstate commerce;

(5) according to an article published in *Forbes* on February 27, 2012, excessive oil speculation “translates out into a premium for gasoline at the pump of \$.56 a gallon” based on a recent report from Goldman Sachs;

(6) on March 9, 2012—

(A) the supply of crude oil and gasoline was higher than the supply was on March 6, 2009, when the national average price for a gallon of regular unleaded gasoline was just \$1.94; and

(B) demand for gasoline in the United States was lower than demand was on June 20, 1997;

(7) on March 12, 2012, the national average price of regular unleaded gasoline was over \$3.82 a gallon, the highest price ever recorded in the United States during the month of March;

(8) during the last quarter of 2011, according to the International Energy Agency—

(A) the world oil supply rose by 1,300,000 barrels per day while demand only increased by 700,000 barrels per day; but

(B) the price of Texas light sweet crude rose by over 12 percent;

(9) on November 3, 2011, Gary Gensler, the Chairman of the Commodity Futures Trading Commission testified before the Senate Permanent Subcommittee on Investigations that “80 to 87 percent of the [oil futures] market” is dominated by “financial participants, swap dealers, hedge funds, and other financials,” a figure that has more than doubled over the past decade;

(10) excessive oil and gasoline speculation is creating major market disturbances that prevent the market from accurately reflecting the forces of supply and demand; and

(11) the Commodity Futures Trading Commission has a responsibility —

(A) to ensure that the price discovery for oil and gasoline accurately reflects the fundamentals of supply and demand; and

(B) to take immediate action to implement strong and meaningful position limits to regulated exchange markets to eliminate excessive oil speculation.

(b) ACTIONS.—Not later than 14 days after the date of enactment of this Act, the Commodity Futures Trading Commission shall use the authority of the Commission (including emergency powers)—

(1) to curb immediately the role of excessive speculation in any contract market within the jurisdiction and control of the Commission, on or through which energy futures or swaps are traded; and

(2) to eliminate excessive speculation, price distortion, sudden or unreasonable fluctuations, or unwarranted changes in prices, or other unlawful activity that is causing major market disturbances that prevent the market from accurately reflecting the forces of supply and demand for energy commodities.

TITLE IV—BUDGETARY EFFECTS

SEC. 401. DEFICIT REDUCTION.

NOTICE OF HEARING

JOINT CONGRESSIONAL COMMITTEE ON
INAUGURAL CEREMONIES

Mr. SCHUMER. Mr. President, I wish to announce that the Joint Congressional Committee on Inaugural Ceremonies will meet on Wednesday, March 28, 2012, at 10:30 a.m., to conduct its organization meeting.

For further information regarding this meeting, please contact Lynden Armstrong at the Rules and Administration Committee on (202) 224-6352.

PRIVILEGE OF THE FLOOR

Mr. BAUCUS. Mr. President, I ask unanimous consent that the following staff of the Finance Committee be allowed on the Senate floor for the duration of today’s session and the debate on S. 2204: Juan Machado, David Sklar, Harun Dogo, and Avital Barnea.

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

MEASURE READ THE FIRST
TIME—S. 2237

Mr. DURBIN. Madam President, I understand that S. 2237, introduced earlier today by Senator REID of Nevada, is at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2237) to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes.

Mr. DURBIN. Madam President, I ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection is heard. The bill will be read for the second time on the next legislative day.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. DURBIN. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 615, 616, 617, 618, 619, 620, 621, 622, 623, 625, 626, 627, and 628, and all nominations placed on the Secretary’s desk in the Air Force, Army, Marine Corps, and Navy; that the nominations be confirmed en bloc; that the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to any of the nominations; that any related statements be printed in the Record; that the President be immediately notified of the Senate’s action and the Senate resume legislative session.

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

The nominations considered and confirmed are as follows:

IN THE AIR FORCE

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be brigadier general

Col. Peter R. Masciola

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. Mark A. Ediger

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Lt. Gen. Janet C. Wolfenbarger

The following Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be brigadier general

Colonel Ondra L. Berry
Colonel Allen D. Bolton
Colonel William D. Cobetto
Colonel Wade A. Lillegard
Colonel Thad L. Myers

The following Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be major general

Brigadier General Steven A. Cray
Brigadier General William J. Crisler, Jr.
Brigadier General Jon F. Fago
Brigadier General Michael A. Loh
Brigadier General Eric W. Vollmecke

The following named officers for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brigadier General David W. Allvin
Brigadier General Howard B. Baker
Brigadier General Thomas W. Bergeson
Brigadier General Charles Q. Brown, Jr.

Brigadier General Darryl W. Burke
 Brigadier General Richard M. Clark
 Brigadier General Dwyer L. Dennis
 Brigadier General Mark C. Dillon
 Brigadier General Carlton D. Everhart, II
 Brigadier General Samuel A. R. Greaves
 Brigadier General Morris E. Haase
 Brigadier General Garrett Harencaak
 Brigadier General Paul T. Johnson
 Brigadier General Randy A. Kee
 Brigadier General Jim H. Keffer
 Brigadier General Michael J. Kingsley
 Brigadier General Jeffrey G. Lofgren
 Brigadier General James K. McLaughlin
 Brigadier General Kurt F. Neubauer
 Brigadier General John F. Newell, III
 Brigadier General Craig S. Olson
 Brigadier General John N. T. Shanahan
 Brigadier General Michael S. Stough
 Brigadier General Scott D. West
 Brigadier General Kenneth S. Wilsbach

The following Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be brigadier general

Colonel Steven M. Balsler
 Colonel Mark H. Berry
 Colonel Walter A. Bryan, Jr.
 Colonel Gregory S. Champagne
 Colonel Sean T. Collins
 Colonel John L. D'Errico
 Colonel Dawne L. Deskins
 Colonel Scott A. Dold
 Colonel Gary L. Ebben
 Colonel Kenneth L. Gammon
 Colonel Bruce R. Guerdan
 Colonel Leonard W. Isabelle, Jr.
 Colonel Clifford W. Latta, Jr.
 Colonel Paul C. Maas, Jr.
 Colonel Edward P. Maxwell
 Colonel David M. McMinn
 Colonel Thomas C. Patton
 Colonel Braden K. Sakai
 Colonel Janet I. Sessums
 Colonel Peter J. Siana
 Colonel Jeffrey M. Silver
 Colonel James K. Vogel
 Colonel Sallie K. Worcester

The following named officer for appointment to the grade of lieutenant general in the United States Air Force while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Clyde D. Moore, II

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be brigadier general

Col. Douglas D. Delozier

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. Michael X. Garrett

The following named officers for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brigadier General Robert P. Ashley, Jr.
 Brigadier General Jeffrey L. Bailey
 Brigadier General Jeffrey N. Colt
 Brigadier General Kenneth R. Dahl
 Brigadier General Gordon B. Davis, Jr.
 Brigadier General Joseph P. DiSalvo
 Brigadier General Robert M. Dyess, Jr.
 Brigadier General Karen E. Dyson
 Brigadier General Paul E. Funk, II
 Brigadier General Harold J. Greene

Brigadier General William C. Hix
 Brigadier General Stephen R. Lyons
 Brigadier General Herbert R. McMaster, Jr.
 Brigadier General John M. Murray
 Brigadier General Richard P. Mustion
 Brigadier General Michael K. Nagata
 Brigadier General Bryan R. Owens
 Brigadier General James F. Pasquarette
 Brigadier General Lawarren V. Patterson
 Brigadier General Aundre F. Piggee
 Brigadier General Ross E. Ridge
 Brigadier General John G. Rossi
 Brigadier General Thomas C. Seamands
 Brigadier General Michael H. Shields
 Brigadier General Leslie C. Smith
 Brigadier General John Uberti
 Brigadier General Bryan G. Watson
 Brigadier General Darrell K. Williams

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be major general

Brig. Gen. Craig A. Bugno

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. David D. Halverson

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN1415 AIR FORCE nominations (2) beginning MATTHEW R. GEE, and ending VICTOR G. SOTO, which nominations were received by the Senate and appeared in the Congressional Record of February 29, 2012.

PN1444 AIR FORCE nominations (3) beginning KERRY L. LEWIS, and ending LYNN M. MILLER, which nominations were received by the Senate and appeared in the Congressional Record of March 12, 2012.

IN THE ARMY

PN1166 ARMY nomination of Richard M. Scott, which was received by the Senate and appeared in the Congressional Record of December 1, 2011.

PN1364 ARMY nominations (53) beginning KEITH J. ANDREWS, and ending DOUGLAS W. WEAVER, which nominations were received by the Senate and appeared in the Congressional Record of February 6, 2012.

PN1396 ARMY nominations (2) beginning DWIGHT Y. SHEN, and ending CAROL J. PIERCE, which nominations were received by the Senate and appeared in the Congressional Record of February 16, 2012.

PN1417 ARMY nomination of Shane T. Taylor, which was received by the Senate and appeared in the Congressional Record of February 29, 2012.

PN1418 ARMY nominations (3) beginning PATRICIA A. LOVELESS, and ending JEROME M. BENAVIDES, which nominations were received by the Senate and appeared in the Congressional Record of February 29, 2012.

PN1419 ARMY nomination of Robert S. Taylor, which was received by the Senate and appeared in the Congressional Record of February 29, 2012.

PN1420 ARMY nomination of Casey D. Shuff, which was received by the Senate and appeared in the Congressional Record of February 29, 2012.

PN1445 ARMY nominations (3) beginning JOHN B. HILL, and ending STEPHEN M. RADULSKI, which nominations were received by the Senate and appeared in the Congressional Record of March 12, 2012.

IN THE MARINE CORPS

PN1282 MARINE CORPS nomination of William J. Wrightington, which was received

by the Senate and appeared in the Congressional Record of January 31, 2012.

PN1288 MARINE CORPS nomination of Mark A. Mitchell, which was received by the Senate and appeared in the Congressional Record of January 31, 2012.

PN1295 MARINE CORPS nominations (2) beginning ROBERT F. EMMINGER, and ending MICHAEL G. MARCHAND, which nominations were received by the Senate and appeared in the Congressional Record of January 31, 2012.

PN1333 MARINE CORPS nominations (73) beginning PAUL H. ATTERBURY, and ending DONALD A. ZIOLKOWSKI, which nominations were received by the Senate and appeared in the Congressional Record of February 1, 2012.

IN THE NAVY

PN1422 NAVY nominations (3) beginning JAY R. FRIEDMAN, and ending DONNA RAJA, which nominations were received by the Senate and appeared in the Congressional Record of February 29, 2012.

PN1423 NAVY nomination of Steven J. Porter, which was received by the Senate and appeared in the Congressional Record of February 29, 2012.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, upon the recommendation of the majority leader, pursuant to Public Law 105-292, as amended by Public Law 106-55, and as further amended by Public Law 107-228, and 112-75, appoints the following individual to the United States Commission on International Religious Freedom:

Katrina Lantos Swett of New Hampshire, vice Dr. Don H. Argue.

ORDERS FOR TUESDAY, MARCH 27, 2012

Mr. DURBIN. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until Tuesday, March 27, at 10 a.m.; 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 be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half; that following morning business, the Senate resume consideration of the motion to proceed to Calendar No. 337, S. 2204, the Repeal Big Oil Tax Subsidies Act postcloture; and that all time during adjournment, recess, and morning business count postcloture on the motion to proceed to S. 2204; and finally that at 12:30 p.m. the Senate recess subject to the call of the Chair to

accommodate the weekly caucus meetings and the official photograph of the 112th Congress.

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

PROGRAM

Mr. DURBIN. Madam President, we hope to begin consideration of the Repeal Big Oil Tax Subsidies Act during Tuesday's session.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. DURBIN. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:44 p.m., adjourned until Tuesday, March 27, 2012, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 26, 2012:

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. PETER R. MASCIOLA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. MARK A. EDIGER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. JANET C. WOLFENBARGER

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COLONEL ONDRA L. BERRY
COLONEL ALLEN D. BOLTON
COLONEL WILLIAM D. COBETTO
COLONEL WADE A. LILLEGARD
COLONEL THAD L. MYERS

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be major general

BRIGADIER GENERAL STEVEN A. CRAY
BRIGADIER GENERAL WILLIAM J. CRISLER, JR.
BRIGADIER GENERAL JON F. FAGO
BRIGADIER GENERAL MICHAEL A. LOH
BRIGADIER GENERAL ERIC W. VOLLMECKE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIGADIER GENERAL DAVID W. ALLVIN

BRIGADIER GENERAL HOWARD B. BAKER
BRIGADIER GENERAL THOMAS W. BERGESON
BRIGADIER GENERAL CHARLES Q. BROWN, JR.
BRIGADIER GENERAL DARRYL W. BURKE
BRIGADIER GENERAL RICHARD M. CLARK
BRIGADIER GENERAL DWYER L. DENNIS
BRIGADIER GENERAL MARK C. DILLON
BRIGADIER GENERAL CARLTON D. EVERHART II
BRIGADIER GENERAL SAMUEL A. R. GREAVES
BRIGADIER GENERAL MORRIS E. HAASE
BRIGADIER GENERAL GARRETT HARENCAK
BRIGADIER GENERAL PAUL T. JOHNSON
BRIGADIER GENERAL RANDY A. KEE
BRIGADIER GENERAL JIM H. KEFFER
BRIGADIER GENERAL MICHAEL J. KINGSLEY
BRIGADIER GENERAL JEFFREY G. LOFGREN
BRIGADIER GENERAL JAMES K. MCLAUGHLIN
BRIGADIER GENERAL KURT F. NEUBAUER
BRIGADIER GENERAL JOHN F. NEWELL III
BRIGADIER GENERAL CRAIG S. OLSON
BRIGADIER GENERAL JOHN N. T. SHANAHAN
BRIGADIER GENERAL MICHAEL S. STOUGH
BRIGADIER GENERAL SCOTT D. WEST
BRIGADIER GENERAL KENNETH S. WILSBACH

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COLONEL STEVEN M. BALSER
COLONEL MARK H. BERRY
COLONEL WALTER A. BRYAN, JR.
COLONEL GREGORY S. CHAMPAGNE
COLONEL SEAN T. COLLINS
COLONEL JOHN L. D'ERRICO
COLONEL DAWNE L. DESKINS
COLONEL SCOTT A. DOLD
COLONEL GARY L. EBBEN
COLONEL KENNETH L. GAMMON
COLONEL BRUCE R. GUERDAN
COLONEL LEONARD W. ISABELLE, JR.
COLONEL CLIFFORD W. LA'TTA, JR.
COLONEL PAUL C. MAAS, JR.
COLONEL EDWARD P. MAXWELL
COLONEL DAVID M. MCMINN
COLONEL THOMAS C. PATTON
COLONEL BRADEN K. SAKAI
COLONEL JANET I. SESSUMS
COLONEL PETER J. SIANA
COLONEL JEFFREY M. SILVER
COLONEL JAMES K. VOGEL
COLONEL SALLIE K. WORCESTER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES AIR FORCE WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. CLYDE D. MOORE II

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. DOUGLAS D. DELOZIER

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. MICHAEL X. GARRETT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIGADIER GENERAL ROBERT P. ASHLEY, JR.
BRIGADIER GENERAL JEFFREY L. BAILEY
BRIGADIER GENERAL JEFFREY N. COLT
BRIGADIER GENERAL KENNETH R. DAHL
BRIGADIER GENERAL GORDON B. DAVIS, JR.
BRIGADIER GENERAL JOSEPH P. DISALVO
BRIGADIER GENERAL ROBERT M. DYESS, JR.
BRIGADIER GENERAL KAREN E. DYSON
BRIGADIER GENERAL PAUL E. FUNK II
BRIGADIER GENERAL HAROLD J. GREENE
BRIGADIER GENERAL WILLIAM C. HIX
BRIGADIER GENERAL STEPHEN R. LYONS
BRIGADIER GENERAL HERBERT R. MCMASTER, JR.

