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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
April 25, 2012.

I hereby appoint the Honorable STEVEN M. PALAZZO 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 time equally allocated between the parties 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 12:50 p.m.

UNEMPLOYMENT RATE

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

Mr. WALBERG. Mr. Speaker, 3 years ago President Obama promised Congress that the American people would have 6 percent unemployment in exchange for trillions of taxpayer dollars to pump into the economy. Today we know that the stimulus program was mismanaged, ill-conceived, and failed to create the jobs promised by the President. For 38 straight months and counting, the unemployment rate has remained above 8 percent.

The American people realize something that my Democrat friends don't seem to understand: that government cannot create jobs and shouldn't be in the business of handing out jobs. In 2010, the American people sent me and many of my colleagues to Washington to cut government spending and offer real solutions to job creation. We have been aggressively fighting to achieve that challenge.

Our country needs commonsense, pro-growth policies that will help small business regain their confidence. When business owners have faith that the government will not raise their taxes, impose new, unnecessary regulations, and pick winners and losers in the marketplace, they'll invest more. When they invest more, the company grows, and the opportunity for American jobs grows with it.

Just last week, we saw a very clear picture of the different visions for job creation held by folks in Washington. My friends in the Senate voted on but thankfully failed to pass the Buffett rule. The act would impose a tax hike on one class of Americans and would pay for approximately 11 hours of government functioning. Talk about a cynical ruse serving only to divide our country for political purposes.

But while my Democrat colleagues in the Senate are working to raise taxes on Americans and America's job creators, the House is trying to lower them. Last week we passed a small business tax cut, which will give businesses with fewer than 500 employees a 20 percent tax reduction off their active business income and encourage the creation of more jobs for our citizens.

Data shows that 7 out of every 10 jobs in this country are created by companies with fewer than 500 employees. My Republican colleagues and I truly believe that small businesses are the backbone of our country's economy and their success is vital to our economic recovery. We continue to act proactively and, as reflected in the 27 job-creating measures passed by the House this Congress alone, to ensure job providers are able to create, innovate, and lead.

We hope our friends in the Senate and White House will decide to join us as we say ''yes'' to American jobs for American people.

AMERICAN LEGISLATIVE EXCHANGE COUNCIL

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

Mr. JOHNSON of Georgia. Mr. Speaker, ladies and gentlemen, a shadowy collection of wealthy businesses and conservative Tea Party Republican State lawmakers is undermining our democracy.

Last week I discussed the connection between the American Legislative Exchange Council, known as ALEC, and the proliferation of shoot first and ask questions later legislation that supported the Trayvon Martin case that we all know about, and other draconian criminal justice laws.

According to the New York Times:

> ALEC lawmakers typically introduced more than 1,000 bills based on model legislation each year and passed about 17 percent of them. A members-only newsletter from 1995, found in an online archive of tobacco company documents, bluntly characterized that success ratio as a ''good investment.''

I agree. ALEC's corporate members have gotten an outstanding return on their investments, but it's been at yours and my expense. Due to ALEC, the NRA, and the private for-profit prison industry, we are all less safe and more likely to be put in jail.

The for-profit prison industry, on the other hand, has reaped huge financial rewards from ALEC-sponsored efforts to incarcerate more Americans and put them, as well as illegal immigrants, into this private prison system. For

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the private prison industry, where some of the inmates are paid as low as 2 cents an hour to produce goods that are later sold for profit, business is booming.

But ALEC does not stop there. ALEC's corporate members are some of the world's biggest polluters and most profitable oil companies. ALEC's corporate bill factory has ghost-written legislation on their behalf to combat efforts to address climate change and oppose national renewable energy standards, among others.

In 1998, according to the Center for Media and Democracy, ALEC belched a resolution out of its smokestack calling on the U.S. to reject the Kyoto Protocol and banning States from regulating greenhouse gases. ALEC's Energy, Environment, and Agriculture Task Force has since turned out model bills criticizing the Environmental Protection Agency.

Recently, ALEC has focused on what it calls the ''EPA's regulatory train wreck,'' seeking to frame the EPA's enforcement of the Clean Air Act as ''higher prices, fewer jobs, and less energy.'' ALEC's dirty supporters, like the Koch brothers—named one of the United States' top 10 air polluters in a University of Massachusetts study—began attacking every effort to clean up the mess that they themselves have made. Why? Because they want to continue to make more money.

ALEC is dumping its waste right here in Congress. After the Tennessee coal ash disaster, ALEC began pushing a model resolution called Resolution to Retain State Authority over Coal Ash as Non-Hazardous Waste. Can you believe that? This resolution was approved by ALEC on June 3, 2010. Just over a year later, October 14, 2011, this House passed a bill that authorizes States to adopt and implement coal combustion residuals permit programs.

Mr. Speaker, this is only the tip of the melting iceberg. Yes, global warming is at work, and it is melting this iceberg that ALEC represents.

I encourage the American people to visit the alecexposed.org Web site, where you can view leaked ALEC documents, including model bills, as well as a list of ALEC members. About 60 percent of the State legislators in this country are members of ALEC.

Mr. Speaker, I'll return tomorrow with more on how corporations are using ALEC to install their agenda in the States and in Congress, undermining our basic rights and freedoms.

□ 1010

ISRAEL AND AMERICA

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

Mr. POMPEO. I rise today in my role as Representative and with the perspective of both a Christian and a former soldier. I urge this body and our President to do all within our collective power to defeat Iran's efforts to build a nuclear weapon and delivery system, the combination of which presents a world-changing threat to every American, to every Israeli, and to citizens everywhere in our world.

I've had the privilege to travel twice to the Holy Land. One cannot walk the Golan Heights or travel the hills around Jerusalem and fail to appreciate the momentous nature of these places. Even a quick survey of history reveals that this is among the most geopolitically and strategically important patches of land on Earth, and it is also the focal point of the world's three Abrahamic religions.

Our Declaration of Independence speaks of a humanity endowed with rights by its Creator. The land we speak of here is the land where He walked, the land where He taught, and the land where my faith teaches me that He gave His life for each of us. And now this land is menaced by a dangerous and inimical enemy. One cannot stare long at a map without plotting the strategic course open to this enemy. In doing so, one is struck by the miniscule flight time for a missile departing from Iran for this land loaded with a weapon of mass destruction.

Mr. Speaker, it's election season and our President appears to be more interested in dissuading Israel from defending its people than deterring President Ahmadinejad from achieving nuclear weaponry. Unfortunately, danger—this danger, particularly—knows no timetable, and political calculation amid such peril is an abdication of a Commander in Chief's responsibility.

Mr. Speaker, we hear the President's team has said that an Israeli attack would destabilize the region. It is hard to doubt that, to a degree at least, this is possible. But more destabilizing by an order of magnitude would be the permanent threat of a nuclear-armed Iran. It is a folly to trade temporary peace for a permanent menace to world security.

Mr. Speaker, our President's intelligence chief has said that the Iranians have not yet decided to build a bomb. To me, these words are reminiscent to those of Neville Chamberlain, who doubted that the Nazi command had finalized its decision to invade all of Europe, both east and west. The threat was either ignored or considered too irrational to be possible by a timorous and distracted world bent on avoiding conflict.

Mr. Speaker, this body must unambiguously oppose the weakness our President has spoken of on this issue. Our Commander in Chief has fought against every Iranian sanctions measure that we have presented to him; he has casually mused about returning to pre-1967 borders, as if road-testing an idea; and he has consistently sided with the Palestinians on key issues surrounding American national security. It should be no wonder then that President Ahmadinejad feels emboldened, for weakness always breeds and invites aggression. In such situations, perceptions will influence outcomes—and possibly determine them.

With this in mind, we must emphatically, and in no uncertain terms, display unwavering American commitment to the defense and support of Israel. The perception that we mean it, and that we mean it without reserve, will serve to inhibit Iran's nuclear ambitions as surely as a policy of American doubt, hesitation, and vacillation will serve to strengthen it.

We are mindful, too, that our President has said, when he believed himself to be out of the reach of microphones, that he was tired of President Netanyahu. He said, ''I have to deal with him every day.'' This was an all-too-rare and certainly valuable glimpse into the heart of the President. It seems to confirm to me what many of us suspect and what gives President Ahmadinejad courage: that despite the careful language suggesting alignment between America and Israel, the President will crumble when Israel needs him most.

Mr. Speaker, I will say in front of this microphone and on the record this morning that I'm tired. I'm tired of creating risks for America's democratic foothold in the Middle East; I'm tired of a badly mistaken notion that Israel is some way or another the aggressor; and I'm tired of the President speaking of a moral equivalence between Iran and Israel.

There are but a few moments in history that have set the course for a relationship among nations, and I believe this is one of them. We must make a powerful and unequivocal commitment to the nation of Israel, and we must make an equally powerful and unequivocal commitment to prevent Iran from achieving nuclear weaponry. Iran must not be allowed for even one moment to doubt our will, and it must not be allowed to think twice about our willingness to act. The fate of the Jewish people and the American people—one and inseparable—depends on it.

HONORING DUNCAN CAMPBELL

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

Mr. BLUMENAUER. Tonight, in Portland, Oregon, there's a special ceremony as Duncan Campbell is honored at the 84th Annual Portland First Citizen Award Banquet. I'm sorry that duties require me to be here in Washington, DC, instead of with hundreds of Duncan's friends and admirers back home in Portland.

This is a very special award for a unique human being. Duncan has a very compelling personal story, working his way through a childhood marred by neglect and alcoholism. He put himself through college at Portland State University and eventually did the same at law school, earning his

degree at the University of Oregon. He founded the Campbell Group, a very successful firm, pioneering work establishing timber investment funds. He soon became recognized as an innovator and an industry leader, but his real story is his lifelong commitment to children.

Shaped by his own difficult early experiences, Duncan has focused on ways that he can use his success financially and intellectually to advance the cause of disadvantaged children. He's done this in numerous ways, but I think his greatest achievement is the establishment of an organization known as Friends of the Children. He put part of the proceeds of the sale of his company to establish the program in 1993. Starting small, it was built around the principle that troubled young people need a constant adult presence supporting, guiding, and not just mentoring but really becoming a part of their lives. Over the years, it has proven to be spectacularly successful.

Currently, there are 90 friends who are paid, full-time mentors, each serving as a caring adult—a constant presence for a handful of children. These friends are not just in Portland, Oregon, but in rural Oregon, in Sisters and Klamath Falls, and now in projects in Boston, New York, and Seattle.

Duncan's vision is to focus on the children with the very highest risk factors. These children statistically would undoubtedly fail to complete school. Most would have problems with drugs or alcohol, early unplanned out-of-wedlock pregnancy, and almost all would fall into the criminal justice system.