BRIGADIER GENERAL JOHN M. MURRAY
BRIGADIER GENERAL RICHARD P. MUSTION
BRIGADIER GENERAL MICHAEL K. NAGATA
BRIGADIER GENERAL BRYAN R. OWENS
BRIGADIER GENERAL JAMES F. PASQUARETTE
BRIGADIER GENERAL LAWREN V. PATTERSON
BRIGADIER GENERAL AUNDRE F. PIGGEE
BRIGADIER GENERAL ROSS E. RIDGE
BRIGADIER GENERAL JOHN G. ROSSI
BRIGADIER GENERAL THOMAS C. SEAMANDS
BRIGADIER GENERAL MICHAEL H. SHIELDS
BRIGADIER GENERAL LESLIE C. SMITH
BRIGADIER GENERAL JOHN UBERTI
BRIGADIER GENERAL BRYAN G. WATSON
BRIGADIER GENERAL DARRELL K. WILLIAMS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. CRAIG A. BUGNO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. DAVID D. HALVERSON

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING WITH MATTHEW R. GEE AND ENDING WITH VICTOR G. SOTO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 29, 2012.

AIR FORCE NOMINATIONS BEGINNING WITH KERRY L. LEWIS AND ENDING WITH LYNN M. MILLER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 12, 2012.

IN THE ARMY

ARMY NOMINATION OF RICHARD M. SCOTT, TO BE LIEUTENANT COLONEL.

ARMY NOMINATIONS BEGINNING WITH KEITH J. ANDREWS AND ENDING WITH DOUGLAS W. WEAVER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 6, 2012.

ARMY NOMINATIONS BEGINNING WITH DWIGHT Y. SHEN AND ENDING WITH CAROL J. PIERCE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 16, 2012.

ARMY NOMINATION OF SHANE T. TAYLOR, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH PATRICIA A. LOVELESS AND ENDING WITH JEROME M. BENAVIDES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 29, 2012.

ARMY NOMINATION OF ROBERT S. TAYLOR, TO BE MAJOR.

ARMY NOMINATION OF CASEY D. SHUFF, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH JOHN B. HILL AND ENDING WITH STEPHEN M. RADULSKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 12, 2012.

IN THE MARINE CORPS

MARINE CORPS NOMINATION OF WILLIAM J. WRIGHTINGTON, TO BE MAJOR.

MARINE CORPS NOMINATION OF MARK A. MITCHELL, TO BE LIEUTENANT COLONEL.

MARINE CORPS NOMINATIONS BEGINNING WITH ROBERT F. EMMINGER AND ENDING WITH MICHAEL G. MARCHAND, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 31, 2012.

MARINE CORPS NOMINATIONS BEGINNING WITH PAUL H. ATTERBURY AND ENDING WITH DONALD A. ZIOLKOWSKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 1, 2012.

IN THE NAVY

NAVY NOMINATIONS BEGINNING WITH JAY R. FRIEDMAN AND ENDING WITH DONNA RAJA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 29, 2012.

NAVY NOMINATION OF STEVEN J. PORTER, TO BE LIEUTENANT COMMANDER.

EXTENSIONS OF REMARKS

HONORING FARMINGDALE STATE COLLEGE'S 100TH ANNIVERSARY

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2012

Mr. ISRAEL. Mr. Speaker, I rise today to honor Farmingdale State College's 100th year anniversary.

Based in Farmingdale on Long Island and part of the world-class State University of New York system, Farmingdale State College has served an integral role on Long Island since its opening in 1912. Beginning as a school of applied agriculture, it has always been committed to providing students with the skills needed to succeed in the economy of the time paired with a solid academic education.

In fact, I was supportive of Farmingdale State College's successful effort to create a Green Building Institute to make Long Island a hub of innovation, job creation, and manufacturing, and its work to deploy buildings that reduce or eliminate those structures' impact on the environment. The program is just one of the initiatives putting Farmingdale State at the forefront of developing technology and practices to reduce America's dependence on foreign oil. As co-founder and co-chair of the Sustainable Energy and Environment Coalition (SEEC), I work to advance policies that promote clean energy innovation and domestic manufacturing, and I am proud that Farmingdale State is working to advance those priorities as well. I look forward to seeing what students and professors at the college will develop next.

Farmingdale State College is a highly ranked and affordable public institution and will continue to play a pivotal role in Long Island's higher education and economy for years to come. Applicants and enrollees grow every year and include returning veterans, and I am honored to have such a distinguished institution in my district cultivating tomorrow's leaders and problem solvers. I am excited to see what successes will come in the next 100 years.

CASTLE HILLS' PROCLAMATION FOR "GENOCIDE AWARENESS AND PREVENTION" MONTH

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2012

Mr. SMITH of Texas. Mr. Speaker, I would like to recognize the City of Castle Hills, Texas and mayor Bruce Smiley-Kaliff for proclaiming April as "Genocide Awareness and Prevention" month. The City of Castle Hills supports the Texas Holocaust and Genocide Commission and its dedication to ensure that individ-

uals and communities have access to information about the history of genocide. The City of Castle Hills joins with the Texas State Legislature in emphasizing the need to heighten public awareness of genocide and to honor victims and those touched by genocide as a reminder to practice vigilance in protecting human rights. Mayor Smiley-Kaliff signed this proclamation on March 13, 2012.

WOODLAWN CHAMPIONS

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2012

Mr. SHIMKUS. Mr. Speaker, I rise today to honor the Woodlawn High School Cardinals boys' basketball team, winners of the 2012 IHSA Class 1A State Championship.

After a successful 27–5 season, the Cardinals entered this year's tournament, where they defeated the Winnetka Raiders to advance to the championship game against the Carrollton Hawks. In a closely fought match, the Cardinals came from behind in the fourth quarter to defeat the Hawks by a margin of 48–45 and earn their school the first state basketball championship in its history.

My congratulations go to Head Coach Shane Witzel and Assistant Coach Scott Owens and the dedicated players of the 2012 State Champion Woodlawn Cardinals team: Ty Coleman, Jayson Hapeman, Kris Harlow, Christian Hollenkamp, Logan Issac, Matt Kennedy, Gabe Owens, Brendan Petersen, Chase Phelps, Ryan Richardson, Jake Robinson, Bryson Sanders, A.J. Webb, and Logan Woilerman.

These student-athletes have made their community proud and have represented Woodlawn honorably. I congratulate them on their championship and wish them the best of luck next season.

RECOGNIZING PROFESSOR KENNETH C. FUGELSANG

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2012

Mr. COSTA. Mr. Speaker, I rise to recognize Professor Kenneth C. Fugelsang on the occasion of his retirement from California State University, Fresno. Professor Fugelsang served the university as an Enology professor for 40 years and as University Winemaster for the award-winning Fresno State Winery. The Viticulture and Enology Department at Fresno State is a one-of-a-kind, world renowned program, which serves approximately 200 students every year.

A proud product of the California State University system, Professor Fugelsang earned his bachelor's and master's degrees from Fresno State. He then furthered his education at the University of California, Davis where he was a visiting research scholar.

Since 1971, Professor Fugelsang has served the university in a number of capacities. In every one of his endeavors, he has been instrumental in ensuring the success of Fresno State students, as well as the grape and wine industry.

His impact on the grape and wine industry has been paramount. He is recognized as one of the world's leading experts on Brettanomyces—spoilage yeast that grows on grapes and in wineries. Recognizing his expertise, his colleagues have trusted him to coordinate and present at a number of regional, national, and international conferences.

Professor Fugelsang's guidance has continually been an asset to his students, many of whom have gone on to win acclaim in their own right. In 1997, he helped establish the commercial winery at Fresno State. The winery has the distinction of being the first bonded winery on a university campus in the United States. Operated by students, the Fresno State Winery produces almost 10,000 cases a year, including wine cultivated from the university campus farm. His students consistently received real-world, hands-on experience, which led them to be job-ready upon graduation. Professor Fugelsang has always worked to provide the best for his students throughout his career. He secured donations exceeding \$2 million in facilities, equipment, supplies, grapes, and technical services that have helped students directly.

In 2011, Professor Fugelsang was conferred professor emeritus status. During his impressive career, he published more than 150 technical papers, 18 books, and made editorial contributions to domestic and international journals. Additionally, he was the recipient of nearly 50 research grants, amounting to approximately \$5 million.

Mr. Speaker, I ask my colleagues to join me in recognizing Professor Kenneth C. Fugelsang for his meaningful contributions to our Valley and Fresno State students. His legacy will live on for years to come, through the success of his students, tomorrow's winemakers.

PERSONAL EXPLANATION

HON. ROBERT L. TURNER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2012

Mr. TURNER of New York. Mr. Speaker, on rollcall No. 111, I was returning to Washington, DC, from my district in New York. As I was in transit at the time of the rollcall, I was unable to vote. Had I been present, I would have voted "yea."

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

HONORING THE LIFE AND LEGACY
OF MURRAY LENDER

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2012

Ms. DeLAURO. Mr. Speaker, it is with the heaviest of hearts that I rise today to pay tribute to the life and legacy of one of our community's most outstanding entrepreneurs and my dear friend, Murray Lender, who we lost on March 21st at the age of eighty-one. A bagel baker, food executive and philanthropist, who helped bring the bagel to kitchens across the nation, Murray was a close friend and I was deeply saddened to learn of his passing. Murray never forgot his roots and humble beginnings in New Haven while he worked to foster good will and humanitarianism. He was a special person and leader, part of a special family that takes care of each other, bringing jobs to networks of friends and serving the larger community.

Along with his two brothers, Marvin and Sam, Murray turned the dream of "bagelizing" America into a reality through the process of freezing the bagel, which the family pioneered in the early 1960s. Murray, who began counting bagels in the family's backyard bakery before he was eleven, became a food marketing innovator. He took what was formerly only an ethnic product and made it a national staple, available to all. In 1963, Lender's introduced a branded retail pack of frozen bagels. Murray saw frozen foods, which was a new category of products, as an opportunity for greater distribution and expanding the market to new users.

Free publicity was also a key to their success. Murray could be seen presenting a life-sized bagel on the Tonight Show to Johnny Carson, or on Capitol Hill presenting Tip O'Neill with a giant green bagel on St. Patrick's Day. Whether in animated form, or live, lying on the bread shelf in the supermarket, there wasn't much that Murray wouldn't do to sell his product. Lender's Bagels was sold to Kraft food in 1985, but Murray remained with the company to continue his work as spokesman.

Murray was forever passionate about the concept of frozen foods and became involved in all associations directed at strengthening its image. He was Chairman of the National Frozen Food Association, NFFA, as well as the chairman of the 50th Anniversary of Frozen Foods, a national promotion staged in 1980. He pioneered and co-chaired the first National Frozen Food Month in March of 1984, an industry wide month of promotional retail and foodservice activity among frozen food manufacturers. Murray would never go a day dressed without a penguin—the frozen food marketing symbol—whether it be a tie, a pin, socks or a hat. He was recognized by this industry with numerous awards throughout his lifetime.

In more recent years, Murray directed his focus toward philanthropic work. His energy and creative thinking had a major impact on anything he undertook, particularly in his hometown of New Haven. Active in both the local Jewish community, as well as his Alma Mater, Quinnipiac University, Murray's influence can be seen throughout the city, which has recognized him with a school playground

in his name, the ADL Torch of Liberty Award, and an honorary Doctor of Humane Letters from Quinnipiac University, to name a few.

Murray Lender was an extraordinary human being and I consider myself fortunate to have called him my friend. He leaves such a legacy that we celebrate, even as we mourn his passing. I extend my deepest sympathies to his wife, Gillie; his children, daughter Haris and her husband, Evan, and sons Carl and Jay as well as his brother Marvin and his wife Helaine. We can see the unflinching smile in the face of adversity and all his work that carries on. He lit up the world. We will miss him.

HONORING ROD BLONNIEN

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2012

Mr. DENHAM. Mr. Speaker, I rise today with a heavy heart after the passing of Rod Blonien.

Rodney J. Blonien was born July 20, 1946 in Wisconsin Rapids, Wisconsin, to Janet and Clayton Blonien. He was the oldest of four. He attended the University of San Francisco and Santa Clara Law School, and achieved the rank of captain in the Army National Guard.

Mr. Blonien was a Capitol fixture for years having served as Assistant Legal Affairs Secretary to California Gov. Ronald Reagan, Senior Assistant to Attorney General George Deukmejian then Legislative Secretary to California Gov. Deukmejian, and Under Secretary of the Youth and Adult Correctional Agency.