The results of his handiwork are overwhelming and compelling:

Eighty-five percent of these children, who most experts agree would otherwise fall through the cracks or worse, graduate from high school;

Ninety percent avoid involvement with the criminal justice system, even though 60 percent of these at-risk children are part of a program that have a parent who's been incarcerated;

Despite the fact that 60 percent of these children were born to a teen parent, 95 percent avoid early parenting themselves;

According to a report by the Harvard Business School Association of Oregon, every dollar invested in the organization results in more than $7 in reduced social costs for the community and untold richness for the children involved.

This is an amazing program with compelling results. It was willed into existence by my friend, Duncan Campbell. Portland honors him this evening, but all Americans should honor not just the example but the specifics.

Friends of the Children is a program that works and should be replicated. I will do all I can to help the Federal Government find a way for it to be a partner in this unparalleled success story. This is the best way to honor Duncan, his vision, and his commitment.

□ 1020

HONORING COACH PAT SUMMITT

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

Mr. DUNCAN of Tennessee. Mr. Speaker, last night I had the privilege of sitting with University of Tennessee Coach Pat Head Summitt as she received the top award presented by the National Alzheimer's Association. This is the Sargent and Eunice Shriver Profiles in Dignity Award, and it was presented by their well-known daughter, Maria.

No one could have been more deserving of this award than Coach Summitt. As the Nation knows, she was diagnosed with early onset dementia, or Alzheimer's, almost a year ago. She made the decision to both go public with this diagnosis and continue coaching her beloved Lady Vols. Now she has decided to give up her coaching job after 38 years to help lead the fight against Alzheimer's. She and her son, Tyler, have established the Pat Head Summitt Foundation to carry on this battle that is and will be so very, very important to millions of people.

Pat Head Summitt is certainly the most admired and respected woman in Tennessee. She is my most famous constituent and a longtime friend. I have been honored on two occasions to be her honorary assistant coach. The first time was on her 25th anniversary as a coach, and the second time was a few years later against Vanderbilt on the last home game of the season. Before that game, we were given a scouting report, and Tennessee had beaten Vanderbilt in Nashville by 30 points. So it was accurate to say that the team was fairly confident about this game. However, at halftime, the game was almost tied, and the Lady Vols came into the locker room with their heads hanging down.

That is when I saw Coach Summitt go into action. She got into each young woman's face like a baseball manager arguing with an umpire. She started with Lady Vol Teresa Geter, and told her in a drill sergeant's voice that she was going through a pity party out there and Coach Summitt was having no part of it and was giving her 2 minutes to make her presence known on that court or she was going to yank her out of there so fast it would make her head swim. When we went back out for the second half, the first thing that happened was that Teresa Geter stole the ball, took it down court, and scored her first 2 points of the game. The Lady Vols went on a 20–0 run, and Vanderbilt called a timeout.

A spectator in the stands, whom I had not seen because there were 20,000 people there, sent his card down to me on the bench, and it said, ''Jimmy, great halftime coaching, come again.'' But it was not me; it was Coach Summitt. In fact, when she was staring each one of her players in the face at halftime in an intensely angry, very loud voice, I was just glad I was not one of those players.

Coach Summitt is the winningest coach in basketball history with 1,098 victories. Her teams have won 16 Southeastern Conference Championships and eight national championships. She has coached in 18 Final Fours. She has an 84 percentage winning record as a head coach. But to me, her most impressive statistic is a 100 percent graduation rate, and she did not allow her players to take easy courses. Let me repeat that. Every player who has ever played for Coach Summitt in her 38 years has graduated. She made sure they were prepared for life after basketball, and almost all of her players have been successful after leaving the University of Tennessee. On top of all this, she has never had a question raised about her recruiting or any NCAA violation. She has shown through the years that you do not have to cheat in sports to win and be very successful.

She has succeeded at her most important job—being a mother and raising her fine son, Tyler, who is following in his mother's footsteps and will soon start his first job as an assistant coach for the Marquette women's basketball team.

Coach Summitt is a member of the Women's Basketball Hall of Fame and was NCAA Coach of the Year an unprecedented seven times. In 2008 she was named the Naismith Coach of the Year. Pat Head Summitt is a woman of honor and integrity. She has been a great, great success because of her very hard work, dedication, determination, and discipline. Most of her success she credits to hardworking parents and lessons learned on her family's Tennessee farm. This Nation is a better place today because of her work with young people and the inspiring example that she has set for all of us.

Coach Pat Head Summitt is truly a great American, and I'm proud to call her one of my constituents and, as I said, one of my very, very close friends.

THE STUDENT LOAN AFFORDABILITY ACT

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

Ms. RICHARDSON. Mr. Speaker, the higher education system in the United States has for many years been the envy of the world. The universities here are a part of America's backbone, providing young people with the skills and knowledge necessary to succeed in today's changing global economy.

However, Mr. Speaker, right now, the cost of tuition at universities has risen so dramatically all across this country that attendance is tough to achieve. Nowhere is this truer than in public universities in the State of California that I represent, where budget cuts, furlough days, and tuition increases have become a new normal—at the expense of higher learning. Average in-

State tuition and fees at public 4-year institutions have risen 8.3 percent in 2010 and now in the classes in 2011.

As a result of these increases, tuition at public and private universities now has caused student loan debt to exceed credit card debt, totaling $870 billion, and it's expected to reach $1 trillion this year. Students graduating from college between 2006 and 2010 had a median student loan debt of over $20,000. Not only are young adults in debt, but recent graduates are also facing one of the toughest job markets in recent memory.

In 2007, when I started here in Congress, we worked to pass the College Cost Reduction and Access Act which, among many other things, lowered the interest rate of subsidized Stafford loans from 6.8 percent to 3.4 percent. As a result of these lower interest rates on federally subsidized student loans, more students were able to afford to go to college. In order to keep college affordable, Democrats in Congress and President Obama are urging the House GOP leadership to bring forward the legislation that would prevent these interest rates on student loans from doubling this July.

I'm a proud cosponsor of H.R. 3826, the Student Loan Affordability Act, which will prevent the interest rate on subsidized Stafford loans from doubling in July. By extending the current interest rate, we are making an investment in our country's future. Our economy depends upon the educated workforce to out-compete and to out-innovate the rest of the world, which is something we've been known to do for quite some time.

Statistics tell us that it also makes a difference if you're able to go to college. According to the Bureau of Labor Statistics, the unemployment rate for those 25 years and older who've got their bachelor's degree is only 4.2 percent, but for those, unfortunately, who were not able to attend and graduate, the unemployment rate exceeds over 10 percent.

Unlike Pell grants, which provide a vital benefit to low-income families and students, Stafford student loans also benefit middle-income families who need financial assistance as well. Congress should not wait and allow this increase to take place. It would, for all intents and purposes, be a tax increase on middle- and low-income families and students during this very fragile economic recovery.

I urge the Republican majority and Speaker BOEHNER to take action now to prevent this increase. We are seeing right now the impact on the American economy when Congress waits too long to act on issues of national importance such as our Nation's debt. Students and families cannot wait any longer to know how much they will have to pay and owe coming out of college. Why? Because that might impact whether they can even go at all.

HONORING COACH PAT SUMMITT

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

Mr. FINCHER. Today, I rise in order to honor Coach Pat Summitt. Pat Summitt is most well known for her coaching career with the Lady Volunteers at the University of Tennessee at Knoxville, but her basketball legacy at UT began long before she won her first national championship as a coach.

I am proud to represent Weakly County, which is home to the University of Tennessee at Martin where Coach Summitt played on the women's basketball team from 1970 to 1974. While there, Coach Summitt was named an All-American player, led her team to the first women's national championship basketball tournament in 1972, and graduated as UT-Martin's all-time leading scorer with 1,045 points. Today, UT-Martin's basketball court is named the ''Pat Head Summitt Court,'' honoring Coach Summit's leadership and achievements on the university's women's basketball team.

Her love of basketball, enthusiasm, and competitive spirit have defined her career and inspired young women across the State of Tennessee and throughout our Nation.

It's no secret that Coach Summitt has an incredible record as the head coach for the Lady Volunteers and has been a driving force behind the development of women's college basketball over the last 38 years. Her legacy as one of the greatest basketball coaches ever is solidified by her achievements, but more importantly, because she has been a friend and mentor to her players and staff. During her tenure as head coach, every Lady Vol that completed her eligibility at UT earned a college degree or is in the process of completing her degree requirements.

□ 1030

I saw a video recently about how former players and managers presented Coach Summitt with a book of personal letters, sharing their memories and putting down in writing what Coach Summitt has meant to them. This video mentions that the letters not only speak of her influence as a coach, but how she has helped players, past and present, through some of the most difficult times they faced in life. The effort to organize this book is incredible, and it speaks volumes about who Coach Summitt is to her players and her passion for helping student athletes discover what they want in life.

I am confident that Coach Summitt will continue to approach each of life's new opportunities and challenges with as much intensity, determination, and integrity as she did during her career as head coach of the Lady Vols. In fact, Coach Summitt is in D.C. this week to receive an award recognizing her efforts to promote greater understanding of Alzheimer's disease and its effects on diagnosed individuals, families, and caregivers. She is already proving she's a force to reckon with as she faces this disease head-on.

I'm proud to call her a fellow Tennesseean and wish her the best as she transitions into a new role with the Lady Vols. God bless you, Coach Summitt. And thank you for all you've done and will continue to do for the great State of Tennessee, women's basketball, and for the fight to find a cure for Alzheimer's.

REMEMBERING LEVON HELM

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

Mr. HINCHEY. Mr. Speaker, I rise today to recognize the life and achievement of my dear friend, Levon Helm, who passed away last week surrounded by close friends and family members.

Levon will be remembered by many as the acclaimed vocalist and drummer for the Levon Helm Sextet, which then became Levon and the Hawks, and later what we all know now simply as The Band, which gained international critical acclaim.

The Band was given its name by Bob Dylan in 1967 when he lived with the band members in a house known as ''Big Pink'' near where I grew up in West Saugerties. That's where the famed ''Basement Tapes,'' which featured Dylan, were recorded. When the album was later released in 1975, it rose to be number seven on the Billboard 200 list.

We all remember Levon's unique drumming style and soulful country voice from songs like ''The Weight'' and ''Up on Cripple Creek.'' These songs and others have stood the test of time and will be remembered for how they helped shape a generation of rock music and everything that came thereafter.

Without a doubt, Levon's contributions to American music cannot be overstated. But beyond the music, we cannot forget Levon, the man. I knew him well. He was a beacon of our Hudson Valley community. He was always willing to open his doors to help raise money for important local causes. He was a tremendous supporter of local agriculture. He worked to bring music into our schools and communities. He was a great person and a great friend.

After the release of his ''Dirt Farmer'' album, Levon put on free concerts for the community at Gill's Farm in Ulster County, New York. Once, he attracted so many fans that State Route 209 was effectively closed down.

He would host Midnight Rambles at his barn in Woodstock, inviting some of the world's premier musicians and artists to perform well into the night. Also, his amazing dog named Bear, everyone loved that dog. People traveled from hundreds of miles away to attend. I lived just a few miles down the road and had the privilege of attending many of those events, and they were really something else—wonderful and amazing.

Watching Levon perform over the years, you got the sense that despite all the fame, awards, and notoriety, at his core he was a man who felt music deeply in his bones. It's what made him one of the world's great performing artists.

His passing is a loss for all of us. But when I think of the sadness we all feel, I am reminded by some of his lyrics in a recent song, entitled, ''When I Go Away'':

Don't want no sorrow,
For this old orphan boy;
I don't want no crying,
Only tears of joy.

I'm gonna see my mother,
Gonna see my father;
And I'll be bound for glory,
In the morning,
When I go away

I'll be lifted up to the clouds,
On the wings of angels;
There's only flesh and bones,
In the ground,
Where my troubles will stay.

All my kin who love me,
All my friends who care,
Look beyond the dark clouds;
We're gonna meet up there.

When they lay me in the cold ground,
Bow your heads and pray;
And I'll be bound for glory,
In the morning,
When I go away.

Levon will forever be remembered in our community and throughout the world and in our hearts. He was our neighbor and my good friend. I miss him dearly. Levon has gone home, but his music will live on for all of us forever.

HONORING COACH PAT SUMMITT

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

Mr. DESJARLAIS. Mr. Speaker, in today's society, we throw around terms like ''legendary'' or ''iconic'' to describe individuals or events that quite often are not worthy of such praise. But in talking about Pat Summitt, even lofty words like these fail to fully do justice to the extraordinary career that Coach Summitt has had at the University of Tennessee.

Throughout her 38 years of coaching the Lady Volunteers, she has built a list of achievements both on and off the court that would rival those of any other coach in the history of college basketball. These include 1,098 wins—more than anyone in NCAA basketball history—16 Southern Conference Championships, 16 SEC Tournament Championships, 18 Final Four appearances, eight national championships, and two Olympic medals.

Without a doubt, Coach Summitt is a monumental figure in the world of college sports. Her leadership and sportsmanship, along with her sheer talent as a coach, are universally admired by her competitors, colleagues, and fellow coaches.

She brought an unmatched level of pride and notoriety to both the sport of basketball and the University of Tennessee. But most importantly, she has been a guiding force in the lives of so many young people. Time and time again, she has led her players to victory both on the court and in the classroom. Under her guidance, every Lady Volunteer player who has finished her eligibility at Tennessee has graduated.

Coach Summitt's life should serve as a model for anyone to strive toward. She is a fierce competitor, a selfless mentor, and a dedicated advocate of women's athletics. I was glad to hear that she will still remain an important part of the program, and I know that all Lady Vol fans will look forward to her continued presence. I think we would all agree that if a Mount Rushmore of college coaches existed, her image would be etched upon it. There will never be another Pat Summitt.

Now, as she moves towards a new chapter in her life, I wish her and her family all the best.

HONORING COACH PAT SUMMITT

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

Mr. FLEISCHMANN. Mr. Speaker, I rise today to honor a woman who is a living legend in my home State of Tennessee. A star basketball player, Pat Summitt played at the University of Tennessee at Martin and served as co-captain on the 1976 U.S. Olympic women's basketball team.

Pat Summitt began coaching Lady Vols basketball at the University of Tennessee just before the start of the 1974–1975 season. Starting as a graduate assistant, she was quickly promoted to head coach, where she earned $250 a month and drove the team van. Thirty-eight years and 1,098 wins later, Pat Summitt is now the winningest coach in NCAA basketball history for either a men's or a women's team. She is the only NCAA coach with over 1,000 wins, and she still has never had a losing season as head coach.

□ 1040

This is a pretty impressive record in its own right, but the legacy of Pat Summitt does not end there. Indeed, I could speak about her accomplishments through the entire morning-hour. I could mention her eight NCAA championships, 16 Southeastern Conference seasons, 16 SEC tournament championship titles, or her unmatched career .840 winning percentage. It is clearly evident that Pat Summitt is an unmatched coach on the field.

Her off-the-field accomplishments are even more impressive. In an era rife with collegiate sports scandals, Pat Summitt has upheld the track record of uncompromised integrity, while encouraging and maintaining a 100 percent graduation rate for her team.

Coach Summitt produces more than just great athletes. She produces young women of character whose academic success prepares them to be good citizens in the world, as well as great basketball players. Eleven of her former players were on the WNBA roster last year, and she has coached two WNBA MVPs. Sixteen collegiate head coaches have either played or coached under her. The success of her players, both on and off the court, is a testament to the dedication she has given to the well-rounded development of her players.

When I return back to the University of Tennessee—my alma mater—the legacy of Coach Pat can be found everywhere, from the students in Lady Vols attire, to Pat Head Summitt Street in Knoxville, and the Summitt basketball court in the Thompson-Boling arena.

Throughout Tennessee, her legacy is strong as well. She has a gym named after her at UT-Martin and at her high school. Pat Summitt's true legacy, however, is the alumni who have succeeded due to her hard work and the thousands of young women who have pursued excellence in sports and have been successful due to her example.

Pat Summitt retired from coaching April 18 and will continue to serve the Lady Vols as head coach emeritus. She now faces a battle against early-onset Alzheimer's disease. Like her coaching career, I know she will face this battle with courage and determination. We will be praying and thinking of her throughout this battle, and I know we will miss her input on the landscape of Tennessee.

THE CYBER INTELLIGENCE SHARING AND PROTECTION ACT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Tennessee (Mrs. BLACKBURN) for 5 minutes.

Mrs. BLACKBURN. Mr. Speaker, the Government Accountability Office says that cyberattacks have grown by 650 percent in 5 years and that the annual cost of these attacks is estimated to be $388 billion. Allowing these trends to proliferate is bad for job creation, consumer protection, and the future of the Internet, whose future success will greatly depend on improving user trust and security online.

The U.S.-driven digital revolution has created countless opportunities, freedoms, and economies of scale. We're the envy of the world in that regard. This revolution is continuing to be driven by information and data. Data is really the natural resource that will power our Nation's future, but only if we safeguard it appropriately.

Your online presence and digital diaries are what I like to refer to as the ''virtual you.'' It's consistently growing and expanding as individuals and businesses operate online. We need to have the certainty that we can freely continue our business online without virtual Peeping Toms and digital thieves enjoying total, uncontrolled access on the online ecosystem. That's why I was troubled to read an article in

Politico yesterday titled ''White House Avoids Specific Positions on Cybersecurity Bills.''

We're being attacked by cybersnoopers and state sponsors of cyberespionage like China, Russia, and Iran. But the White House is throwing its hands up in the air, unwilling to lead. The President refused to take a position because advisers in the White House wanted to go farther in ceding authority to the Department of Homeland Security, which can't even manage the dysfunctional Transportation Security Administration. Washington always wants more power and more control.

My colleagues, Congressmen ROGERS and RUPPERSBERGER, have worked together in a very diligent and bipartisan manner to educate and articulate the need for cyberintelligence sharing and protections. The Cyber Intelligence Sharing and Protection Act will help us defend against advanced cyberattackers and hackers that want to steal our private or our government information. It also maintains protections for individuals' privacy. The bill's language is specific. It doesn't allow the government to use shared information for non-cybersecurity purposes. It requires an independent inspector general to audit voluntary information shared with the government, and it legally enforces restrictions on government uses of this information.

The voluntary information-sharing framework is preferable because incentive-based security works better than heavy-handed mandates, but the White House and the Senate Democrats disagree with the technology experts. They think there's a cookie-cutter way to address evolving cybersecurity challenges. But we shouldn't pretend to have all of the answers, and we shouldn't let DHS play Whac-A-Mole. We should not and cannot allow the government's massive bureaucracy to expand. It's constantly suffocating innovation and entrepreneurship in this country.

This legislation presents a framework that is flexible and dynamic, not one that is static and top-down. This approach is narrow, not presumptive. The tech industry wants to focus its energy resources and attention on real-time, dynamic threats, and responses.

Moreover, government shouldn't be telling anyone how to regulate critical infrastructure when it hasn't been able to get its own networks and systems secure. The Office of Budget and Management reported almost 42,000 attacks on Federal networks in 2010, an increase of almost 40 percent over the previous year. That's why I'm happy to see Congressman DARRELL ISSA's bill coming to the floor. Without a doubt, we need better oversight on our Federal information-technology systems.

Each day brings new challenges in the fight to protect our Nation's virtual space and technology innovation, but the cybersecurity bills before the floor this week are unlike the pro-regulatory frameworks that typically characterize Washington's policymaking. Let's move forward with the commonsense voluntary tools we need to strengthen our cyberdefenses, the Internet economy, and the ''virtual you.'' Let's show some leadership.

EARL SCRUGGS

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. MCHENRY) for 5 minutes.

Mr. MCHENRY. Mr. Speaker, the Master from Flint Hill, the Innovator of the Three-Finger Banjo Style—these are the names given to one of North Carolina and my congressional district's favorite sons.

Mr. Speaker, the welcome sign for the city of Shelby in my district says: ''Welcome to Shelby, city of pleasant living, home of Earl Scruggs.''

Indeed, Shelby, Cleveland County, and all of North Carolina, and indeed the Nation, are mourning the loss of musical icon Earl Scruggs, who passed away last month at the age of 88. When you think of the word ''bluegrass,'' a few names come to mind: Bill Monroe, Doc Watson, and, of course, Earl Scruggs.

Earl grew up on a farm in the Flint Hill community in Shelby and worked in the Lily cotton mill. That's until he was given the chance to play in Bill Monroe's band. That led him to quickly strike off on his legendary career with Lester Flatt. Together, Flatt and Scruggs defined bluegrass music in the 1950s and the 1960s, recording such classics as ''The Ballad of Jed Clampitt'' and ''Foggy Mountain Breakdown.''

Earl received a star on the Hollywood Walk of Fame in 2003, was inducted into the Country Music Hall of Fame in 1985, and received numerous Grammys, including the Lifetime Achievement Award. He also recorded with musicians as diverse as Johnny Cash, Sting, and even Elton John.

Most importantly for his beloved hometown of Shelby, his legend will live on locally.

□ 1050

Thanks to an overwhelming community effort for the past several years, work is now under way to turn the historic 105-year-old Cleveland County Courthouse into the Earl Scruggs Center. This effort will focus on music and stories and preserve the legacy of Earl Scruggs.