While working for the California Department of Corrections, Mr. Blonien reduced prison construction time from 5 to 2 years. Today, his program serves as a national model. He worked to enact stringent sentences for criminal offenders, and implemented Driving Under the Influence (D.U.I.) checkpoints.

He is survived by his wife of 45 years, Noreen, and four children—Ryan, Jessica, Molly and Jarhett—and 11 grandchildren.

EDWARDSVILLE INTELLIGENCER
150TH

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2012

Mr. SHIMKUS. Mr. Speaker, I rise today to honor the Edwardsville Intelligencer, a local newspaper serving Madison County, Illinois, on its 150th anniversary.

First called the Madison Intelligencer, the first weekly issue was published on November 13, 1862. It has been in continuous operation since, and it can proudly call itself Edwardsville's oldest business. In the last century and a half, the Edwardsville Intelligencer has expanded to daily publication and has covered all the pivotal moments in our nation's history. It has withstood the inventions of radio, television, and the internet and has recently expanded to include an e-Edition, which complements the print edition's continued success.

During its long history, the Intelligencer has been an easily accessible source of informa-

tion and culture in the region. It has a constant presence in the community. For decades it has participated in local charities and community events, and it even distributes newspapers to local schools at no charge. It is truly a vital resource for the greater Edwardsville area.

I am pleased to congratulate the Edwardsville Intelligencer on its 150th anniversary, and I thank them for their contributions to the community. I wish them continued success in the years to come.

IN HONOR OF ST. LOUIS FIRE
CHIEF NEIL J. SVETANICS

HON. RUSS CARNAHAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2012

Mr. CARNAHAN. Mr. Speaker, I rise today to recognize Lemay Fire Protection District Chief Neil J. Svetanics, who is marking his 50th year of fire service in 2012.

Neil Svetanics was born in 1940 in the Water Tower area of North St. Louis. He left high school early to enlist in the United States Marine Corps, from which he was honorably discharged in 1960. Mr. Svetanics became a member of the St. Louis Fire Department in 1962, where he quickly rose through the ranks. He was named chief in 1986, becoming the youngest chief in the department's history and the first to hold a college degree.

Mr. Svetanics held the position of chief for over 13 years, becoming the third longest serving fire chief in the St. Louis Fire Department's storied history. Under his leadership, the Department established a City/County Mutual Aid Policy, promoted a record number of minorities to leadership positions, and hired the department's first women members.

Mr. Svetanics was selected by the International Association of Fire Chiefs as their 1998 "Fire Chief of the Year," and he retired from his post the following year. Chief Svetanics also received the 2001 Lifetime Contribution to the St. Louis Fire Department Award. In 2002, Mr. Svetanics became the Chief of the Lemay Fire Protection District, a position which he still holds today. To date, Mr. Svetanics has dedicated over 50 years of service to fire departments in and around St. Louis, the majority in positions of great responsibility.

Mr. Svetanics has dedicated much of his life to serving the St. Louis community, and has been deservedly awarded numerous honors from various organizations ranging from the public, the not-for-profit, and private sectors.

Mr. Svetanics is the President of the St. Louis Firefighters Memorial Statue Fund, the Founder and past President of the Baden Neighborhood Improvement Association, former Chairman of the United Way of Greater St. Louis Government Division, President of the St. Florian Society, a former member of the Board of Directors at the American Red Cross, and a member of the board of the St. Louis Backstoppers, the Mathews-Dickey Boys' Club, the Salvation Army, and the American Red Cross.

Mr. Svetanics is celebrating another anniversary this year along with his wife, Judy Spreng. The couple celebrated their 50th anniversary in January with their wonderful family—children Maureen, Katie, Amy, and Lisa, four sons-in-law, and eight grandchildren.

I thank Chief Svetanics for his service to his family, community, nation, and to his beloved firefighters all over the St. Louis Metropolitan Area.

COMMISSIONERS COURT OF EL
PASO COUNTY, TEXAS

HON. SILVESTRE REYES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2012

Mr. REYES. Mr. Speaker, I rise today in recognition of the El Paso County's Commissioners Court who signed the following resolution.

Whereas, a "Super-Committee" was formed and tasked to reduce \$1.2 Trillion from our Nation's budget over the next 10 years, but failed at their mission; and,

Whereas, the Department of Defense could endure budget cuts of \$487 Billion throughout the next 10 years; and,

Whereas, due to the failure of the "Super-Committee" there is an additional \$600 Billion in potential budget cuts for deficit-reduction measures targeted towards the Department of Defense; and,

Whereas, future budget reductions of this nature can potentially affect all branches of Defense with reduction of employment and could decrease the benefits that our troops and past veterans receive; and,

Whereas, future reductions should raise concerns of National Security and the ability to defend our Country from future extremities; and,

Whereas, the United States of America has fought for freedom since its creation and knows that freedom does not come easy and it definitely does not come without a price tag; and,

Whereas, our Military's men and women are to be held at the upmost respect and honor for the service they provide to our Country and they should feel assured that they are a priority and the American people are behind them; and,

Whereas, policies of this type have the ability to create an internal decrease in morale and the capability to deter future enlistments to our volunteer military; and,

Whereas, recent developments of Russia and China vetoing a United Nations resolution aimed at ending Syria's violence should raise concerns that the United States should keep its military in full force and maintain their combat readiness for these potential adversaries and other; and, now, therefore, be it

Resolved, that the El Paso County Judge and Commissioners Court hereby disagree with any future budget cuts that can affect National Security and Benefits provided to our Veterans that have defended our Nation from opposing threats and to all of our soldiers that continue to protect our Country's future and our children's future by placing their own lives in harm's way.

Signed, this 13th day of February 2012.

Commissioner Anna Perez Pct. 1

Commissioner Sergio Lewis Pct. 2

Commissioner Willie Gandara Pct. 3

Commissioner Daniel R. Haggerty Pct. 4

County Judge Veronica Escobar

HONORING CHAIRMAN RICHARD M. MILANOVICH OF THE AGUA CALIENTE BAND OF CAHUILLA INDIANS

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2012

Mr. DENHAM. Mr. Speaker, I rise today with a heavy heart after the passing of Chairman Richard M. Milanovich of the Agua Caliente Band of Cahuilla Indians.

Chairman Milanovich grew up on the reservation in Section 14 in Southern California, where poverty was rampant. Currently, the Agua Caliente Band of Cahuilla Indians is a federally-recognized Indian Tribe located in Palm Springs, California with 32,000 acres of reservation lands that spread across Palm Springs, Cathedral City, Rancho Mirage, and into the Santa Rosa and San Jacinto mountains.

Mr. Milanovich has always been dedicated to serving his tribal nation and his country, where he served in the United States Army from 1960 to 1963 and was stationed in Munich, Germany, during the Cold War. He later returned to school to fulfill a lifelong ambition to secure his college degree and received a Bachelor of Science in Business and Management from the University of Redlands in 1996.

Mr. Milanovich returned to the Agua Caliente reservation and started as a member of the tribal council in 1978. He then quickly ascended through the ranks to serve as secretary from 1982 to 1984, before he was elected chairman.

The Chairman's connection to his tribe's history was never lost in his efforts to reinforce tribal sovereignty for Indians across the country. He was a strong practitioner and supporter of the ancient traditions, ceremonies and practices that are important to Indian people. But he was also a very strong leader in 21st-century Indian America.

Through Chairman Milanovich's leadership, he helped craft mutual land-use agreements with Cathedral City in 1984 and with Rancho Mirage and Riverside County about five years later, modeled on an agreement struck with Palm Springs in the late 1970s. The intergovernmental agreements were among the first of their kind and served as a model for tribes throughout the rest of the country.

His first major undertaking was the purchase of the Spa Hotel in Palm Springs in 1992. Since then, his 28-year role as a leader of Agua Caliente has allowed the tribe to develop self-sufficiency through education, cultural preservation, housing, and health care programs.

Aside from raising his own tribal membership out of poverty and into self-sufficiency, Chairman Milanovich has contributed his time and wisdom to many advisory committees, charities, and other efforts to better Indian Country and the lives of people across the country. He served as the chairman of the Advisory Committee to the Office of Special Trustee for the U.S. Department of the Interior, which oversees the federal government's fiduciary responsibilities to manage tribal trust funds. In 2004, he was appointed to the Na-

tive American Stewardship Committee for the prestigious Autry National Center. Chairman Milanovich also served as a member of the Bureau of Land Management's California Desert Advisory Council, and the Native American Heritage Commission. The tribal leader served as an advocate for HIV prevention with the Desert AIDS Project for more than 10 years. As well as having the Agua Caliente tribe partner with the City of Hope's "Hike 4 Hope" each year at the Indian Canyons trail. The hiking event supports women's cancer programs at the foundation.

Indian Country has lost a true leader and staple of the ideals of sovereignty and self-sufficiency. His leadership will not be forgotten and his efforts will be the foundation of the future for Indian tribes throughout the United States.

BREESE CENTRAL CHAMPIONS

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2012

Mr. SHIMKUS. Mr. Speaker, I rise today to congratulate the Breese Central High School Cougars upon winning the 2012 IHSA Class 2A Boys' State Basketball Championship.

This victory is the perfect end to a remarkable season, in which the Cougars recorded 32 wins and only one loss. The Cougars beat the South Holland Sting to advance to the championship game, where they defeated the Normal Pioneers 53-47 and earned their first state championship.

I would like to recognize Head Coach Stan Eagleson, Assistant Coaches David Thomas, Kurt Peters, Jeremy Shubert, Donny Petterson, and Ryan Meyer, Trainer Marty Stewart, and the players themselves: Justin Becker, Brandon Book, Nick Grapperhaus, Tanner Imming, Luke Jackson, Greg Meyer, Luis Perez, Austin Rickhoff, Kyler Scheer, Andrew Schulte, Noah Stockmann, Gavin Thomas, and Jacob Timmermann.

Congratulations to the Breese Central Cougars for their championship and their incredible season. I look forward to next season, and I wish them all the best in their future endeavors.

PERSONAL EXPLANATION

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2012

Mr. VAN HOLLEN. Mr. Speaker, on Tuesday, March 20, 2012, I was unavoidably detained and missed rollcall votes.

Following are the votes I missed and how I would have voted:

On rollcall No. 112, had I been present, I would have voted "no."

On rollcall No. 113, had I been present, I would have voted "no."

On rollcall No. 114, had I been present, I would have voted "yes."

RECOGNIZING GREEK
INDEPENDENCE DAY ON MARCH 25

HON. CHRISTOPHER S. MURPHY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2012

Mr. MURPHY of Connecticut. Mr. Speaker, I rise today to recognize the 191st anniversary of the independence of Greece. As a member of the Congressional Caucus on Hellenic Issues, it gives me great pride to draw attention to our nation's strong Hellenic heritage and celebrate Greece's declaration of independence from the Ottoman Empire.

Following 400 years of Ottoman rule, in March 1821 Bishop Germanos of Patras raised the traditional Greek flag at the monastery of Agia Lavras, inciting his countrymen to rise against the Ottoman army. Against overwhelmingly difficult odds, the Greeks arose victorious. The following year, the Treaty of Constantinople established full independence for Greece.

The United States and Greece have enjoyed a long history of friendship since the early days of Greek independence. Today, we are close partners and allies. We share democratic ideals and common values, many of which were inspired by ancient Greek civilization. In fact, our republic is based on ideas about self-government set forth and practiced in Athens over 2,500 years ago.

Over time, many Greek citizens chose to bring their families to the United States, often to New York and surrounding areas, including Connecticut. They became proud American citizens, but preserved their history and culture to pass on to future generations.

I am proud to represent the thousands of Greek-Americans who live in northwest Connecticut. Their vibrant culture and important contributions have enriched our towns and cities throughout the state. I count many Greek-Americans as friends, and am pleased to join them in celebrating this important day. Zeto E Eleftheria!

HONORING MAJOR NENG LO

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2012

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor the life and service of the late Major Neng Lo. Major Lo's life was dedicated to his service in the United States Secret Army during the Vietnam War.

Neng Lo was born April 1, 1946, in Ban Houi Kinning, located in the Houi Kinning District of Muang Khoun in the Xieng Khouang Province of the Kingdom of Laos. He attended Muang Khoun Elementary School. While in the fifth grade, he was recruited to train and serve in the United States Secret Army. After completion of training, Neng Lo was incorporated into the Auto Defense Community stationed at Lima Site 15.

In 1964, at the age of 18, he was selected to transfer to the 2nd Company Infantry, 203rd Battalion, Special Guerrilla Units. This unit was a mobile unit that moved around the Plains of Jars to ambush and counter attack North Vietnamese Army, NVA, troops that oc-

cupied the areas. In 1966, he was promoted to Second Lieutenant and became the Commander of the 3rd Company, 203rd Battalion. In January 1967, Neng Lo's unit was sent to Na Khang at Lima Site 36 in the Sam Neua Province. His assignment on this mission was to capture Muang Heim, which had been invaded by the North Vietnamese.

In late March of 1968, Neng Lo was promoted to Lieutenant and joined Group Mobiles 21 counter attack on Phou Pha Thi, the mountain where United States radar systems were installed to guide U.S. airstrikes over North Vietnam. Phou Pha Thi had been captured by the NVA. During several unsuccessful attempts to recapture the site, Neng Lo's unit lost most of its members.

In December 1969, Neng Lo was promoted to Captain and was appointed Commander of the 203rd Battalion, Special Guerilla Units of the 21st Mobile Group of the United States Secret Army. During this assignment, La's Unit was ordered to control the Long Matt Ridge located south of the Plains of Jars. This was a springboard mission to capture the Plains of Jars from the NVA. His mission was to attack the North Vietnamese front line directly so other units could penetrate the NVA line to attack its reinforcement units and supplies.

In November 1970, Captain Lo heliported to Khang Kai Lima Site 4 to capture a strategic position. In December 1970, the NVA attacked Khang Kai with Russian armored tanks and 130 mm mortars, capturing the site. Lo was killed in action. In February 1971, the 201st Battalion recaptured Khan Kai Lima Site 4, but Captain Lo's body was never found.