Drawing on the region's rich history and music, the Scruggs Center will enlighten, educate, and celebrate the people, traditions, and values of Cleveland County and the region, for that matter, all the while honoring Earl Scruggs.

Legendary comedian and accomplished banjo player Steve Martin summed up Earl's legacy best when he said, ''Before him, no one had ever played the banjo like he did. After him, everybody played the banjo like he did, or at least tried.''

Imitation is the kindest form of flattery, and, indeed, Earl Scruggs has many folks that try to emulate what he created. He will be missed.

RECESS

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

Accordingly (at 10 o'clock and 51 minutes a.m.), the House stood in recess.

□ 1300

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 1 p.m.

PRAYER

Reverend Matthew Barnes, Capital Commission Indiana, Indianapolis, Indiana, offered the following prayer:

Heavenly Father, thank You for civil government and the power that You invest in each of the Members in the people's House. With that power comes tremendous responsibility and sacrifice.

We know that Your son Jesus had all power in Heaven and in Earth, yet He condescended to our low estate in a grand act of service to mankind.

Truly, ''Greater love hath no man than this, that a man lay down his life for his friends.''

We ask that such noble acts of courage, commitment, and compassion be evident in the men and women leading the United States.

Help them to remember that they serve their fellow citizens and are accountable to You, the Almighty God.

In the midst of this sacrificial service, may they make time to spend with their families and with You. For Thine is the kingdom, and the power and the glory forever.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. STUTZMAN led the Pledge of Allegiance as follows:

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

WELCOMING REVEREND MATTHEW BARNES

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

There was no objection.

Mr. STUTZMAN. Mr. Speaker, today's opening prayer was given by my good friend and mentor, Matthew Barnes, who serves as chaplain at the Indiana State House and also serves as State director for Capital Commission in Indiana.

Mr. Speaker, I am only a freshman in this body, but it doesn't take a seasoned veteran to know that our government is made up of human beings who need wisdom, discernment, and grounding in the truth of God's word.

A true servant-leader, Matt has made it his mission to serve, teach, and pray for those who are in positions of authority. In 2004, he was called to serve Indiana's elected officials. Matt ministers in love, knowing that he serves a God whose will is good and gracious and whose law is truth.

In my time in the State legislature, I saw Matt give comfort and counsel to so many of my colleagues. His heart for the members of that body is inescapably clear.

Matt and his wife, Miriam, have three wonderful children: Sarah, Micah, and Emma. Their work and sacrifice have made Indiana a better place.

I'm honored that my friend has been able to join us today.

HONORING COACH PAT SUMMITT

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

Mrs. BLACK. Madam Speaker, I rise today to honor a woman of incredible strength and courage, one who has inspired and personally pushed numerous young ladies to achieve beyond their wildest dreams. I am of course talking about the record-setting leader of the Lady Vols basketball team, Pat Head Summitt.

Now, I could stand here and read off a list of her stats and accomplishments on the court—and they are many and quite impressive—but, Madam Speaker, I believe that would miss the true scope of Pat Summitt's impact not only on the sport, but on the lives of her players and so many who have watched her career.

While the world saw her impact on the sport, her focus was always on teaching young women about life and using their shared passion of basketball as the tool. Her student athletes were always students first. They left the University of Tennessee equipped for a successful life.

She instilled in her players the work ethic she learned on a dairy farm in Henrietta, Tennessee. It was her father's values of determination and hard work and her years of holding her own among the boys in her family that inspired the toughness, the drive to achieve, and the winning attitude.

Now the legendary Pat Summitt will inspire countless Americans off the court as she raises awareness in her personal fight against Alzheimer's. One item from her well-known list of the definite dozen is to be a competitor. Those of us that have admired her for years know that she is a true competitor and is ready for the fight.

ARMENIAN GENOCIDE

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

Mr. CICILLINE. Madam Speaker, I rise today to remember the 1.5 million Armenian men, women, and children who were massacred under the Ottoman Empire at the beginning of the 20th century.

Each year, Armenians throughout the world mark April 24 as Genocide Remembrance Day by honoring those who perished from 1915 to 1923, and I join my friends and colleagues in remembering the victims today.

It's important to raise awareness about the Armenian genocide not only because it is an undeniable chapter in world history, but also because learning more about this horrific tragedy underscores the importance of eliminating intolerance and bigotry wherever it occurs.

Armenian Americans living in my home State of Rhode Island have made significant contributions through their leadership in business, law, academia, government, and the arts.

As a cosponsor of House Resolution 304, I strongly believe that the time has come for the United States Government to recognize this atrocity for what it was—genocide. I join my colleagues today in recognizing the victims of the Armenian genocide.

PRESIDENT'S POLICIES ENDANGERING SOCIAL SECURITY

(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. Madam Speaker, our Nation's Social Security system is sadly approaching bankruptcy. The Secretary of the Treasury spoke on Monday, revealing that Social Security benefits are expected to become insolvent in only 21 years—3 years sooner than was projected just last year.

In a recent article in the Washington Post, Emily Miller wrote:

> Thanks in large part to Mr. Obama's insistence, the program's 2011 deficit of $148 billion was the second largest single-year deterioration since 1983. If Washington doesn't do anything to address the program's imbalance, the trustees say it will take raising the payroll tax to 16.7 percent to cover the gap.

This administration continues to take money out of the Social Security fund, shifting it for programs we cannot afford. It is past the time for Congress to act and stop Washington's out-of-control spending, which will ultimately result in higher taxes and more debt, destroying jobs and putting senior citizens at risk.

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

Welcome, South Carolina Attorney General Alan Wilson, to Washington for Supreme Court oral arguments.

STUDENT LOAN INTEREST RATE

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

Ms. HOCHUL. Madam Speaker, you had to look at their faces and right into their eyes to see the worry that these young people had.

Just yesterday, I convened a roundtable of students at Daemen College in my district and we talked about the biggest concern on their mind. It wasn't their final exams; it was the knowledge that in 3 short months, if this body does not act, these young people will face a doubling of the interest rate on their student loans from 3.4 percent to 6.8 percent. These young people are afraid; they're concerned.

I asked them what it would mean to them. One man who already has $120,000 in debt now said he would probably have to leave in order to start paying back his debt. One woman said she would probably have to take a fourth job on top of her third job. Another junior said he probably would not be back next year. Heartbreaking stories, ladies and gentlemen, but we can stop it from happening.

You've got to ask: What's wrong with this picture? Banks are lending to each other at about zero percent. You can get a home mortgage loan for 3.9 percent. Why are our young people, who are doing nothing other than having a shot at the American Dream that each one of us had by getting a good education, why are they going to be strapped with this debt?

I ask all of us to join in asking the House of Representatives leadership to allow us to vote on this bill.

□ 1310

MORE EPA REDTAPE MEANS FEWER ILLINOIS JOBS

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

Mr. HULTGREN. Madam Speaker, I rise today, once again, to express my concern about the EPA, their redtape, and its effect on jobs and the economy in my home State of Illinois.

In fact, a recent study found that the rules proposed by the EPA could destroy more jobs in Illinois than in any other State. According to this study, more than 38,000 Illinois jobs are at

risk. These new layers of redtape would especially be harmful in their impact on the price of electricity, raising costs for small businesses and forcing them to lay off employees.

In Illinois we could see electricity prices rise as much as 18 percent, a huge burden on small businesses already struggling to keep their doors open. Time and again, I've heard from small businesses in my district who are concerned about this regulatory onslaught.

But House Republicans are not standing idly by. With bipartisan support, we've passed a half-dozen pieces of legislation that would rein in the EPA and help protect American jobs.

Unfortunately, as with so many of the bills that we've passed to create jobs and spur economic growth, the Senate has refused to act. Perhaps another reminder of what is at stake will finally spur them to action.

STUDENT LOAN INTEREST RATE

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

Ms. SPEIER. Madam Speaker, let me get this straight. My good friends on the Republican side are really interested in cutting taxes for the wealthy, but when it comes to maybe cutting the taxes that students would be paying on the student loans that they have by $1,000 more a year, they're not nearly so interested.

Well, let me read to you a posting to my Facebook from a young woman that really hits home. She wrote:

> Going to college was the worst decision of my life. I hate to say it, but it's true. I did everything right. I graduated high school early, at the top of my class. I got all my core courses out of the way at community college, then transferred to a 4-year college, but I couldn't afford it and had to stop just before my last year. It's the biggest regret of my life that I couldn't afford college. I'm not lazy, I'm not stupid, but I had the misfortune of being born poor.

Madam Speaker, it's time for us to make sure that the poor students in our country have the right to go to college and to see it as a good decision, not a wrong decision.

CONGRATULATING TWO PLANO HIGH SCHOOL TEAMS

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

Mr. SAM JOHNSON of Texas. Madam Speaker, I rise today to congratulate the recent victories of two Plano high school teams: the 2012 Plano West girls soccer State champions and the 2012 Plano Senior High School WorldQuest National Champions.

Last weekend, the Plano West girls soccer team defeated Katy Seven Lakes, earning the school its fifth State title. Under first-year Coach Carley Phillips, who won the school a state title in 2002, the soccer program has excelled and continued in its success.

And last month, the Plano Senior High School's WorldQuest team successfully defended its national championship title. For the second year in a row, this team placed first in the national academic competition that tests high school students' knowledge of international affairs, geography, history, and culture.

Congratulations to these two stellar teams. That's the way to represent the great State of Texas. God bless you, and I salute you.

EDUCATION IS AN INVESTMENT IN OUR FUTURE

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

Mr. BACA. Madam Speaker, in these tough economic times, it's critical that Congress work to make quality higher education available to all Americans. We know that investing in education is an investment in our future, an investment in the strength of America.

By the year 2018, 63 percent of all American jobs will require some level of higher education. Sadly, if Congress does not act soon, the interest rate for student loans will double from 3.4 to 6.8, higher than home loans. This will cause thousands of dollars in new debt for more than 7.4 million American students.

Unfortunately, the Republicans in Congress have refused to go forward with legislation that would prevent this crisis. And some Republican leaders have openly criticized students who graduate with college debt.

It's time that Congress worked together to help middle class families, not just the wealthiest few. We must pass legislation that strengthens the Pell program and prevents an increase in student loan rates.

Thank you, President Obama, for taking the lead in helping our future generations and leaders of tomorrow.

ANNUAL AUDITS FOR THE GSA

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

Mr. DENHAM. Madam Speaker, I rise to talk about the corruption, the fraud, the waste within GSA, an agency that has nearly a $10 billion slush fund that they hide from the American taxpayers every single year.

Today I'm going to be introducing a bill that will request transparency on an annual basis, show an annual audit so the American taxpayers can see exactly where this waste is going and hold this agency accountable.

We're going to hold another hearing on the issue to make sure that the waste stops, and that we actually start selling off some of the buildings that are sitting vacant right now today, an opportunity for Republicans and Democrats to actually come together, just getting rid of waste, and at the same time that we sell the properties and redevelop the things that we aren't using, put people back to work.

HOLOCAUST REMEMBRANCE DAY

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

Mr. SIRES. Madam Speaker, I rise today in honor of Holocaust Remembrance Day, which was observed last week on April 19. The theme of this year's Holocaust Remembrance Day was ''Choosing to Act,'' offering an important reminder of the sacredness of human life and the need for all of us to stand against evil.

The Holocaust represents one of the darkest periods in human history and illustrates the worst of human behavior, yet some still deny the events of the Holocaust ever occurred. It is no wonder that Israel is extremely concerned with the development of nuclear weapons in Iran, putting these arms in the hands of radicals who have shown no respect for human life or basic human rights.

We must support and stand by Israel during these dangerous times. We must always keep in the back of our minds the history of the Jewish people. Understanding their history helps us understand their concerns and feelings about what is currently going on in the world.

On Holocaust Remembrance Day we are reminded that the Jewish people have had firsthand experience with true evil, and we must work to ensure that such atrocities do not happen again.

KEEP THEM ON THE FARM

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

Mr. POE of Texas. Madam Speaker, the regulators are going after America's farms. Now they are considering prohibiting kids from working on farms. Growing up on a farm teaches kids valuable lessons and a strong work ethic.

Now the Federal Government is contemplating prohibiting kids from doing chores on their uncle's farm, including ''the storing, marketing, and transporting of farm product raw materials.''

According to the Department of Labor, ''prohibited places of employment would include county grain elevators, grain bins, feedlots, stockyards, and livestock exchanges.''

Anyone under 16 would not be allowed to drive any type of power equipment, including tractors. So if the farmer wants to hire a young boy to help him move some hay, it'd be a crime?

People who know nothing about farms are trying to stop educating our future farmers, because a lot of these

farm kids grow up to be farmers. Now we're faced with the problem that the average farmer in the United States is over 50.

If the regulators have their way, and young people are shut out, there will be a lost generation of American farmers. This ought not to be, but that's just the way it is.

KEEPING OUR FLYING PUBLIC SAFE

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

Mr. HIGGINS. Madam Speaker, just over 3 years ago, Continental Connection Flight 3407 crashed in my western New York community and that of Congresswoman CATHY HOCHUL. Sadly, all aboard were killed.

In the wake of this tragic crash, the families of the passengers on board Flight 3407 joined together and successfully fought for the inclusion of strong airline safety provisions in the Federal Aviation Administration's reauthorization, which was signed into law in August of 2010.

Crewmember screening and qualifications, in addition to pilot certification requirements, were factors that, if properly monitored, could have prevented the crash. We must see to it that the FAA follows through on the implementation of the reforms passed by this Congress.

Madam Speaker, keeping our flying public safe should be a top priority. I am committed to continuing the fight on behalf of the memory of those we lost on that day, and I urge my colleagues to join our efforts to achieve safer skies for all Americans.

□ 1320

BRIAN TERRY

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

Mr. ISSA. Madam Speaker, I rise today to take note of something that occurred in this body, the other body, and on June 16 will occur in Arizona.

Brian Terry died more than a year ago as a border patrol agent serving his country on the Arizona border. He was shot and killed by smugglers with weapons that ultimately came from the United States and went across the border under the Operation Fast and Furious program. That's controversial.

But there is no controversy that Brian Terry lived and exemplified the American spirit in serving his country in the military and then as a border patrol agent.

On June 16, that border patrol station will open. On June 16, thanks to action here in the House weeks ago and in the Senate today, we will in fact name it after Brian Terry.

ARMENIAN GENOCIDE

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

Mr. COSTA. Madam Speaker, 97 years ago, the Ottoman Empire orchestrated a murderous campaign that resulted in the death of 1.5 million Armenian men, women, and children and forced hundreds of thousands into exile.

Growing up in Fresno, California, the place William Saroyan, a great American author of Armenian descent, called home, I heard the stories of this tragic time between 1915 and 1923. The sons and daughters of survivors, time and time again, told the stories of their families.

The facts are clear. What happened 97 years ago can only be called by one name: genocide—the first genocide of the 20th century. Yet after nearly a century, the House of Representatives and current and past American Presidents have refused to recognize the Armenian genocide as such.

We cannot wait for a convenient moment, for it's not a convenient truth. Man's inhumanity to mankind never is. Now is the time to pass House Resolution 304 that I am a cosponsor of and formally recognize the Armenian genocide.

STAFFORD LOANS

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

Ms. HAHN. This past Friday, I spoke to the graduates of Pepperdine University School of Public Policy. I gave the commencement address.

Like many other students who will be graduating this year, they are determined and eager to take on the difficult challenges of this world. Unfortunately, many of them are leaving college with a mountain of student debt—debt that can keep them from pursuing opportunities which may not yield short-term financial rewards but could make our world a better place to live. You don't have to look far to find these amazing young people. Our offices are filled with them.

Others have said it today, but I'm going to say it again. We must pass legislation to prevent the interest rate on Stafford loans from doubling this July 1.

It's also why I've introduced H.R. 4286, which would allow students to begin paying back their Federal loans 12 months after they graduate instead of 6, and I hope I have support on that. This is commonsense legislation that will allow new grads the chance to start their careers without the burden of monthly student loan payments.

THE BLACKLISTING OF STATES

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

Ms. BERKLEY. Madam Speaker, despite the fact that President Obama took swift action to punish those responsible for the outrageous abuse at the GSA, some in Washington, like the junior Senator from Kentucky, are looking to score cheap political points by attacking Las Vegas and Nevada's tourism industry.

These Republicans are trying to bring back the last administration's so-called blacklist of resort cities like Las Vegas and Reno, prohibiting Federal agencies from traveling to Nevada to hold conferences and seminars. This policy has damaged the reputation of my State, hurt our economy, and killed jobs. Thanks to President Obama, this blacklist was lifted and discrimination against Las Vegas and Reno was ended.

It's time that we make this policy permanent. That's why I'm going to introduce legislation to prohibit the blacklisting of any city in America. This means discrimination against cities like Las Vegas and Reno will be illegal.

Las Vegas wasn't the problem; the irresponsible behavior of the GSA was.

I urge my colleagues to stand up for jobs and join me in cosponsoring this legislation.

STAFFORD LOANS

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

Ms. HANABUSA. Madam Speaker, I represent Hawaii, the youngest State in this Union. Many of our people immigrated to our wonderful State within the last hundred-plus years. When they immigrated, they came to work on plantations for the most part, and they knew one thing: for their children to be better, to get ahead, they needed an education. And there has always been a very strong belief that education was the answer.

This July, we will see the most popular student loan increase in its interest rate from 3.4 to 6.8 percent. It will affect 7.4 million students and will mean $1,000 a month more for each and every one of them.

Think about it, Madam Speaker. We say the students are our future. We need them to be in college so that we will be the great Nation that we once were. Then I ask you: Why is it that we haven't taken up the legislation to again freeze the loan rates?

Keep it at 3.4 percent so we can have our future, and we can show these students that we really believe in them and invest in them.

MARQUIS ALEXANDER

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

Ms. JACKSON LEE of Texas. Madam Speaker, I rise today to acknowledge a

milestone reached by Marquis Alexander. He is the first African American to become commander of the Texas A&M Corps of Cadets.

Currently, Marquis is a corporal in the U.S. Marine Reserves and a rising senior majoring in international studies. Congratulations.

The history of African Americans at A&M University dates back to the founding of the institution. African Americans in the Texas Legislature advocated for and supported the passage of the Moral Land Grant Act in 1866, which established A&M College of Texas between 1876 and 1963. African Americans worked at Texas A&M as laborers, maids, custodians, and various other support staff; however, they were prohibited from attending as students and faculty until 1963.

It's been a long time, but here we are today to congratulate this young man, a graduate of Barbara Jordan High School in the 18th Congressional District, my district, in Houston, Texas. He is the oldest of 10 children, and the first in his family to go to college. He is said to be an admirable and mature young man. Alexander is currently a corporal in the Marine Reserves. He has become the first person with military experience to head the corps.

Texas A&M University has the proud distinction of having the most graduates to enlist in our Nation's Armed Forces when compared to other nonmilitary academies.

Mr. Alexander grew up in my home city of Houston. Our city is proud of his achievements. He has always wanted to attend Texas A&M. He was so gung ho for the military that he participated in the Texas A&M Junior Cadet Accessions Program while still in high school. A week after enlisting in the Marine Corps, he received a letter of acceptance from Texas A&M. Yet true to his word and commitment, Alexander attended boot camp at the Marine Corps Depot in San Diego.

He is the kind of young American that we can be proud of. I am so proud of him. Congratulations to you and your family. This is a glory hallelujah day, and congratulations to Texas A&M for opening it up to being a student body president and yell leader.

EXPORT-IMPORT BANK

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

Mr. CONNOLLY of Virginia. Madam Speaker, over the years, it's become harder to find the ''Made in America'' label even though we know that a robust manufacturing industry is essential for our economy and it creates jobs.

Thankfully, we've got a great opportunity to help manufacturing, the Export-Import Bank, the entity that helps American companies export American goods. The U.S. Chamber has urged the bank's reauthorization because it supports American job creation.

Since 2007, companies in my home State of Virginia have supported almost a billion dollars in export sales because of the bank, with those in my district alone supporting $130 million in exports.

Last week, House Republicans brought up a bill to help small businesses, allegedly, that will cost taxpayers $46 billion. Eighty-five percent of the Export-Import Bank's transactions aid those very same small businesses, and the bank provides a net benefit to taxpayers—more than $4 billion over the last 6 years.

The Export-Import Bank is good business, Madam Speaker. It creates jobs. It supports American companies, and it returns a profit to the American taxpayer. I urge my colleagues to support its reauthorization.

□ 1330

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. MILLER of Michigan). 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 vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

DIGITAL ACCOUNTABILITY AND TRANSPARENCY ACT OF 2012

Mr. ISSA. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2146) to amend title 31, United States Code, to require accountability and transparency in Federal spending, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2146

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 ''Digital Accountability and Transparency Act of 2012'' or the ''DATA Act''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. Definitions.

TITLE I—ACCOUNTABILITY AND TRANSPARENCY IN FEDERAL SPENDING

Sec. 101. General requirements for accountability and transparency in Federal spending.
Sec. 102. Data standardization for accountability and transparency in Federal spending.
Sec. 103. Amendments to the Federal Funding Accountability and Transparency Act of 2006.
Sec. 104. Effective date and deadlines for accountability and transparency in Federal spending.