After his death, Neng Lo was promoted to the rank of Major. Major Lo was married to Mrs. Pang Thao. The couple has two daughters: Mee Lo and Mao Lo. Neng Lo's family resides in Fresno, California.

Mr. Speaker, please join me in posthumously honoring Major Neng Lo for his heroic service to the United States of America, and extending deepest condolences to his family. His legacy serves as an example of excellence, and his contributions to our country will not be forgotten.

A TRIBUTE TO THE LIFE OF
RODNEY A. ANDERSON

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2012

Mr. COSTA. Mr. Speaker, I rise to honor the life of Dr. Rodney A. Anderson, a noted professor at California State University, Fresno (Fresno State) who passed away on March 7, 2012. Dr. Anderson served as a political science professor and mentor for hundreds of students. He characterized the best of what our nation's education system has to offer—he was wise, kind, and worked tirelessly to ensure that his students were successful.

Dr. Anderson grew up on his family's farm where he learned the value of hard work. Dr. Anderson attended Geneva High School, where he was an active member of the Future Farmers of America and excelled in extemporaneous speaking competitions. Upon graduating from high school in 1984, Dr. Anderson pursued a bachelor's degree at the University of Nebraska at Lincoln. After graduating with

high honors, he earned his master's and doctoral degrees in political science at the Ohio State University.

In 1996, Dr. Anderson joined the Fresno State Political Science Department and worked there until his passing. Throughout his career, he taught 200 students in five classes every semester. American politics, statistics, political behavior, and comparative politics were among the subjects Dr. Anderson taught.

Many of Dr. Anderson's students have gone on to graduate school or rewarding careers as attorneys, teachers, staff members for the California State Legislature and the United States Congress, or consultants. Henry Adams famously said, "A teacher affects eternity; he can never tell where his influence stops." As an alumnus of the Political Science Department at Fresno State, I know firsthand the importance of a dedicated teacher who serves as an academic guide, moral paradigm, and mentor.

Mr. Speaker, I ask my colleagues to join me in paying tribute to the life and service of Dr. Rodney A. Anderson, a principled man and treasured member of the Fresno State community. Dr. Anderson's life was not only filled with personal milestones, but his dedication to his work and students was admirable.

OUR UNCONSCIONABLE NATIONAL
DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2012

Mr. COFFMAN of Colorado. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$15,585,576,040,333.70. We've added \$4,958,698,991,420.62 to our debt in 3 years. This is debt our Nation, our economy, and our children could have avoided with a balanced budget amendment.

INTRODUCING THE REPUBLIC OF
GEORGIA DEMOCRACY ACT OF 2012

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2012

Mr. McDERMOTT. Mr. Speaker, I rise to introduce the Republic of Georgia Democracy Act of 2012. This bill sheds light into the deteriorating political situation in the Republic of Georgia and makes clear to the Georgian Government that maintaining democratic institutions and regular free, fair and competitive elections are key priorities for a strong relationship between our two countries.

This bill will help to reverse the suppression that has been intensifying by showing the Georgian President Mikheil Saakashvili the cost of these anti-democratic actions. I know Members of Congress on both sides of the aisle share my growing concern over the violent suppression of parties, nongovernmental organizations and workers in Georgia. I urge my colleagues to support this bill and stand up for democracy in Georgia.

SAINTE MARIE 175TH

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2012

Mr. SHIMKUS. Mr. Speaker, I rise today to honor the village of Sainte Marie, Illinois, upon its 175th anniversary.

Sainte Marie was founded in 1837 by immigrants from eastern France. They were a group of several related families, who, fearful of outside influences on the Church, decided to establish a colony in America, where they might practice their religion as they saw fit. To this end, they elected to send one of their children, Joseph Picquet, to find a suitable place for their settlement. At the time, Picquet was only 19 years old, but he was wise beyond his years.

After arriving in America in 1835, Picquet lived briefly in Philadelphia, learning the language and local customs. He then spent most of 1836 exploring America and her vast wilderness. After extensive travel, he settled on a location for the colony in southern Illinois on the Embarras River, not far from Vincennes, Indiana. He chose the site for its untapped resources and the strong French presence in the area.

Having found the site for the colony, Picquet then returned home to collect his family, and in June of 1837, Picquet and 24 of his relatives arrived in what would become the village of Sainte Marie. While preparing their settlement, they stayed on a nearby farm, and their construction efforts were blessed by Father Stephen Theodore Badin, the first priest to be ordained in the United States.

On October 28, 1837, Picquet and the other settlers took possession of the land, which they dedicated to the Virgin Mary. They called it a *Colonie des Frères*, since they were all related by either blood or marriage. Largely due to Picquet's efforts, the colony quickly grew and became a cultural center for the region. It soon had such facilities as a saw mill, a post office, a church, a free school, and even a railroad station. The settlement was renamed Sainte Marie, retaining the spelling of their French heritage, and in 1865 Sainte Marie was officially chartered by the State of Illinois.

Today Sainte Marie remains a charming rural community which teaches strong morals and family values. Its citizens are proud of their town and its history, as well as the many businessmen and professionals it has produced. This summer the people of Sainte Marie will honor the town's history and its citizens with its Quartoseptcentennial Celebration. In recognition of this momentous occasion, I ask my fellow members of this House to join with me as I wish them success in their upcoming festivities and in the years to come.

100TH ANNIVERSARY OF THE GIRL SCOUTS

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2012

Mr. DENHAM. Mr. Speaker, I rise today, during Women's History Month, to commemorate the 100th anniversary of the Girl Scouts of the United States of America.

Girls Scouts of America was founded in 1912 in Savannah, Georgia. Savannah native Juliette "Daisy" Gordon Low started a regular meeting for local girls to provide them with the opportunity to achieve great physical, intellectual, and spiritual success.

For 100 years, Girl Scout chapters across the United States have helped millions of girls grow into women of courage, confidence, and character. Girl Scouts of America has several award-winning programs that encourage girls to discover themselves and their values, connect with their communities, and take action to make the world a better place. Traditions such as the Girl Scout Gold Award challenge girls to make a measurable and sustainable difference in their community by assessing needs, designing solutions, and organizing resources to sustain the project.

The impact of Girl Scouts of America programs is not limited to our local communities. Specialized learning programs centered on science, technology, engineering, and math increase the education of young women in these important fields. The Girl Scout Research Institute performs research that provides significant insight into the lives of today's girls and young women.

Today, more than 50 million American women are Girl Scout alumnae, and 3.3 million girls and volunteers are active members in Girl Scouts of America. In the Central Valley of California, over 12,000 girls ranging in age from kindergarten to high school are Girl Scouts.

Mr. Speaker, please join me in applauding the Girl Scouts of the United States of America for 100 years of leadership in the lives of girls and young women and congratulating the organization on its centennial celebration.

PERSONAL EXPLANATION

HON. JESSE L. JACKSON, JR.

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2012

Mr. JACKSON of Illinois. Mr. Speaker, on Monday, March 19, Tuesday, March 20, Wednesday, March 21, and Thursday, March 22, 2012, I was unavoidably detained for personal reasons, and missed a series of recorded votes. The votes included, H.R. 3992, to allow otherwise eligible Israeli nationals to receive E-2 nonimmigrant visas if similarly situated United States nationals are eligible for similar nonimmigrant status in Israel; H.R. 2087, to remove restrictions from a parcel of land situated in the Atlantic District, Accomack County, Virginia; H.R. 5, to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system, among others.

If present, I would have recorded my votes as follows: on March 19, "yea" on rollcall vote 111; on Tuesday, March 20, "nay" on rollcall vote 112, "nay" on rollcall vote 113, "yea" on rollcall vote 114, "yea" on rollcall vote 115, "yea" on rollcall vote 116, and "nay" on rollcall vote 117; on Wednesday, March 22, "nay" on rollcall vote 118, "nay" on rollcall vote 119, "yea" on rollcall vote 120, "nay" on rollcall vote 121; on Thursday, March 22, "nay" on rollcall vote 122, "yea" on rollcall vote 123, "nay" on rollcall vote 124, "yea" on roll vote 125, and "nay" on rollcall vote 126.

HONORING THE 40TH ANNIVERSARY OF THE MARIANAS VARIETY NEWS & VIEWS

HON. GREGORIO KILILI CAMACHO SABLANOF THE NORTHERN MARIANA ISLANDS
IN THE HOUSE OF REPRESENTATIVES*Monday, March 26, 2012*

Mr. SABLAN. Mr. Speaker, forty years ago, on March 16, 1972, a local couple in the Northern Mariana Islands, Abed E. Younis and Maria Paz Castro Younis, wrote, edited, printed, and distributed the first issue of the Marianas Variety News & Views. So began the life of what is now the oldest local newspaper in our islands—on a table-top printer in a small commercial space they called Younis Art Studio.

The Variety, as the paper is now more succinctly known, still provides its readers with extensive local news and views. It also carries reports of the region, the United States and the world, as well as interesting and in-depth feature stories. The Variety includes a thought-provoking opinion section, where the public can air its views, and where the Variety itself regularly takes an editorial stand on the issues of current political, social, and economic import in the islands. Always, though, the Variety is a publication independent at heart without ties to business or political interests. The mission it serves is to deliver the latest news to our community in a fair and even-handed manner.

These days, the "community" served by the Variety has expanded beyond the shores of the Northern Marianas. The paper is published and circulated each Monday through Friday in the Northern Mariana Islands, Guam, Palau, and the Federated States of Micronesia. There are print subscribers far and wide: in the South Pacific, the Philippines, Hawaii, Japan, and the mainland U.S. And the Variety's widely-viewed website, www.mvariety.com, reaches an even more extensive audience and allows its readers to content with comments about the published stories and issues of concern and to interact with one another and share ideas in a forum that is constantly expanding.

The Variety is a member of the Associated Press, Reuters, and the Pacific Island News Association and has received a number of notable awards including "Best Newspaper," "Best Editorial Writing," and "Best News Photography" from the Society of Professional Journalists—NMI Chapter, an NMI Humanities Award for Outstanding Contributions to Journalism, Best Online Edition of a Pacific Island Newspaper, and an Environmental Achievement Award from the U.S. Environmental Protection Agency.

Over the years, the Variety has been a strong community partner, donating to and assisting numerous non-profit organizations, events, and activities, as well as creating community projects such as its own School Newspaper Program, through which elementary and high school students learn about the news trade by publishing their own school newspapers. The Variety also offers great on-the-job training opportunities, including annual internships for individuals interested in journalism, graphic arts, marketing and sales, web press technique, and other aspects of publishing.

As the newspaper has expanded physically and geographically, so too has the Younis family's involvement in day-to-day operations. All six of Abed and Paz's children—Banny, Laila, Farah, Amier, Suaad, and Salam—grew up around and matured with the Variety. Today, three of those children have followed their parents' footsteps into the newspaper business. Laila Younis Boyer is now the president of the local corporation, while her brother Amier serves as the publisher of the newspaper's sister edition on Guam and their brother Salam is the operations manager of the Saipan office.

Please join me in congratulating Abed and Paz Younis, their family, and all of their past and current employees and colleagues at the Marianas Variety News & Views for the newspaper's forty years as an important provider of local, regional, and international news, a strong community partner, and a successful member of the business community in the Northern Mariana Islands.

PROTECTING ACCESS TO
HEALTHCARE ACT

SPEECH OF

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 2012

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 5) to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system:

Mr. ISRAEL. Mr. Chair, I rise today to speak in opposition to the Protecting Access to Healthcare Act.

The Protecting Access to Healthcare Act is a wolf in sheep's clothing. Unfortunately, this bill is a blatant attempt to protect the profits of special interests and restrict the rights of patients. The facts are right on the pages in black and white. H.R. 5 reduces access to courts for individuals injured by medical negligence like removing the wrong leg, faulty medical devices or dangerous drugs. It imposes a one size fits all approach on the damages in medical negligence cases and goes further than any state law in place today.

In fact, H.R. 5 includes provisions that violate States' rights by mandating a federal cap on all fifty states for medical liability. By including this poison pill, the House Republicans have prevented consensus in the House on changes to the Independent Payment Advisory Board. The American people want Congress to focus on commonsense, bipartisan legislation, but the House Republicans refuse. It appears some Members on the other side of the aisle won't stop until they abolish healthcare for all people, and especially low-income individuals, women and seniors. They can try to hide behind any piece of legislation they want, but they can't hide from the facts: their goal is to end the Medicare guarantee and increase costs for seniors.

I will continue to urge my Republican colleagues to stop their war on women and seniors, I will continue to protect quality healthcare for Americans and I will continue to push for compromise in the House of Representatives.

PROTECTING ACCESS TO
HEALTHCARE ACT

SPEECH OF

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 2012

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 5) to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system:

Mr. VAN HOLLEN. Mr. Chair, I rise in opposition to this bill because it is a misguided attempt at scoring political point that combines two bad policies and puts them into one piece of legislation. First, it is obvious that the House Republican leadership has brought this bill to the floor the day after introducing their budget in an attempt to distract American seniors from the damaging effects it would have on Medicare. That budget proposes to end the Medicare guarantee, and shifts the rising costs of healthcare onto seniors and disabled individuals.

Second, let's look at the facts. Medicare costs already grow at a slower rate than the private insurance industry. We took a huge step in strengthening Medicare and the overall health system in the Affordable Care Act (ACA), which includes virtually every cost containment provision recommended by health care experts. The Independent Payment Advisory Board (IPAB) is simply one of the tools in the ACA to help contain costs. It is a failsafe provision that only comes into effect if other reforms in the ACA do not contain costs or Congress chooses not to act to implement new measures that would build upon the kind of changes we made in the Affordable Care Act. Those reforms have already begun to lower Medicare growth rates to historically low levels, which prompted the CBO to project that IPAB will not even become necessary until sometime after 2022.

Everyone here knows that IPAB is prohibited by law from rationing health care, increasing premiums, initiating cost-sharing, and recommending benefits cuts—and we also all know that rationing by the insurance industry is precisely what the Republican budget proposes to do. Republican attacks on IPAB are simply a diversion from the fact that House Republicans want to put insurance companies back in charge of American's health care choices. We should not be trying to repeal helpful provisions of the ACA to divert attention from the larger issue: the House Republican budget and its attack on the Medicare guarantee.