TITLE II—FEDERAL ACCOUNTABILITY AND SPENDING TRANSPARENCY COMMISSION

Sec. 201. Federal Accountability and Spending Transparency Commission.
Sec. 202. Conforming amendment relating to compensation of Chairman.
Sec. 203. Conforming amendments related to Recovery Accountability and Transparency Board.

TITLE III—ADDITIONAL PROVISIONS

Sec. 301. Classified information.
Sec. 302. Paperwork Reduction Act exemption.
Sec. 303. Matching program exception for inspectors general.
Sec. 304. Transfer of Consolidated Federal Funds Report.
Sec. 305. Transfer of authority over Catalog of Federal Domestic Assistance to Commission.
Sec. 306. Government Accountability Office Improvement.
Sec. 307. Amendments to the Inspector General Act of 1978 and the Inspector General Reform Act of 2008.
Sec. 308. Limits and transparency for travel and conference spending.
Sec. 309. Effective date.

SEC. 3. DEFINITIONS.

In this Act:

(1) The term ''Commission'' means the Federal Accountability and Spending Transparency Commission established under subchapter III of chapter 36 of title 31, United States Code, as added by this Act.

(2) The term ''Executive agency'' has the meaning provided by section 105 of title 5, United States Code, except the term does not include the Government Accountability Office.

TITLE I—ACCOUNTABILITY AND TRANSPARENCY IN FEDERAL SPENDING

SEC. 101. GENERAL REQUIREMENTS FOR ACCOUNTABILITY AND TRANSPARENCY IN FEDERAL SPENDING.

(a) IN GENERAL.—Subtitle III of title 31, United States Code, is amended by inserting after chapter 35 the following new chapter:

''CHAPTER 36—ACCOUNTABILITY AND TRANSPARENCY IN FEDERAL SPENDING

''SUBCHAPTER I—REPORTING REQUIREMENTS

''3601. Definitions.
''3602. Recipient reporting requirement.
''3603. Agency reporting requirement.
''3604. Treasury reporting requirement.
''3605. Exemptions from recipient reporting requirement.

''SUBCHAPTER II—DATA STANDARDIZATION

''3611. Data standardization for reporting information.
''3612. Full disclosure of information.
''3613. Federal accountability portal.
''3614. Agency responsibilities.
''3615. Consolidated financial reporting.
''3616. Office of Management and Budget responsibilities.
''3617. Treasury responsibilities.
''3618. General Services Administration responsibilities.

''SUBCHAPTER III—FEDERAL ACCOUNTABILITY AND SPENDING TRANSPARENCY COMMISSION

''3621. Establishment.
''3622. Composition of the Commission.
''3623. Functions.
''3624. Powers.
''3625. Employment, personnel, and related authorities.
''3626. Transfer of certain personnel.
''3627. Advisory committee to Commission.
''3628. Authorization and availability of appropriations.
''3629. Sunset.

''SUBCHAPTER IV—GENERAL PROVISIONS

''3641. Independence of inspectors general.
''3642. Effective date.

''SUBCHAPTER I—REPORTING REQUIREMENTS

''§ 3601. Definitions

''In this chapter:

''(1) RECIPIENT.—The term 'recipient' means—

''(A) any person that receives Federal funds pursuant to a Federal award, either directly or through a subgrant or subcontract at any tier; and

''(B) any State, local, or tribal government, or any government corporation, that receives Federal funds pursuant to a Federal award, either directly or through a subgrant or subcontract at any tier.

''(2) FEDERAL AWARD.—The term 'Federal award' means Federal financial assistance and expenditures that—

''(A) include grants, subgrants, loans, awards, cooperative agreements, agreements entered into under other transactional authority, and other forms of financial assistance; and

''(B) include contracts, subcontracts, purchase orders, task orders, and delivery orders.

''(3) COMMISSION.—The term 'Commission' means the Federal Accountability and Spending Transparency Commission established under subchapter III of this chapter, or any successor entity to the Federal Accountability and Spending Transparency Commission.

''(4) CHAIRMAN.—The term 'Chairman' means the Chairman of the Federal Accountability and Spending Transparency Commission.

''(5) EXECUTIVE AGENCY.—The term 'Executive agency' has the meaning provided by section 105 of title 5, except the term does not include the Government Accountability Office.

''(6) FOREIGN CORRUPT PRACTICES ACT OF 1977.—The term 'Foreign Corrupt Practices Act of 1977' means—

''(A) section 30A of the Securities Exchange Act of 1934 (15 U.S.C. 78dd–1); and

''(B) sections 104 and 104A of the Foreign Corrupt Practices Act (15 U.S.C. 78dd–2).

''§ 3602. Recipient reporting requirement

''(a) REQUIREMENT.—Each recipient shall report to the Commission each receipt and use of Federal funds pursuant to a Federal award.

''(b) CHARACTERISTICS OF REPORTS.—

''(1) FREQUENCY OF REPORTS.—

''(A) IN GENERAL.—The Commission shall designate, by rule, the frequency of reports to be submitted by recipients under subsection (a), but the frequency shall not be less than once each quarter.

''(B) DEADLINES.—The Commission shall, by rule, specify deadlines by which a particular receipt or use of Federal funds must be reported by a recipient under subsection (a). In specifying deadlines under this subparagraph, the Commission shall take into account the capabilities of the management and accounting systems and processes of recipients. The Commission shall, by rule, provide for extensions of the deadlines specified under this subparagraph in cases of hardship or emergency.

''(C) CONTINUOUS OR AUTOMATIC REPORTING.—To the extent practicable, the Commission shall require continuous or automatic reporting for compliance with this section.

''(2) CONTENT OF REPORTS.—Each report submitted by a recipient under subsection (a) shall contain the following information:

''(A) An identification of the recipient, including the recipient's name and location (including city, county, State, congressional district, and country), with location information provided in proper United States Postal Service standardized format, including ZIP+4, or proper international postal service standardized format where applicable.

''(B) An identification of the recipient and the parent entity of the recipient, if the recipient is owned by another entity.

''(C) An identification of the Executive agency.

''(D) An identification of the Federal award.

''(E) If applicable, an identification of the program pursuant to which the Federal award was awarded.

''(F) The total amount of Federal funds received from that Executive agency for the Federal award, during the period covered by the report.

''(G) The amount of Federal funds from the Federal award that were expended or obligated by the recipient to projects or activities during the period covered by the report.

''(H) A list of all projects or activities for which Federal funds were expended or obligated.

''(I) If the Federal award is a prime award, an identification of its immediate subawards.

''(J) If the Federal award is a subaward, an identification of its immediate prime award.

''(K) Such additional information reasonably related to the receipt and use of Federal funds as the Commission shall, by rule, require.

''(3) USE OF DATA STANDARDS.—The reports submitted under this section shall use the common data elements and data reporting standards designated by the Commission under section 3611 of this title.

''(c) FULFILLMENT OF REQUIREMENTS BY PRIME AWARDEES.—The Commission shall, by rule, permit prime awardees to fulfill the requirements of this section on behalf of subawardees, so long as all subaward tiers are reported.

''(d) GUIDANCE BY COMMISSION.—The Commission shall issue guidance to recipients on compliance with this section.

''(e) PREPOPULATION.—To the extent practicable, the Commission shall prepopulate its electronic systems for the submission of reports required by this section with data submitted to it by agencies under section 3603 of this title, and shall permit recipients either to confirm that prepopulated data is correct or, if it is incorrect, to make corrections.

''(f) REGISTRATION.—Recipients required to report information under subsection (a) shall register with the Central Contractor Registration database or complete such other registration requirements as the Commission shall, by rule, require.

''§ 3603. Agency reporting requirement

''(a) REQUIREMENT.—Each Executive agency shall report to the Commission all obligations and expenditures of Federal funds.

''(b) CHARACTERISTICS OF REPORTS.—

''(1) FREQUENCY OF REPORTS.—

''(A) IN GENERAL.—The Commission shall designate, by rule, and after consultation with the Office of Management and Budget, the frequency of reports to be submitted by agencies under subsection (a), but the frequency shall not be less than once each quarter.

''(B) DEADLINES.—The Commission shall, by rule, and after consultation with the Office of Management and Budget, specify the deadline by which an obligation or expenditure must be reported by an agency under subsection (a).

''(C) CONTINUOUS OR AUTOMATIC REPORTING.—To the extent practicable, the Commission shall require continuous or automatic reporting for compliance with this section.

''(2) CONTENT OF REPORT.—

''(A) INFORMATION RELATING TO FEDERAL AWARDS.—Each report submitted by an Executive agency under subsection (a) that relates to a Federal award shall contain the following information for that Federal award:

''(i) An identification of the recipient, including the recipient's name and location (including city, State, congressional district, and country), with location information provided in proper United States Postal Service standardized format, including ZIP+4, or proper international postal service standardized format where applicable.

''(ii) An identification of the recipient and the parent entity of the recipient, should the entity be owned by another entity.

''(iii) An identification of the Executive agency.

''(iv) An identification of the Federal award.

''(v) If applicable, an identification of the program pursuant to which the Federal award was awarded.

''(vi) If necessary, the total amount of the award.

''(vii) The total amount of Federal funds received by the recipient from the Executive agency for the Federal award, during the period covered by the report.

''(viii) Information on the award, including transaction type, funding agency, the North American Industry Classification System code or Catalog of Federal Domestic Assistance number (if applicable), the program source, and an award title descriptive of the purpose of each funding action.

''(ix) Such additional information reasonably related to the Federal award as the Commission shall, by rule, require.

''(B) INFORMATION NOT RELATING TO FEDERAL AWARDS.—The content of each report submitted by an Executive agency under subsection (a) that does not relate to a Federal award shall be designated by the Commission, by rule, and after consultation with the Office of Management and Budget.

''(C) IDENTIFICATION INFORMATION.—To the extent practicable, reports submitted by agencies under subsection (a) shall identify the programs, budget functions, Treasury accounts, and appropriations categories pursuant to which Federal funds are obligated or expended.

''(D) USE OF OTHER REPORTING INFORMATION.—To the extent practicable, the Commission shall permit agencies to comply with subsection (a) by submitting the same information that they submit or contribute for other governmentwide reporting requirements, including the following:

''(i) For information about Federal awards—

''(I) the Federal assistance awards data system established pursuant to section 6102a of title 31, United States Code;

''(II) the Federal procurement data system established pursuant to section 1122(a)(4) of title 41, United States Code;

''(III) the common application and reporting system established pursuant to section 6 of the Federal Financial Assistance Management Improvement Act of 1999 (31 U.S.C. 6101 note); or

''(IV) such systems as may be established to replace or supplement the systems identified in this clause.