HONORING CAROLYN
HEBENSTREICH

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2012

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor Ms. Carolyn Hebenstreich, Stanislaus County Veterans Services Office Manager, who will be retiring

on March 31, 2012, after more than 22 years of outstanding service to our veterans.

Carolyn Hebenstreich began working for the VA Medical Center in Livermore as a student helper in Housekeeping during the summer of 1968. In 1976, Carolyn was hired by the VA Medical Center, VAMC, Livermore as a File Clerk and worked her way up to Chief of Office Operations.

In 1979, Carolyn took a hiatus and worked in the private sector for about 8 months. She then worked at the Tracy Defense Logistic Depot for a short time before transferring back to VAMC Livermore. In 1985, she transferred to VA New Orleans as the Chief of Ambulatory Care. Her desire to return to California prompted her transfer back to VAMC Livermore in February 1986, where she worked for 3 more years.

Stanislaus County hired Carolyn in June 1989, as Veterans Representative 1 for the Veterans Services Office, VSO. When the Department Head, Bud Lahr, retired in 1993, the VSO merged with the Area Agency on Aging to become the Stanislaus County Department of Aging and Veterans Services.

Carolyn was appointed to be the lead person for the VSO. She served in this capacity from 1993 until 2001, when she was promoted to Manager of the VSO.

Ms. Hebenstreich is accredited by the following organizations: American Legion, Veterans of Foreign Wars, Disabled American Veterans, Military Order of the Purple Heart, California Department of Veteran Affairs, and the National Association of County Veterans Services Officers.

In addition, Carolyn has served on various committees over the years for the California Association of County Veterans Services Officers and served on the Executive Committee for 2 years. She has helped organize the Annual Veterans Day Parades and Veterans Award Ceremonies since 1994, and has worked with the local veterans organizations on an ongoing basis.

Mr. Speaker, please join me in honoring and commending Carolyn Hebenstreich, Stanislaus County Veterans Services Office Manager, for her numerous years of selfless service to the betterment of our community.

ON THE PASSING OF MS. ADA
SHARPTON

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2012

Ms. BROWN of Florida. Mr. Speaker, on behalf of the citizens of the Third Congressional District of Florida, I want to express my condolences on the passing of Ms. Ada Sharpton on Thursday, March 23, 2012, in Dothan, Alabama. My thoughts and prayers go out to the family and friends of this loving and devoted mother.

With great reverence, I add my voice to the chorus of praises and sincere appreciation for the lifetime works and experience of this extremely passionate and loving soul, inspiration, and friend to all. Few people have the opportunity to influence so many in their life. All who came into contact with Ada were especially blessed. Her intensity was born of love, her insistence was driven by her determination to

ensure we have the tools to succeed; her style was to embrace our souls, hearts, and even squeeze a little harder, just to get our attention.

As we join with her loving family, we see in their eyes this boundless love and the meaning of her life, so richly captured by their individual and collective accomplishments, and for whom she served as the driving force. From a very young age, she encouraged her son Al to preach the word of God and to stand up for the rights of those who have no voice.

As Ms. Ada Sharpton transitions home again, we say thank you Ada and we thank God for you, always and forever.

IN RECOGNITION OF THE SACRAMENTO AFRICAN-AMERICAN ART COLLECTIVE

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2012

Ms. MATSUI. Mr. Speaker, I rise today in recognition of the Sacramento African-American Art Collective (SAAAC), which serves to enhance cultural and artistic experiences in the Sacramento area community. SAAAC came together in 2010, and offers great opportunities for African-American artists to showcase their work in collaboration with local businesses. I ask all my colleagues to join me in honoring the artists, organizers, and businesses involved in this valuable cultural resource.

SAAAC was founded as a means to increase the exposure of African-American artists to the Sacramento community, and likewise to allow the Sacramento community to enjoy the unique messages and perspectives offered by African-American artists. Since its inaugural 1st Saturday Art Tour in February, 2011, SAAAC has become an integral part of the monthly art experience in Sacramento. Local businesses continue to volunteer their time and space to exhibit the work of these artists, all of whom are locally-based.

In honor of Black History Month, and in collaboration with the California Governor's office, SAAAC exhibited several works in the Governor's Annex at the California State Capitol. The collection, co-sponsored by the California Legislative Black Caucus, was titled "Family: Those We Love!", and was available to enjoy from February 20th, to March 2nd, 2012. This was the first such exhibit in the Governor's Office to acknowledge the contribution of African-American artists to the distinct cultural milieu that makes Sacramento great. The collection is now on display at the Kuumba Collective Art Gallery in Sacramento.

Among the artists and community leaders I'd like to recognize are Gerry GOS" Simpson, Frank Blackwell, Milton Bowens, Warren

Spirling, Lawrence Sullivan, Daphne Burgess, Shonna McDaniel, Gene Howell, Mallory Knight, Lumumba, Marichal Brown, David Alexander, James and Renee Sweeney, John King, Kanika Marshall, Constance King, Marshall Bailey, Frankie Edwards-Lee, Cynthia Brooks, Janis Wade, and Daneshia Johnson. I would also like to recognize the dozens of businesses and sponsors that have collaborated with SAAAC, including the Sacramento Central Labor Council, AFL-CIO, The Brickhouse Gallery, Crave The Spotlight, Pacific Housing Inc., and many others.

Mr. Speaker, I am honored to recognize these community members and their priceless contributions to the rich and diverse cultural experience that Sacramento offers. As artists, friends, and community leaders gather at the Kuumba Gallery, I ask my colleagues to join me in honoring the Sacramento African-American Art Collective and its partners for helping to enrich our lives.

RECOGNIZING PAUL ALLEN'S PERSONAL DONATION OF \$300 MILLION FOR BRAIN RESEARCH

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2012

Mrs. MCMORRIS RODGERS. Mr. Speaker, I rise today in my role as co-chair of the bipartisan Congressional Neuroscience Caucus. The caucus works on a bipartisan basis to share the latest developments in neuroscience so that we might unlock new insights and new cures.

Yesterday was a historic day in the neuroscience research community. That's because yesterday, Paul Allen made a personal donation of \$300 million to help better understand the human brain.

This is one of the largest donations ever for brain research. But it is not the first. Mr. Allen—best known as the co-founder of Microsoft—made a \$100 million donation nine years ago when he launched the Allen Institute for Brain Science. In fact, he now has contributed some \$500 million to this great quest.

I would like to recognize Mr. Allen and wish his amazing team of scientists success, because all of society stands to benefit.

IN RECOGNITION OF THE HAMPTON HIGH SCHOOL BASKETBALL TEAM

HON. ROBERT C. "BOBBY" SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 26, 2012

Mr. SCOTT of Virginia. Mr. Speaker, I am honored to rise, on behalf of Congressman

SCOTT RIGELL and myself, to call attention to a group of young students from Hampton, Virginia, who have distinguished themselves, their school, their community and the Commonwealth of Virginia.

The Hampton High School Crabbers basketball team had a remarkable season. On March 11, Coach Walter Brower and the Crabbers won their first Virginia state basketball championship since 1997, their fifth overall, by defeating Petersburg High School of Petersburg, 64–51, at the VCU Siegel Center in Richmond, Virginia.

After not making it to last year's Eastern Region Tournament, the Crabbers came into this season as unlikely to win the state championship. However, as a result of tireless work on the part of both Hampton's players and coaches, the team was able to rise to a level that, given their performance last year, few would have thought achievable.

After three straight close games to begin the Virginia High School League tournament, including a near loss to the Bayside Marlins from Virginia Beach, the Crabbers never trailed their opponents in their final two games.

Although very accomplished in basketball, Hampton High's legacy of excellence is not limited to the field of athletics. Under the direction of Principal Myra Chambers, the Hampton faculty seeks to inspire all students to strive for excellence and achievement in the classroom, in their extracurricular activities and in their communities.

As a direct descendent of the Syms-Eaton School, the first free school in America established in the American colonies, Hampton High has continued to uphold a tradition rooted in excellent public education. Affectionately known as the "little Pentagon," Hampton has been selected in the past as one of the best schools in the United States when it received the national Award of Academic Excellence from the Department of Education. Hampton's commendation for this award read in part: Hampton High has seen "the glory of a maturing nation and the pain of depression and warfare. Yet through it all, the school has always respected and upheld the traditional values of educational achievement and pride in one's community. . . ."

So, on this occasion, we would like to extend our enthusiastic congratulations to Coach Walter Brower, his coaching staff, the players on the Hampton High School Crabbers and to all Hampton High School students, families, friends and fans, for their continued dedication to excellence in winning the Group AAA Virginia High School League state basketball championship of 2012.

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 Tuesday, March 27, 2012 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MARCH 28

9:30 a.m.

Armed Services

SeaPower Subcommittee

To receive a closed briefing on the Ohio-class Replacement Program in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program.

SVC-217

9:45 a.m.

Veterans' Affairs

To hold hearings to examine the nominations of Margaret Bartley, of Maryland, and Coral Wong Pietsch, of Hawaii, both to be a Judge of the United States Court of Appeals for Veterans Claims.

SR-418

10 a.m.

Appropriations

Department of Defense Subcommittee

To hold hearings to examine Department of Defense health programs.

SD-192

Foreign Relations

To hold hearings to examine United States policy on Iran.

SD-419

Judiciary

To hold hearings to examine the Special Counsel's report on the prosecution of Senator Ted Stevens.

SD-226

Appropriations

Departments of Labor, Health and Human Services, and Education, and Related Agencies Subcommittee

To hold hearings to examine proposed budget estimates for fiscal year 2013 for the National Institutes of Health.

SD-124

Appropriations

Military Construction and Veterans Affairs, and Related Agencies Subcommittee

To hold hearings to examine proposed budget estimates for fiscal year 2013 for the Department of the Navy and the Department of the Air Force.

SD-138

10:30 a.m.

Inaugural Ceremonies—2012

Organizational business meeting to consider an original resolution authorizing expenditures for committee operations and committee's rules and procedure for the 112th Congress.

S-216, Capitol

2 p.m.

Appropriations

Commerce, Justice, Science, and Related Agencies Subcommittee

To hold hearings to examine proposed budget estimates for fiscal year 2013 for the National Aeronautics and Space Administration.

SD-124

2:30 p.m.

Commerce, Science, and Transportation

To hold hearings to examine the science and standards of forensics.

SR-253

Banking, Housing, and Urban Affairs

Economic Policy Subcommittee

To hold hearings to examine retirement, focusing on examining the retirement savings deficit.

SD-538

Appropriations

Energy and Water Development Subcommittee

To hold hearings to examine proposed budget estimates for fiscal year 2013 for the Army Corps of Engineers and Bureau of Reclamation.

SD-192

Homeland Security and Governmental Affairs

Federal Financial Management, Government Information, Federal Services, and International Security Subcommittee

To hold hearings to examine assessing efforts to combat waste and fraud in Federal programs.

SD-342

Appropriations

Financial Service and General Government Subcommittee

To hold hearings to examine enhancing economic growth, focusing on the Department of the Treasury's responses to the foreclosure crisis and mounting student loan debt.

SD-138

Judiciary

To hold hearings to examine certain nominations.

SD-226

Armed Services

Strategic Forces Subcommittee

To hold hearings to examine Department of Defense nuclear forces and policies in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.

SR-222

MARCH 29

9:30 a.m.

Armed Services

To hold hearings to examine the nominations of Frank Kendall III, of Virginia, to be Under Secretary for Acquisition, Technology, and Logistics, James N. Miller, Jr., of Virginia, to be Under Secretary for Policy, Erin C. Conaton, of the District of Columbia, to be Under Secretary for Personnel and Readiness, Jessica Lynn Wright, of Pennsylvania, and Katharina G. McFarland, of Virginia, both to be an Assistant Secretary, and Heidi Shyu, of California, to be an Assistant Sec-

retary of the Army, all of the Department of Defense.

SD-G50

Energy and Natural Resources

To hold hearings to examine current and near-term future price expectations and trends for motor gasoline and other refined petroleum fuels.

SD-366

Judiciary

Business meeting to consider S. 2159, to extend the authorization of the Drug-Free Communities Support Program through fiscal year 2017, and the nominations of Richard Gary Taranto, of Maryland, to be United States Circuit Judge for the Federal Circuit, William J. Kayatta, Jr., of Maine, to be United States Circuit Judge for the First Circuit, Robin S. Rosenbaum, to be United States District Judge for the Southern District of Florida, Gershwin A. Drain, to be United States District Judge for the Eastern District of Michigan, John Thomas Fowlkes, Jr., to be United States District Judge for the Western District of Tennessee, Kevin McNulty, and Michael A. Shipp, both to be a United States District Judge for the District of New Jersey, Stephanie Marie Rose, to be United States District Judge for the Southern District of Iowa, and Gregory K. Davis, to be United States Attorney for the Southern District of Mississippi, Department of Justice.

SD-226

10 a.m.

Homeland Security and Governmental Affairs

Contracting Oversight Subcommittee

To hold hearings to examine contractors, focusing on how much they are costing the government.

SD-342

Banking, Housing, and Urban Affairs

Business meeting to consider the nominations of Jerome H. Powell, of Maryland, and Jeremy C. Stein, of Massachusetts, both to be a Member of the Board of Governors of the Federal Reserve System, Jeremiah O'Hear Norton, of Virginia, to be a Member of the Board of Directors of the Federal Deposit Insurance Corporation, and Richard B. Berner, of Massachusetts, to be Director, Office of Financial Research, and Christy L. Romero, of Virginia, to be Special Inspector General for the Troubled Asset Relief Program, both of the Department of the Treasury; to be immediately followed by a hearing to examine developing the framework for safe and efficient mobile payments.

SD-538

Health, Education, Labor, and Pensions

To hold hearings to examine Food and Drug Administration (FDA) user fee agreements, focusing on strengthening FDA and the medical products industry for the benefit of patients.

SH-216

Rules and Administration

To hold hearings to examine S. 2219, to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements for corporations, labor organizations, Super PACs and other entities.

SR-301

Small Business and Entrepreneurship

To hold hearings to examine the President's proposed budget request for fiscal year 2013 for the Small Business Administration.

SR-428A

2 p.m.
 Appropriations
 Agriculture, Rural Development, Food and
 Drug Administration, and Related
 Agencies Subcommittee
 To hold hearings to examine proposed
 budget estimates for fiscal year 2013 for
 the Department of Agriculture.

SD-192

2:15 p.m.
 Foreign Relations
 African Affairs Subcommittee
 To hold hearings to examine Nigeria, fo-
 cusing on security, governance, and
 trade.

SD-419

2:30 p.m.
 Intelligence
 To hold closed hearings to examine cer-
 tain intelligence matters.

SH-219

APRIL 18

2:30 p.m.
 Armed Services
 Readiness and Management Support Sub-
 committee
 To hold hearings to examine financial
 management and business trans-
 formation at the Department of De-
 fense.

SD-G50

APRIL 25

2 p.m.
 Armed Services
 Personnel Subcommittee
 To resume hearings to examine the Ac-
 tive, Guard, Reserve, and civilian per-
 sonnel programs in review of the De-
 fense Authorization request for fiscal

year 2013 and the Future Years Defense Program.

SD-106

POSTPONEMENTS

MARCH 28

10 a.m.
 Homeland Security and Governmental Af-
 fairs
 Business meeting to consider pending
 calendar business.

SD-342

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S2009–S2038

Measures Introduced: Five bills and one resolution were introduced, as follows: S. 2233–2237, and S. Res. 406. **Page S2030**

Measures Considered:

Oil Tax Subsidies—Agreement: Senate resumed consideration of the motion to proceed to consideration of S. 2204, to eliminate unnecessary tax subsidies and promote renewable energy and energy conservation. **Pages S2025–28**

During consideration of this measure today, Senate also took the following action:

By 92 yeas to 4 nays (Vote No. 59), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the motion to proceed to consideration of the bill. **Page S2028**

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to consideration of the bill at approximately 11 a.m., on Tuesday, March 27, 2012, and, that all time during adjournment, recess and morning business count post-cloture on the motion to proceed to consideration of the bill. **Page S2037**

Appointments:

United States Commission on International Religious Freedom: The Chair, on behalf of the President pro tempore, upon the recommendation of the Majority Leader, pursuant to Public Law 105–292, as amended by Public Law 106–55, and as further amended by Public Law 107–228, and 112–75, appointed the following individual to the United States Commission on International Religious Freedom: Katrina Lantos Swett of New Hampshire, vice Dr. Don H. Argue. **Page S2037**

Messages from the President: Senate received the following messages from the President of the United States:

Transmitting, pursuant to law, the notification of the President's intent to add the Republic of South Sudan (South Sudan) to the list of beneficiary developing countries under the Generalized System of Preferences (GSP) program; which was referred to the Committee on Finance. (PM–44) **Page S2030**

Transmitting, pursuant to law, the notification of the President's intent to suspend designation of Argentina as a beneficiary developing country under the Generalized System of Preferences (GSP) program; which was referred to the Committee on Finance. (PM–45) **Page S2030**

Nominations Confirmed: Senate confirmed the following nominations:

63 Air Force nominations in the rank of general.

31 Army nominations in the rank of general.

Routine lists in the Air Force, Army, Marine Corps, and Navy. **Pages S2036–37, S2038**

Measures Placed on the Calendar: **Page S2030**

Measures Read the First Time: **Page S2030**

Additional Cosponsors: **Pages S2030–32**

Statements on Introduced Bills/Resolutions: **Pages S2032–34**

Additional Statements: **Pages S2029–30**

Amendments Submitted: **Pages S2034–36**

Notices of Hearings/Meetings: **Page S2036**

Privileges of the Floor: **Page S2036**

Record Votes: One record vote was taken today. (Total—59) **Page S2028**

Adjournment: Senate convened at 2 p.m. and adjourned at 6:44 p.m., until 10 a.m. on Tuesday, March 27, 2012. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S2038.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 7 public bills, H.R. 4256–4262; and 3 resolutions, H.J. Res. 106 and H. Con. Res. 113–114, were introduced.

Pages H1570–71

Additional Cosponsors: **Page H1571–72**

Reports Filed: A report was filed on March 23, 2012 as follows:

H. Con. Res. 112, establishing the budget for the United States Government for fiscal year 2013 and setting forth appropriate budgetary levels for fiscal years 2014 through 2022 (H. Rept. 112–421).

A report was filed today as follows:

H. Res. 595, providing for consideration of the bill (H.R. 3309) to amend the Communications Act of 1934 to provide for greater transparency and efficiency in the procedures followed by the Federal Communications Commission (H. Rept. 112–422).

Page H1570

Speaker: Read a letter from the Speaker wherein he appointed Representative Denham to act as Speaker pro tempore for today.

Page H1545

Recess: The House recessed at 12:08 p.m. and reconvened at 2 p.m.

Page H1546

Journal: The House agreed to the Speaker's approval of the Journal by a recorded vote of 310 ayes to 80 noes with 4 answering "present", Roll No. 129.

Pages H1546, H1558

Recess: The House recessed at 2:15 p.m. and reconvened at 3 p.m.

Page H1548

Suspensions: The House agreed to suspend the rules and pass the following measures:

Exempting inter-affiliate swaps from certain regulatory requirements put in place by the Dodd-Frank Wall Street Reform and Consumer Protection Act: H.R. 2779, amended, to exempt inter-affiliate swaps from certain regulatory requirements put in place by the Dodd-Frank Wall Street Reform and Consumer Protection Act, by a $\frac{2}{3}$ yea-and-nay vote of 357 yeas to 36 nays, Roll No. 127;

Pages H1548–51, H1556–57

Business Risk Mitigation and Price Stabilization Act: H.R. 2682, amended, to provide end user exemptions from certain provisions of the Commodity Exchange Act and the Securities Exchange Act of 1934, by a $\frac{2}{3}$ yea-and-nay vote of 370 yeas to 24 nays, Roll No. 128; and

Pages H1551–53, H1557–58

Amending the Federal Deposit Insurance Act with respect to information provided to the Bureau of Consumer Financial Protection: H.R. 4014, to amend the Federal Deposit Insurance Act with respect to information provided to the Bureau of Consumer Financial Protection.

Pages H1555–56

Recess: The House recessed at 4 p.m. and reconvened at 6:30 p.m.

Page H1556

Suspension—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further proceedings were postponed:

Homes for Heroes Act: H.R. 3298, to establish the position of Special Assistant for Veterans Affairs in the Department of Housing and Urban Development.

Pages H1553–55

Presidential Messages: Read a message from the President wherein he notified the Congress of his intention to suspend designation of Argentina as a beneficiary developing country under the Generalized System of Preferences (GSP) program—referred to the Committee on Ways and Means and ordered to be printed (H. Doc. 112–94)

Page H1548

Read a message from the President wherein he notified the Congress of his intention to add the Republic of South Sudan to the list of beneficiary developing countries under the Generalized System of Preferences (GSP) program—referred to the Committee on Ways and Means and ordered to be printed (H. Doc. 112–95).

Page H1548

Quorum Calls—Votes: Two yea-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages H1556–57, H1557–58, and H1558. There were no quorum calls.

Adjournment: The House met at 12 noon and adjourned at 8:45 p.m.

Committee Meetings

TSA OVERSIGHT PART III

Committee on Oversight and Government Reform and Committee on Transportation and Infrastructure: Full Committee held a joint hearing entitled "TSA Oversight Part III: Effective Security or Security Theater?". Testimony was heard from Christopher L. McLaughlin, Assistant Administrator for Security Operations, Transportation Security Administration; Stephen Sadler, Assistant Administrator for Intelligence and Analysis, Transportation Security Administration; Rear Admiral Paul F. Zukunft, Assistant Commandant for Marine Safety, Security and

Stewardship, United States Coast Guard; Stephen M. Lord, Director, Homeland Security, Government Accountability Office; and public witness.

POSTAL REFORM ACT OF 2012

Committee on Rules: Full Committee held a hearing on H.R. 2309, the “Postal Reform Act of 2012”. The Committee ordered the bill reported as amended.

MISCELLANEOUS MEASURE

Committee on Rules: Full Committee held a markup of H.R. 3309, the “Federal Communications Commission Process Reform Act of 2012”. The Committee granted, by voice vote, a structured rule providing one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill shall be considered as original text for the purpose of amendment and shall be considered as read. The rule waives all points of order against the amendment in the nature of a substitute. The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The rule waives all points of order against the amendments printed in the report. The rule provides one motion to recommend with or without instructions. Finally, the rule provides that the Speaker may appoint Members to perform the duties of the Chair for the duration of the period from March 29, 2012, through April 16, 2012, as though under clause 8(a) of rule I. Testimony was heard from Representatives Walden (OR); Eshoo; Diaz-Balart; and Waters.

MISCELLANEOUS MEASURE

Committee on Rules: Full Committee, resolution expressing the gratitude of the Committee on Rules to the Honorable John V. Sullivan, the fourth parliamentarian of the House of Representatives, on the occasion of his retirement for his service to the Committee, the House and the Nation. The Committee agreed to the resolution.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR TUESDAY, MARCH 27, 2012

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Military Construction and Veterans Affairs, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2013 for the Department of Defense and the Department of the Army, 10 a.m., SD-124.

Committee on Armed Services: To hold hearings to examine U.S. Strategic Command and U.S. Cyber Command in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session, 9:30 a.m., SD-106.

Subcommittee on Emerging Threats and Capabilities, to hold hearings to examine the Department of Defense’s role in implementation of the National Strategy for Counterterrorism and the National Strategy to Combat Transnational Organized Crime in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program, 2:30 p.m., SR-232A.

Subcommittee on Airland, to hold a hearing to examine Army modernization in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program, 3:30 p.m., SR-222.

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Housing, Transportation and Community Development, to hold hearings to examine the choice neighborhoods initiative, focusing on a new community development model, 10:30 a.m., SD-538.

Committee on Environment and Public Works: Subcommittee on Green Jobs and the New Economy, with the Subcommittee on Oversight, to hold a joint oversight hearing to examine the Environmental Protection Agency’s (EPA) work with other Federal entities to reduce pollution and improve environmental performance, 10 a.m., SD-406.

Committee on Finance: Subcommittee on Energy, Natural Resources, and Infrastructure, to hold hearings to examine renewable energy tax incentives, focusing on how have the recent and pending expirations of key incentives affected the renewable energy industry in the United States, 2:45 p.m., SD-215.

Committee on Foreign Relations: Business meeting to consider S. Res. 356, expressing support for the people of Tibet, S. Res. 395, expressing the sense of the Senate in support of the North Atlantic Treaty Organization and the NATO summit to be held in Chicago, Illinois from May 20 through 21, 2012, S. Res. 397, promoting peace and stability in Sudan, S. Res. 80, 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. 391, condemning violence by the Government of Syria against journalists, and expressing the sense of the Senate on freedom of the press in Syria, S. Res. 344, supporting the democratic aspirations of the Nicaraguan people and calling attention to the deterioration of constitutional order in Nicaragua, the nominations of Julissa Reynoso, of New

York, to be Ambassador to the Oriental Republic of Uruguay, Gina K. Abercrombie-Winstanley, of Ohio, to be Ambassador to the Republic of Malta, Frederick D. Barton, of Maine, to be Assistant Secretary for Conflict and Stabilization Operations, and to be Coordinator for Reconstruction and Stabilization, William E. Todd, of Virginia, to be Ambassador to the Kingdom of Cambodia, Pamela A. White, of Maine, to be Ambassador to the Republic of Haiti, Linda Thomas-Greenfield, of Louisiana, to be Director General of the Foreign Service, Carlos Pascual, of the District of Columbia, to be Assistant Secretary for Energy Resources, John Christopher Stevens, of California, to be Ambassador to Libya, Jacob Walles, of Delaware, to be Ambassador to the Tunisian Republic, Tracey Ann Jacobson, of the District of Columbia, to be Ambassador to the Republic of Kosovo, Mark A. Pekala, of Maryland, to be Ambassador to the Republic of Latvia, Richard B. Norland, of Iowa, to be Ambassador to Georgia, Kenneth Merten, of Virginia, to be Ambassador to the Republic of Croatia, and Jeffrey D. Levine, of California, to be Ambassador to the Republic of Estonia, all of the Department of State, and Sara Margalit Aviel, of California, to be United States Alternate Executive Director of the International Bank for Reconstruction and Development, and lists in the Foreign Service, 2:15 p.m., S-116, Capitol.

Committee on the Judiciary: Subcommittee on Immigration, Refugees and Border Security, to hold hearings to examine the economic imperative for promoting international travel to the United States, 10 a.m., SD-226.

Select Committee on Intelligence: To hold closed hearings to examine certain intelligence matters, 2:30 p.m., SVC-217.

Joint Meetings

Joint Economic Committee: to hold hearings to examine monetary policy going forward, focusing on why a sound dollar boosts growth and employment, 2 p.m., SH-216.

CONGRESSIONAL PROGRAM AHEAD

Week of March 27 through March 30, 2012

Senate Chamber

On *Tuesday*, at approximately 11 a.m., Senate will continue consideration of the motion to proceed to consideration of S. 2204, Oil Tax Subsidies.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Appropriations: March 27, Subcommittee on Military Construction and Veterans Affairs, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2013 for the Department of Defense and the Department of the Army, 10 a.m., SD-124.

March 28, Subcommittee on Department of Defense, to hold hearings to examine Department of Defense health programs, 10 a.m., SD-192.

March 28, Subcommittee on Departments of Labor, Health and Human Services, and Education, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2013 for the National Institutes of Health, 10 a.m., SD-124.

March 28, Subcommittee on Military Construction and Veterans Affairs, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2013 for the Department of the Navy and the Department of the Air Force, 10 a.m., SD-138.

March 28, Subcommittee on Commerce, Justice, Science, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2013 for the National Aeronautics and Space Administration, 2 p.m., SD-124.

March 28, Subcommittee on Energy and Water Development, to hold hearings to examine proposed budget estimates for fiscal year 2013 for the Army Corps of Engineers and Bureau of Reclamation, 2:30 p.m., SD-192.

March 28, Subcommittee on Financial Service and General Government, to hold hearings to examine enhancing economic growth, focusing on the Department of the Treasury's responses to the foreclosure crisis and mounting student loan debt, 2:30 p.m., SD-138.