''(ii) For information about internal expenditures and accounting, the Federal Agencies' Centralized Trial-Balance Systems (FACTS I and FACTS II), the Governmentwide Financial Report System (GFRS), the Intragovernmental Fiduciary Confirmation System (IFCS), or such systems as may be established to replace or supplement such systems.

''(3) USE OF DATA STANDARDS.—The reports submitted under this section shall use the common data elements and data reporting

standards designated by the Commission under section 3611 of this title.

''(4) INFORMATION ALSO SUBJECT TO RECIPIENT REPORTING REQUIREMENT.—In complying with this section, each Executive agency shall identify, to the extent practicable, Federal awards made by the agency that are subject to the recipient reporting requirement of section 3602 of this title so that information reported by recipients and information reported by the agency can be directly compared.

''(c) GUIDANCE BY COMMISSION.—The Commission shall issue guidance to Executive agencies on compliance with this section.

''(d) COMMISSION TO MONITOR COMPLIANCE.—The Commission shall regularly report to Congress on each Executive agency's compliance with this section, including the timeliness, completeness, accuracy, and interoperability of the data submitted by each Executive agency. The Commission shall make these reports publicly available contemporaneously online.

''§ 3604. Treasury reporting requirement

''(a) REQUIREMENT.—The Department of the Treasury shall report to the Commission disbursements of Federal funds.

''(b) CHARACTERISTICS OF REPORTS.—

''(1) FREQUENCY OF REPORTS.—

''(A) IN GENERAL.—The Commission and the Secretary of the Treasury shall determine the frequency of reports submitted by the Department of the Treasury under subsection (a), but the frequency shall not be less than once each quarter.

''(B) CONTINUOUS OR AUTOMATIC REPORTING.—To the extent practicable, the Commission and the Department of the Treasury shall establish continuous or automatic reporting for compliance with this section.

''(2) CONTENT OF REPORT.—

''(A) The Commission and the Secretary of the Treasury shall determine the content of reports submitted by the Department of the Treasury under subsection (a).

''(B) To the extent practicable, reports submitted by the Department of the Treasury under subsection (a) shall identify the programs, budget functions, Treasury accounts, and appropriations categories pursuant to which Federal funds are disbursed.

''(3) USE OF DATA STANDARDS.—The reports submitted under this section shall use the common data elements and data reporting standards designated by the Commission under section 3611 of this title.

''(c) COMMISSION TO MONITOR COMPLIANCE.—The Commission shall regularly submit to Congress reports on compliance by the Department of the Treasury with this section, including the timeliness, completeness, accuracy, and interoperability of the data submitted. The Commission shall make all reports submitted under this subsection publicly available contemporaneously online.

''§ 3605. Exemptions from recipient reporting requirement

''(a) EXEMPTION.—A recipient is exempt from the reporting requirement of section 3602 of this title with respect to funds received pursuant to a Federal award if—

''(1) the recipient is an individual; and

''(2) either—

''(A) the total amount of Federal funds received by the recipient does not exceed $100,000 in the current calendar year or fiscal year; or

''(B) no transaction in which the recipient has received Federal funds during the current calendar year or fiscal year has exceeded $24,999.

''(b) AUTHORITY TO GRANT ADDITIONAL EXEMPTIONS.—The Commission may, by rule, grant additional exemptions under this section for classes or categories of recipients.

''(c) ADJUSTMENT FOR INFLATION.—The Commission shall, by rule, provide for an adjustment of the dollar thresholds specified in subsection (a)(2) to maintain the constant dollar value of the threshold.''.

(b) CLERICAL AMENDMENT.—The table of chapters at the beginning of subtitle III of title 31, United States Code, is amended by inserting after the item relating to chapter 35 the following new item:

''36. Accountability and Transparency in Federal Spending ..... 3601''.

SEC. 102. DATA STANDARDIZATION FOR ACCOUNTABILITY AND TRANSPARENCY IN FEDERAL SPENDING.

Chapter 36 of title 31, United States Code, as added by section 101, is amended by adding at the end the following new subchapter:

''SUBCHAPTER II—DATA STANDARDIZATION

''§ 3611. Data standardization for reporting information

''(a) COMMON DATA ELEMENTS.—

''(1) REQUIREMENT.—The Commission shall, by rule, designate common data elements, such as codes, identifiers, and fields, for information required to be reported by recipients and agencies under this chapter, including identifiers for recipients, awards, and agencies.

''(2) CHARACTERISTICS OF COMMON DATA ELEMENTS.—The common data elements designated under this subsection shall, to the extent practicable, be nonproprietary.

''(3) EXISTING COMMON DATA ELEMENTS.—In designating common data elements under this subsection, the Commission shall, to the extent practicable, ensure interoperability and incorporate the following:

''(A) Common data elements developed and maintained by an international voluntary consensus standards body, as defined by the Office of Management and Budget, such as the International Organization for Standardization.

''(B) Common data elements developed and maintained by intragovernmental partnerships, such as the National Information Exchange Model.

''(C) Common data elements developed and maintained by Federal entities with authority over contracting and financial assistance, such as the Federal Acquisition Regulatory Council.

''(D) Common data elements developed and maintained by accounting standards organizations.

''(b) DATA REPORTING STANDARDS.—

''(1) REQUIREMENT.—The Commission shall, by rule, designate data reporting standards to govern the reporting required to be performed by recipients and agencies under this title.

''(2) CHARACTERISTICS OF DATA REPORTING STANDARDS.—The data reporting standards designated under this subsection shall, to the extent practicable—

''(A) incorporate a widely accepted, nonproprietary, searchable, platform-independent computer-readable format;

''(B) be consistent with and implement applicable accounting principles; and

''(C) be capable of being continually upgraded as necessary.

''(3) EXISTING DATA REPORTING STANDARDS.—In designating reporting standards under this subsection, the Commission shall, to the extent practicable, incorporate existing nonproprietary standards, such as the eXtensible Business Reporting Language (XBRL).

''§ 3612. Full disclosure of information

''The Commission shall publish online all information submitted by recipients and agencies pursuant to sections 3602, 3603, and 3604 of this title in accordance with the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note).

''§ 3613. Federal accountability portal

''(a) REQUIREMENT.—The Commission shall establish and maintain a government-wide Internet-based data access system, to be known as a 'Federal accountability portal', to carry out the functions described in subsection (b).

''(b) FUNCTIONS.—

''(1) IN GENERAL.—The Federal accountability portal shall incorporate—

''(A) information submitted by recipients and agencies under sections 3602, 3603, and 3604 of this title;

''(B) other information maintained by Federal, State, local, and foreign government agencies; and

''(C) other commercially and publicly available information.

''(2) SPECIFIC FUNCTIONS.—The Federal accountability portal shall be designed and operated to carry out the following functions:

''(A) Combine information submitted by recipients and agencies under sections 3602, 3603, and 3604 of this title with other compilations of information, including those listed in paragraph (1).

''(B) Permit Executive agencies, in accordance with applicable law, to verify the eligibility and responsibility of recipients and potential recipients with respect to the receipt and use of Federal funds.

''(C) Permit Executive agencies, inspectors general, law enforcement agencies, and appropriate State authorities, in accordance with applicable law, to track Federal awards and recipients to detect and prevent waste, fraud, and abuse.

''(D) Serve as the primary accountability portal for the entire Federal Government.

''(c) GUIDANCE BY COMMISSION.—The Commission shall issue guidance on the use of and access to the Federal accountability portal.

''§ 3614. Agency responsibilities

''(a) REQUIREMENT.—As a condition of receipt of Federal funds of an Executive agency pursuant to any Federal award, the Executive agency shall require any recipient of such funds to provide the information required under section 3602 of this title.

''(b) PENALTIES FOR RECIPIENT NONCOMPLIANCE.—

''(1) IN GENERAL.—The head of an Executive agency may impose a civil penalty in an amount not more than $250,000 on a recipient of Federal funds from that Executive agency that does not provide the information required under section 3602 of this title or provides information that contains a material omission or misstatement.

''(2) NONPRECLUSION.—The imposition of a civil penalty under this subsection does not preclude any other criminal or civil statutory, common law, or administrative remedy that is available by law to the United States or any other person. Any amounts received from a civil penalty under this subsection shall be deposited in the Treasury of the United States to the credit of the appropriation or appropriations from which the award is made.

''(3) NOTIFICATION.—The head of an Executive agency shall provide a written notification to a recipient that fails to provide the information required under section 3602 of this title or provides information that contains a material omission or misstatement. Such notification shall provide the recipient with information on how to comply with the requirements of such section 3602 and notice of the penalties for failing to do so. The head of the Executive agency may not impose a civil penalty under paragraph (1) until 60 days after the date of the notification.

''(c) COMPLIANCE WITH COMMISSION GUIDANCE.—Executive agencies shall comply with the instructions and guidance issued by the Commission under this Act.

''(d) INFORMATION AND ASSISTANCE.—

''(1) IN GENERAL.—Upon request of the Commission for information or assistance from any Executive agency or other entity of the Federal Government, the head of such entity shall, insofar as is practicable and not in contravention of any existing law, furnish such information or assistance to the Commission, or an authorized designee.

''(2) REPORT OF REFUSALS.—Whenever information or assistance requested by the Commission is, in the judgment of the Commission, unreasonably refused or not provided, the Commission shall report the circumstances to Congress.

''(e) REQUIREMENT TO USE COMMON DATA ELEMENTS AND DATA REPORTING STANDARDS.—After the Commission designates any common data element or data reporting standard under section 3611 of this title, each Executive agency shall issue guidance that requires every recipient of Federal funds under any of its Federal awards to use that common data element or data reporting standard for any information reported to that Executive agency to which the common data element or data reporting standard is applicable.

''(f) PREPOPULATION.—To the extent practicable, each Executive agency shall use data from the website maintained by the Commission under the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note) to prepopulate any electronic systems maintained by that agency for the submission of reports on the receipt and use of Federal funds distributed by that agency.

''§ 3615. Consolidated financial reporting

''(a) REPORT IDENTIFYING RECIPIENT FINANCIAL REPORTING REQUIREMENTS TO BE CONSOLIDATED.—In consultation with the Office of Management and Budget, each Executive agency shall, not later than two years after the effective date of this chapter, submit to the President, Congress, and the Commission a report that—

''(1) describes any agency-specific financial reporting requirements for recipients of Federal funds pursuant to a Federal award from the agency;

''(2) identifies every element of information that such recipients must regularly submit to the agency pursuant to such requirements; and

''(3) for each element so identified, identifies whether that element or a similar element is already being reported to the Commission by such recipients under this title.