March 29, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2013 for the Department of Agriculture, 2 p.m., SD-192.

Committee on Armed Services: March 27, to hold hearings to examine U.S. Strategic Command and U.S. Cyber Command in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session, 9:30 a.m., SD-106.

March 27, Subcommittee on Emerging Threats and Capabilities, to hold hearings to examine the Department of Defense's role in implementation of the National Strategy for Counterterrorism and the National Strategy to Combat Transnational Organized Crime in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program, 2:30 p.m., SR-232A.

March 27, Subcommittee on Airland, to hold a hearing to examine Army modernization in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program, 3:30 p.m., SR-222.

March 28, Subcommittee on SeaPower, to receive a closed briefing on the Ohio-class Replacement Program in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program, 9:30 a.m., SVC-217.

March 28, Subcommittee on Strategic Forces, to hold hearings to examine Department of Defense nuclear forces and policies in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session, 2:30 p.m., SR-222.

March 29, Full Committee, to hold hearings to examine the nominations of Frank Kendall III, of Virginia, to be Under Secretary for Acquisition, Technology, and Logistics, James N. Miller, Jr., of Virginia, to be Under Secretary for Policy, Erin C. Conaton, of the District of Columbia, to be Under Secretary for Personnel and Readiness, Jessica Lynn Wright, of Pennsylvania, and Katharina G. McFarland, of Virginia, both to be an Assistant Secretary, and Heidi Shyu, of California, to be an Assistant Secretary of the Army, all of the Department of Defense, 9:30 a.m., SD-G50.

Committee on Banking, Housing, and Urban Affairs: March 27, Subcommittee on Housing, Transportation and Community Development, to hold hearings to examine the choice neighborhoods initiative, focusing on a new community development model, 10:30 a.m., SD-538.

March 28, Subcommittee on Economic Policy, to hold hearings to examine retirement, focusing on examining the retirement savings deficit, 2:30 p.m., SD-538.

March 29, Full Committee, business meeting to consider the nominations of Jerome H. Powell, of Maryland, and Jeremy C. Stein, of Massachusetts, both to be a Member of the Board of Governors of the Federal Reserve System, Jeremiah O'Hear Norton, of Virginia, to be a Member of the Board of Directors of the Federal Deposit Insurance Corporation, and Richard B. Berner, of Massachusetts, to be Director, Office of Financial Research, and Christy L. Romero, of Virginia, to be Special Inspector General for the Troubled Asset Relief Program, both of the Department of the Treasury; to be immediately followed by a hearing to examine developing the framework for safe and efficient mobile payments, 10 a.m., SD-538.

Committee on Commerce, Science, and Transportation: March 28, to hold hearings to examine the science and standards of forensics, 2:30 p.m., SR-253.

Committee on Energy and Natural Resources: March 29, to hold hearings to examine current and near-term future price expectations and trends for motor gasoline and other refined petroleum fuels, 9:30 a.m., SD-366.

Committee on Environment and Public Works: March 27, Subcommittee on Green Jobs and the New Economy, with the Subcommittee on Oversight, to hold a joint oversight hearing to examine the Environmental Protection Agency's (EPA) work with other Federal entities to reduce pollution and improve environmental performance, 10 a.m., SD-406.

Committee on Finance: March 27, Subcommittee on Energy, Natural Resources, and Infrastructure, to hold hearings to examine renewable energy tax incentives, focusing on how have the recent and pending expirations of key incentives affected the renewable energy industry in the United States, 2:45 p.m., SD-215.

Committee on Foreign Relations: March 27, business meeting to consider S. Res. 356, expressing support for the people of Tibet, S. Res. 395, expressing the sense of the Senate in support of the North Atlantic Treaty Organization and the NATO summit to be held in Chicago, Illinois from May 20 through 21, 2012, S. Res. 397, promoting peace and stability in Sudan, S. Res. 80, condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued viola-

tion of the International Covenants on Human Rights, S. Res. 391, condemning violence by the Government of Syria against journalists, and expressing the sense of the Senate on freedom of the press in Syria, S. Res. 344, supporting the democratic aspirations of the Nicaraguan people and calling attention to the deterioration of constitutional order in Nicaragua, the nominations of Julissa Reynoso, of New York, to be Ambassador to the Oriental Republic of Uruguay, Gina K. Abercrombie-Winstanley, of Ohio, to be Ambassador to the Republic of Malta, Frederick D. Barton, of Maine, to be Assistant Secretary for Conflict and Stabilization Operations, and to be Coordinator for Reconstruction and Stabilization, William E. Todd, of Virginia, to be Ambassador to the Kingdom of Cambodia, Pamela A. White, of Maine, to be Ambassador to the Republic of Haiti, Linda Thomas-Greenfield, of Louisiana, to be Director General of the Foreign Service, Carlos Pascual, of the District of Columbia, to be Assistant Secretary for Energy Resources, John Christopher Stevens, of California, to be Ambassador to Libya, Jacob Walles, of Delaware, to be Ambassador to the Tunisian Republic, Tracey Ann Jacobson, of the District of Columbia, to be Ambassador to the Republic of Kosovo, Mark A. Pekala, of Maryland, to be Ambassador to the Republic of Latvia, Richard B. Norland, of Iowa, to be Ambassador to Georgia, Kenneth Merten, of Virginia, to be Ambassador to the Republic of Croatia, and Jeffrey D. Levine, of California, to be Ambassador to the Republic of Estonia, all of the Department of State, and Sara Margalit Aviel, of California, to be United States Alternate Executive Director of the International Bank for Reconstruction and Development, and lists in the Foreign Service, 2:15 p.m., S-116, Capitol.

March 28, Full Committee, to hold hearings to examine United States policy on Iran, 10 a.m., SD-419.

March 29, Subcommittee on African Affairs, to hold hearings to examine Nigeria, focusing on security, governance, and trade, 2:15 p.m., SD-419.

Committee on Health, Education, Labor, and Pensions: March 29, to hold hearings to examine Food and Drug Administration (FDA) user fee agreements, focusing on strengthening FDA and the medical products industry for the benefit of patients, 10 a.m., SH-216.

Committee on Homeland Security and Governmental Affairs: March 28, Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security, to hold hearings to examine assessing efforts to combat waste and fraud in Federal programs, 2:30 p.m., SD-342.

March 29, Ad Hoc Subcommittee on Contracting Oversight, to hold hearings to examine contractors, focusing on how much they are costing the government, 10 a.m., SD-342.

Committee on the Judiciary: March 27, Subcommittee on Immigration, Refugees and Border Security, to hold hearings to examine the economic imperative for promoting international travel to the United States, 10 a.m., SD-226.

March 28, Full Committee, to hold hearings to examine the Special Counsel's report on the prosecution of Senator Ted Stevens, 10 a.m., SD-226.

March 28, Full Committee, to hold hearings to examine certain nominations, 2:30 p.m., SD-226.

March 29, Full Committee, business meeting to consider S. 2159, to extend the authorization of the Drug-Free Communities Support Program through fiscal year 2017, and the nominations of Richard Gary Taranto, of Maryland, to be United States Circuit Judge for the Federal Circuit, William J. Kayatta, Jr., of Maine, to be United States Circuit Judge for the First Circuit, Robin S. Rosenbaum, to be United States District Judge for the Southern District of Florida, Gershwin A. Drain, to be United States District Judge for the Eastern District of Michigan, John Thomas Fowlkes, Jr., to be United States District Judge for the Western District of Tennessee, Kevin McNulty, and Michael A. Shipp, both to be a United States District Judge for the District of New Jersey, Stephanie Marie Rose, to be United States District Judge for the Southern District of Iowa, and Gregory K. Davis, to be United States Attorney for the Southern District of Mississippi, Department of Justice, 9:30 a.m., SD-226.

Committee on Rules and Administration: March 29, to hold hearings to examine S. 2219, to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements for corporations, labor organizations, Super PACs and other entities, 10 a.m., SR-301.

Committee on Small Business and Entrepreneurship: March 29, to hold hearings to examine the President's proposed budget request for fiscal year 2013 for the Small Business Administration, 10 a.m., SR-428A.

Committee on Veterans' Affairs: March 28, to hold hearings to examine the nominations of Margaret Bartley, of Maryland, and Coral Wong Pietsch, of Hawaii, both to be a Judge of the United States Court of Appeals for Veterans Claims, 9:45 a.m., SR-418.

Select Committee on Intelligence: March 27, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SVC-217.

March 29, Full Committee, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH-219.

House Committees

Committee on Agriculture, March 27, Subcommittee on Conservation, Energy, and Forestry, hearing entitled "U.S. Forest Service Land Management: Challenges and Opportunities for Achieving Healthier National Forests", 10 a.m., 1300 Longworth.

March 28, Subcommittee on General Farm Commodities and Risk Management, hearing on H.R. 3283, the "Swap Jurisdiction Certainly Act"; H.R. 1838, to repeal a provision of the Dodd-Frank Wall Street Reform and Consumer Protection Act prohibiting any Federal bailout of swap dealers or participants; and the Swap Data Repository and Clearinghouse Indemnification Correction Act of 2012, 10:30 a.m., 1300 Longworth.

Committee on Appropriations, March 27, Subcommittee on Interior, Environment, and Related Agencies, hearing for American Indian and Alaska Native Public Witnesses, 9:30 a.m., B-308 Rayburn.

March 27, Subcommittee on Financial Services and General Government, hearing on FY 2013 Budget Re-

quest for the General Services Administration, 10 a.m., 2362-A Rayburn.

March 27, Subcommittee on Energy and Water Development, and Related Agencies, hearing on FY 2013 Budget Request for Energy Efficiency and Renewable Energy, Fossil Energy, Electricity Delivery and Energy Reliability, 10 a.m., 2362-B Rayburn.

March 27, Subcommittee on Legislative Branch, hearing on FY 2013 Budget Request for U.S. House of Representatives: Chief Administrative Officer; Clerk of the House; and Sergeant at Arms, 10 a.m., HT-2 Capitol.

March 27, Subcommittee on State Foreign Operations, and Related Programs, hearing on FY 2013 Budget Request for the Department of the Treasury, 10 a.m., 2359 Rayburn.

March 27, Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, hearing on the FY 2013 Budget for the Department of Education, K-12, 10:30 a.m., 2358-C Rayburn.

March 27, Subcommittee on Interior, Environment, and Related Agencies, hearing for American Indian and Alaska Native Public Witnesses, 1 p.m., B-308 Rayburn.

March 27, Subcommittee on Financial Services and General Government, hearing on FY 2013 Budget Request National Drug Policy, 2 p.m., 2359 Rayburn.

March 28, Subcommittee on Commerce, Justice, Science, and Related Agencies, hearing on American Manufacturing and Job Repatriation, 9 a.m., 2362-B Rayburn.

March 28, Subcommittee on Interior, Environment, and Related Agencies, hearing for American Indian and Alaska Native Public Witnesses, 9:30 a.m., B-308 Rayburn.

March 28, Subcommittee on Financial Services and General Government, hearing on FY 2013 Budget Request for Treasury, 10 a.m., 2359 Rayburn.

March 28, Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, hearing on FY 2013 Budget Request for Department of Labor, 10 a.m., 2358-C Rayburn.

March 28, Subcommittee on Energy and Water Development, and Related Agencies, hearing on FY 2013 Budget Request for Bureau of Reclamation, 10 a.m., 2362-B Rayburn.

March 28, Subcommittee on Defense, hearing on FY 2013 Budget Request for National Guard and U.S. Army Reserve, 10 a.m., H-140 Capitol.

March 28, Financial Services and General Government, hearing on FY 2013 Budget Request for U.S. Judicial Conference and U.S. Courts, 2 p.m., 2359 Rayburn.

March 28, Subcommittee on Energy and Water Development, and Related Agencies, hearing on FY 2013 Budget Request for Loan Guarantee Program and Advanced Research Projects Agency Energy, 2 p.m., 2362-A Rayburn.

March 28, Subcommittee on Defense, hearing on FY 2013 Budget Request for U.S. Pacific Command and U.S. Forces—Korea, 2 p.m., H-140 Capitol. This is a closed hearing.

March 29, Subcommittee on State, Foreign Operations, and Related Programs, hearing on Security Challenges in Latin America, 8:30 a.m., 2359 Rayburn.

March 29, Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, hearing on Department of Transportation and Housing and Urban Development Management Issues Panel, 10 a.m., 2358 Rayburn.

March 29, Subcommittee on Defense, hearing on FY 2013 Budget Request for Intelligence Community, 9 a.m., H-405 Capitol. This is a closed hearing.

March 29, Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, hearing on FY 2013 Budget Issues for Public Witnesses, 9 a.m., 2358-C Rayburn.

March 29, Subcommittee on Military Construction, Veterans Affairs and Related Agencies, hearing on FY 2013 Budget Request Pacific Command/Korea, 10:30 a.m., H-140 Capitol.

Committee on Armed Services, March 27, Subcommittee on Emerging Threats and Capabilities, hearing on understanding future irregular warfare challenges, 2 p.m., 2212 Rayburn.

March 27, Subcommittee on Tactical Air and Land Forces, hearing on Fiscal Year 2013 DOD Rotocraft Modernization Programs, 3 p.m., 2118 Rayburn.

March 28, Full Committee, hearing on the security situation on the Korean Peninsula, 10 a.m., 2118 Rayburn.

March 28, Subcommittee on Readiness, hearing on the Army and Marine Corps Materiel Reset, 2 p.m., 2212 Rayburn.

March 29, Subcommittee on Seapower and Projection Forces, hearing on oversight of U.S. Naval Vessel Acquisition Programs and Force Structure of the Department of the Navy in the Fiscal Year 2013 National Defense Authorization Budget Request, 10 a.m., 2118 Rayburn.

March 29, Subcommittee on Readiness, hearing on What is the Price of Energy Security: from Battlefields to Bases, 11:30 a.m., 2212 Rayburn.

Committee on Education and the Workforce, March 27, Full Committee, hearing entitled "Learning from the Upper Big Branch Tragedy", 10 a.m., 2175 Rayburn.

March 28, Full Committee, hearing entitled "Reviewing the President's Fiscal Year 2013 Budget Proposal for the U.S. Department of Education", 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, March 27, Subcommittee on Oversight and Investigations, hearing entitled "IT Supply Chain Security: Review of Government an Industry Efforts", 10 a.m., 2123 Rayburn.

March 27, Subcommittee on Health, hearing entitled "Examining the Current State of Cosmetics", 10:15 a.m., 2322 Rayburn.

March 28, Subcommittee on Energy and Power, hearing entitled "The American Energy Initiative: A Focus on Legislative Responses to Rising Gasoline Prices", 9:45 a.m., 2123 Rayburn.

March 28, Subcommittee on Communications and Technology, hearing entitled "Cybersecurity: Threats to Communications Networks and Public-Sector Responses", 10 a.m., 2322 Rayburn.

March 29, Subcommittee on Commerce, Manufacturing, and Trade, hearing entitled "Balancing Privacy and Innovation: Does the President's Proposal Tip the Scale?", 10 a.m., 2123 Rayburn.

Committee on Financial Services, March 27, Subcommittee on Domestic Monetary Policy and Technology, hearing entitled "Federal Reserve Aid to the Eurozone: Its Impact on the U.S. and the Dollar", 10 a.m., 2128 Rayburn.

March 27, Full Committee, markup of the "FHA Emergency Fiscal Solvency Act of 2012"; H.R. 2446, the "RESPA Home Warranty Clarification Act of 2011"; H.R. 3283, the "Swap Jurisdiction Certainty Act"; and H.R. 4235, the "Swap Data Repository and Clearinghouse Indemnification Correction Act of 2012", 1 p.m., 2128 Rayburn.

March 28, Subcommittee on Capital Markets and Government Sponsored Enterprises, hearing entitled "Accounting and Auditing Oversight: Pending Proposals and Emerging Issues Confronting Regulators, Standard Setters and the Economy", 10 a.m., 2128 Rayburn.

March 28, Subcommittee on Oversight and Investigations, hearing entitled "The Collapse of MF Global: Part 3", 2 p.m., 2128 Rayburn.

March 29, Full Committee, hearing entitled "The Semi-Annual Report of the Consumer Financial Protection Bureau", 9:30 a.m., 2128 Rayburn.

Committee on Foreign Affairs, March 27, Subcommittee on Africa, Global Health, and Human Services, markup of H.R. 1940, the "International Child Abduction Prevention and Return Act of 2011"; H.R. 3605, the Global Online Freedom Act of 2011"; and H.R. 4141, the "International Food Assistance Improvement Act of 2012", 2 p.m., 2200 Rayburn.

March 27, Subcommittee on Europe and Eurasia, hearing entitled "Creating Jobs: Economic Opportunities in Europe and Eurasia", 2 p.m., 2172 Rayburn.

March 28, Full Committee, hearing entitled "Investigating the Chinese Threat, Part One: Military and Economic Aggression", 10 a.m., 2172 Rayburn.

March 28, Subcommittee on Oversight and Investigations, hearing entitled "The Price of Public Diplomacy with China", 2:30 p.m., 2172 Rayburn.

March 29, Subcommittee on Africa, Global Health, and Human Rights, hearing entitled "Assessing China's Role and Influence in Africa", 2 p.m., 2172 Rayburn.

Committee on Homeland Security, March 27, Subcommittee on Border and Maritime Security, markup of H.R. 4251, the "SMART Port Security Act", 10 a.m., 311 Cannon.

March 28, Full Committee, markup of H.R. 2179, to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to transfer unclaimed money recovered at airport security checkpoints to United Service Organizations, Incorporated, and for other purposes; H.R. 2764, the "WMD Intelligence and Information Sharing Act of 2011"; H.R. 3140, the "Mass Transit Intelligence Prioritization Act"; and H.R. 3563, the "Alert and Warning System Modernization Act of 2011", 10 a.m., 311 Cannon.

March 28, Subcommittee on Transportation Security, hearing entitled “Rightsizing TSA Bureaucracy and Workforce Without Compromising Security”, 2 p.m., 311 Cannon.

March 29, Subcommittee on Emergency Preparedness, Response, and Communications, hearing entitled “The Fiscal Year 2013 Budget Request for the Department of Homeland Security’s Office of Health Affairs”, 10 a.m., 311 Cannon.

Committee on the Judiciary, March 27, Full Committee, markup of H.R. 3862, the “Sunshine for Regulatory Decrees and Settlements Act of 2012”; and H.R. 2299, the “Child Interstate Abortion Notification Act”, 10 a.m., 2141 Rayburn.

March 28, Subcommittee on Crime, Terrorism and Homeland Security, markup of H.R. 4223, the “Safe Doses Act”; H.R. 3668, the “Counterfeit Drug Penalty Enhancement Act of 2011”; and H.R. 4216, the “Foreign Counterfeit Prevention Act”, 10 a.m., 2141 Rayburn.

March 28, Subcommittee on Immigration Policy and Enforcement hearing entitled “Holiday on ICE: The U.S. Department of Homeland Security’s New Immigration Detention Standards”, 1:30 p.m., 2141 Rayburn.

March 29, Subcommittee on Intellectual Property, Competition and the Internet, hearing on H.R. 1946, the “Preserving Our Hometown Independent Pharmacies Act of 2011”, 9:30 a.m., 2141 Rayburn.

Committee on Natural Resources, March 27, Full Committee, hearing entitled “Harnessing American Resources to Create Jobs and Address Rising Gasoline Prices: Family Vacations and U.S. Tourism Industry”, 10 a.m., 1324 Longworth.

March 28, Full Committee, business meeting on a motion to authorize the Chairman to issue duces tecum subpoenas for the production of documents relating to investigations regarding: the Secretary of the Interior’s decision and the process to rewrite the 2008 Stream Buffer Zone Rule under the Surface Mining Reclamation and Control Act; and the process used in the preparation of a Department of the Interior report on offshore oil and natural gas operations under the Outer Continental Shelf Lands Act that implied that peer reviewers from the National Academy of Engineers had endorsed an offshore oil and natural gas drilling moratorium in the Gulf of Mexico, 10 a.m., 1324 Longworth.

March 29, Subcommittee on Fisheries, Wildlife, Oceans and Insular Affairs, hearing on the following: H.R. 1917, the “Joint Ventures for Bird Habitat Conservation Act of 2011”; H.R. 1960, the “North American Wetlands Conservation Extension Act 2011”; and H.R. 3074, the “Cormorant Management and Natural Resources Protection Act”, 10 a.m., 1334 Longworth.

March 29, Subcommittee on National Parks, Forests and Public Lands, hearing entitled “H.R. 1241, the ‘Rio Grande del Norte National Conservation Area Establishment Act’”; H.R. 1818, the “Mt. Andrea Lawrence Designation Act of 2011”; H.R. 2984, the “Maine Coastal Islands Wilderness Act of 2011”; and H.R. 4234, the “Grazing Improvement Act of 2012”; 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, March 27, Subcommittee on Federal Workforce, U.S. Postal Service and Labor Policy, hearing entitled “Can a USPS-run Health Plan Solve Its Financial Crisis?”, 10 a.m., 2154 Rayburn.

March 27, Subcommittee on Technology, Information Policy, Intergovernmental Relations and Procurement Reform, hearing entitled “Labor Abuses, Human Trafficking, and Government Contracts: Is the Government Doing Enough to Protect Vulnerable Workers?”, 10 a.m., 2247 Rayburn.

March 29, Subcommittee on National Security, Homeland Defense, and Foreign Operations, hearing entitled “Are Changes in Security Policy Jeopardizing USAID Reconstruction Projects and Personnel in Afghanistan?”, 8:30 a.m., 2154 Rayburn.

Committee on Rules, March 27, Full Committee, hearing on H. Con. Res. 112, “Concurrent Resolution on the Budget for Fiscal Year 2013”, 2:30 p.m., H-313.

Committee on Science, Space, and Technology, March 27, Subcommittee on Technology and Innovation, hearing entitled “Fostering the U.S. Competitive Edge: Examining the Effects of Federal Policies on Competition, Innovation, and Job Growth”, 10 a.m., 2318 Rayburn.

March 28, Full Committee, hearing entitled “Securing the Promise of the International Space Station: Challenges and Opportunities”, 9:30 a.m., 2318 Rayburn.

March 28, Subcommittee on Energy and Environment, hearing entitled “To Observe and Protect: How NOAA Procures Data for Weather Forecasting”, 2 p.m., 2318 Rayburn.

March 29, Subcommittee on Investigations and Oversight, hearing entitled “Federally Funded Research: Examining Public Access and Scholarly Publication Interests”, 10 a.m., 2318 Rayburn.

Committee on Small Business, March 28, Full Committee, hearing entitled “Large and Small Businesses: How Partnerships Can Promote Job Growth”, 1 p.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, March 27, Subcommittee on Water Resources and Environment, hearing entitled “A Review of the President’s Fiscal Year 2013 Budget Request for the Army Corps of Engineers”, 10 a.m., 2167 Rayburn.

March 28, Subcommittee on Water Resources and Environment, hearing entitled “A Review of the President’s Fiscal Year 2013 Budget Request for the Environmental Protection Agency”, 10 a.m., 2167 Rayburn.

Committee on Veterans’ Affairs, March 27, Full Committee, hearing entitled “From the Ground Up: Assessing Ongoing Delays in VA Major Construction”, 10:30 a.m., 334 Cannon.

March 28, Subcommittee on Disability and Memorial Affairs, hearing entitled “Reevaluating the Transition from Service Member to Veteran: Honoring a Shared Commitment to Care for Those Who Defend Our Freedom”, 10 a.m., 334 Cannon.

March 28, Subcommittee on Economic Opportunity, markup of pending legislation, 2 p.m., 334 Cannon.

March 29, Subcommittee on Disability and Memorial Affairs, hearing on the following: H.R. 4142, the “American Heroes COLA Act”; H.R. 4114, the “Veterans’ Compensation Cost-of-Living Adjustment Act of 2012”; H.R. 2051, the “Veterans Missing in America Act of 2011”; H.R. 2498, the “Veterans Day Moment of Silence Act”; H.R. 2377, the “Rating and Processing Individuals’ Disability Claims Act”; H.R. 2717, to direct the Secretary of Veterans Affairs to designate one city in the United States each year as an ‘American World War II City’, and for other purposes; and H.R. 4168, the “Caring for the Fallen Act”, 10 a.m., 340 Cannon.

Committee on Ways and Means, March 29, Subcommittee on Health, hearing on individual and employer mandates in the Democrats’ health care law, 9 a.m., 1100 Longworth.

House Permanent Select Committee on Intelligence, March 27, Full Committee, hearing on ongoing intelligence activities, 9 a.m., HVC-304. This is a closed hearing.

Joint Meetings

Joint Congressional Committee on Inaugural Ceremonies—2012: March 28, organizational business meeting to consider an original resolution authorizing expenditures for committee operations and committee’s rules and procedure for the 112th Congress, 10:30 a.m., S-216, Capitol.

Joint Economic Committee: March 27, to hold hearings to examine monetary policy going forward, focusing on why a sound dollar boosts growth and employment, 2 p.m., SH-216.

Next Meeting of the SENATE

10 a.m., Tuesday, March 27

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Tuesday, March 27

Senate Chamber

Program for Tuesday: After the transaction of any morning business (not to extend beyond one hour) Senate will continue consideration of the motion to proceed to consideration of S. 2204, Oil Tax Subsidies.

(Senate will recess at 12:30 p.m. subject to the call of the Chair for their respective party conferences and the official photograph of the 112th Congress.)

House Chamber

Program for Tuesday: Consideration of the Senate Amendment to H.R. 3606—Jumpstart Our Business Startups Act, under suspension of the Rules. Consideration of H.R. 3309—Federal Communications Commission Process Reform Act of 2012 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

Brown, Corrine, Fla., E442
Carnahan, Russ, Mo., E438
Coffman, Mike, Colo., E440
Costa, Jim, Calif., E437, E440
DeLauro, Rosa L., Conn., E438
Denham, Jeff, Calif., E438, E439, E440, E441, E442

Israel, Steve, N.Y., E437, E442
Jackson, Jesse L., Jr., Ill., E441
McDermott, Jim, Wash., E440
McMorris Rodgers, Cathy, Wash., E443
Matsui, Doris O., Calif., E443
Murphy, Christopher S., Conn., E440
Reyes, Silvestre, Tex., E439

Sablan, Gregorio Kilili Camacho, Northern Mariana Islands, E441
Scott, Robert C. "Bobby", Va., E443
Shimkus, John, Ill., E437, E438, E439, E441
Smith, Lamar, Tex., E437
Turner, Robert L., N.Y., E437
Van Hollen, Chris, Md., E439, E442



Congressional Record

printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. ¶Public access to the *Congressional Record* is available online through the U.S. Government Printing Office at www.fdsys.gov, free of charge to the user. The information is updated online each day the *Congressional Record* is published. For more information, contact the GPO Customer Contact Center, U.S. Government Printing Office. Phone 202-512-1800, or 866-512-1800 (toll-free). E-Mail, contactcenter@gpo.gov. ¶The *Congressional Record* paper and 24x microfiche edition will be furnished by mail to subscribers, free of postage, at the following prices: paper edition, \$252.00 for six months, \$503.00 per year, or purchased as follows: less than 200 pages, \$10.50; between 200 and 400 pages, \$21.00; greater than 400 pages, \$31.50, payable in advance; microfiche edition, \$146.00 per year, or purchased for \$3.00 per issue payable in advance. The semimonthly *Congressional Record Index* may be purchased for the same per issue prices. To place an order for any of these products, visit the U.S. Government Online Bookstore at: bookstore.gpo.gov. Mail orders to: Superintendent of Documents, P.O. Box 979050, St. Louis, MO 63197-9000, or phone orders to 866-512-1800 (toll-free), 202-512-1800 (D.C. area), or fax to 202-512-2104. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. ¶Following each session of Congress, the daily *Congressional Record* is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the *Congressional Record*.

POSTMASTER: Send address changes to the Superintendent of Documents, *Congressional Record*, U.S. Government Printing Office, Washington, D.C. 20402, along with the entire mailing label from the last issue received.