''(b) DATE CERTAIN THAT RECIPIENTS MAY USE CONSOLIDATED FINANCIAL REPORTING.—Beginning on the date that is three years after the effective date of this chapter, recipients of Federal funds are deemed to have satisfied the agency-specific financial reporting requirements identified in the reports required by subsection (a) by transmitting the same information to the Commission, in a manner prescribed by the Commission.

''(c) RECIPIENT NOTIFICATION.—After an Executive agency has submitted its report under subsection (a), the Executive agency shall issue guidance notifying recipients of Federal funds under its awards that they may, as of the date that is three years after the effective date of this chapter, satisfy those agency-specific financial reporting requirements identified by the agency in its report required under subsection (a) by reporting the same information to the Commission only.

''(d) COMMISSION RESPONSIBILITIES.—

''(1) After an Executive agency submits its report under subsection (a), the Commission shall promulgate rules describing the manner in which the agency-specific financial reporting requirements identified in the report may be met by recipients of Federal funds from that agency through reporting to the Commission only.

''(2) Upon receipt of agency-specific financial reporting information as described under this section, the Commission shall immediately make such information available to the Executive agency to which the information had previously been required to be submitted.

''§ 3616. Office of Management and Budget responsibilities

''After the Commission designates any common data element or data reporting standard under section 3611 of this title, the Director of the Office of Management and Budget shall issue guidance that requires Executive agencies to use that common data element or data reporting standard for any information reported by Executive agencies to the Office of Management and Budget to which the common data element or data reporting standard is applicable.

''§ 3617. Treasury responsibilities

''After the Commission designates any common data element or data reporting standard under section 3611 of this title, the Secretary of the Treasury shall issue guidance that requires Executive agencies to use that common data element or data reporting standard for any information reported by Executive agencies to the Department of the Treasury to which the common data element or data reporting standard is applicable.

''§ 3618. General Services Administration responsibilities

''After the Commission designates any common data element or data reporting standard under section 3611 of this title, the Administrator of General Services shall apply that common data element or data reporting standard for any information contained in acquisition-related databases maintained by the General Services Administration to which the common data element or data reporting standard is applicable.''.

SEC. 103. AMENDMENTS TO THE FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT OF 2006.

(a) ADDITIONAL REQUIREMENTS FOR USASPENDING.GOV.—Section 2(c) of the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note) is amended—

(1) by striking paragraphs (1) and (2);

(2) by redesignating paragraphs (3), (4), and (5) as paragraphs (1), (2), and (3), respectively; and

(3) by adding at the end the following new paragraphs:

''(4) shall, to the extent practicable, publish data under this section in a manner that complies with applicable principles and best practices in the private sector for the publication of open government data;

''(5) shall serve as a public portal for Federal financial information, including information concerning all Federal awards and information concerning the expenditure of all Federal funds;

''(6) shall—

''(A) make available all information published under subsections (b), (c), and (d) in a reasonably timely manner;

''(B) make available all information published under subsections (b), (c), and (d), using the common data elements and data reporting standards designated by the Commission under section 3611 of title 31, United States Code;

''(C) make available all information published under subsections (b), (c), and (d) without charge, license, or registration requirement;

''(D) permit all information published under subsections (b), (c), and (d) to be searched and aggregated;

''(E) permit all information published under subsections (b), (c), and (d) to be downloaded, including downloaded in bulk;

''(F) to the extent practicable, disseminate information published under subsections (b), (c), and (d) via automatic electronic means;

''(G) to the extent practicable, permit information published under subsections (b), (c), and (d) to be freely shared by the public, such as by social media; and

''(H) to the extent practicable, use permanent uniform resource locators for information published under subsections (b), (c), and (d).''.

(b) REQUIREMENT TO REPORT ALL DATA SUBMITTED UNDER DATA ACT AND CHAPTER 61 OF TITLE 31 ON USASPENDING.GOV.—Section 2 of the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note), as amended by subsection (a), is further amended—

(1) by striking subsections (d) and (e);

(2) by redesignating subsection (c) as subsection (e); and

(3) by inserting after subsection (b) the following new subsections (c) and (d):

''(c) FULL DISCLOSURE OF DATA SUBMITTED UNDER THE DIGITAL ACCOUNTABILITY AND TRANSPARENCY ACT OF 2012.—

''(1) REQUIREMENT.—The Commission shall publish on the website established under this section all information submitted by recipients and agencies pursuant to sections 3602, 3603, and 3604 of title 31, United States Code, as added by the Digital Accountability and Transparency Act of 2012.

''(2) AGGREGATION OF INFORMATION THAT IS EXEMPT FROM RECIPIENT REPORTING REQUIREMENT.—The Commission shall publish, online and in the aggregate, information that is exempt from recipient reporting under section 3605 of such title but that is reported by an Executive agency under section 3603 of such title in the aggregate.

''(d) FULL DISCLOSURE OF INFORMATION REQUIRED BY CHAPTER 61 OF TITLE 31.—The Commission shall publish on the website established under this section all information contained in the information system required under section 6103 of title 31, United States Code.''.

(c) ADDITIONAL DEFINITIONS.—Subsection 2(a) of the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note) is amended by adding at the end the following:

''(4) RECIPIENT.—The term 'recipient' means—

''(A) any person that receives Federal funds pursuant to a Federal award, either directly or through a subgrant or subcontract at any tier; and

''(B) any State, local, or tribal government, or any government corporation, that receives Federal funds pursuant to a Federal award, either directly or through a subgrant or subcontract at any tier.

''(5) COMMISSION.—The term 'Commission' means the Federal Accountability and Spending Transparency Commission established under subchapter III of chapter 36 of title 31, United States Code, or any successor entity to the Federal Accountability and Spending Transparency Commission.''.

(d) NEW TECHNOLOGIES.—Section 2(f) of the Federal Funding Accountability and Transparency Act of 2006 is amended—

(1) by striking ''Nothing'' and inserting the following:

''(1) ACCESS TO OTHER DATA.—Nothing''; and

(2) by adding at the end the following new paragraph:

''(2) NEW TECHNOLOGIES.—Nothing in this Act shall prohibit the Commission from complying with the requirements of this section using such new technologies as may replace websites for data publication and dissemination.''.

(e) CONFORMING AMENDMENTS TO REPLACE OMB WITH COMMISSION FOR MANAGEMENT OF USASPENDING.GOV.—Section 2 of such Act (31 U.S.C. 6101 note) is further amended—

(1) in subsection (b), by striking ''Office of Management and Budget'' and inserting ''Commission'' both places it appears in paragraph (1); and

(2) in subsection (g), by striking ''Director of the Office of Management and Budget'' and inserting ''Commission'' in paragraph (1) and in paragraph (3).

(f) REPEAL OF SUPERSEDED PROVISIONS.—Section 2(b) of such Act (31 U.S.C. 6101 note) is further amended by striking paragraphs (3) and (4).

(g) TECHNICAL AND CONFORMING AMENDMENTS.—Such Act (31 U.S.C. 6101 note) is further amended—

(1) in section 2(b), by striking ''Not later than January 1, 2008, the'' and inserting ''The''; and

(2) in section 2(g)—

(A) by striking ''Committee on Government Reform'' and inserting ''Committee on Oversight and Government Reform''; and

(B) in paragraph (2)—

(i) by inserting ''and'' at the end of subparagraph (A);

(ii) by striking ''; and'' at the end of subparagraph (B) and inserting a period; and

(iii) by striking subparagraph (C).

SEC. 104. EFFECTIVE DATE AND DEADLINES FOR ACCOUNTABILITY AND TRANSPARENCY IN FEDERAL SPENDING.

(a) EFFECTIVE DATE.—Chapter 36 of title 31, United States Code, as added by section 101, is further amended by adding at the end the following new subchapter:

''SUBCHAPTER IV—GENERAL PROVISIONS

''§ 3641. Independence of inspectors general

''Nothing in this chapter shall affect the independent authority or discretion of an inspector general to determine whether or how to conduct an audit, investigation, or any other function authorized by the Inspector General Act of 1978 (5 U.S.C. App.), or to disclose any information relating to an audit or investigation.

''§ 3642. Effective date

''This chapter takes effect on the date of the enactment of this chapter.''.

(b) DEADLINES FOR IMPLEMENTATION.—

(1) DEADLINE FOR APPOINTMENT OF COMMISSIONERS.—Within 60 days after the effective date of this Act, the President shall appoint Commissioners to the Commission under section 3622 of title 31, United States Code, as added by this Act.

(2) COMMISSION DEADLINES.—

(A) Within 60 days after the effective date of this Act, the Commission shall establish the committee required under section 3627 of title 31, United States Code, as added by this Act.

(B) Within 180 days after the effective date of this Act, the Commission shall—

(i) promulgate rules and issue guidance under sections 3602 and 3603 of title 31, United States Code, as added by this Act;

(ii) together with the Secretary of the Treasury, determine the frequency and content of reports to be submitted to the Commission by the Department of the Treasury under section 3604 of such title, as so added;

(iii) designate common data elements under section 3611(a) of such title and data reporting standards under section 3611(b) of such title, as so added; and

(iv) establish one or more websites under the Federal Funding Accountability and Transparency Act of 2006, as amended by this Act.

(3) AGENCY AND DEPARTMENT DEADLINES.—

(A) Within one year after the effective date of this Act, each Executive agency shall implement section 3614(a) of title 31, United States Code, as added by this Act.

(B) Within two years after the Commission designates any common data element or data reporting standard under section 3611 of such title, as so added—

(i) each Executive agency shall issue guidance under section 3614(e) of such title, as so added;

(ii) the Director of the Office of Management and Budget shall issue guidance under section 3615 of such title, as so added; and

(iii) the Administrator of General Services shall take the actions required under section 3617 of such title, as so added.

(4) TREASURY DEADLINES.—

(A) Within 180 days after the effective date of this Act, the Secretary of the Treasury, together with the Commission, shall determine the frequency and content of reports to be submitted to the Commission by the Department of the Treasury under section 3604 of title 31, United States Code, as added by this Act.

(B) Within 180 days after the Commission and the Secretary of the Treasury determine the frequency and content of reports to be submitted to the Commission by the Department of the Treasury under section 3604 of such title, as so added, the Department of the Treasury shall begin to submit such reports to the Commission.

(C) Within two years after the Commission designates any common data element or data reporting standard under section 3611 of such title, as so added, the Secretary of the Treasury shall issue guidance under section 3616 of such title, as so added.

(5) RECIPIENT DEADLINES.—Notwithstanding any other provision of this Act or the amendments made by this Act, no recipient shall be required to comply with this Act or such amendments until 180 days after the Commission has issued rules and guidance under section 3602 of title 31, United States Code, as added by this Act.

(6) TRANSFER OF USASPENDING.GOV.—Within 180 days after the effective date of this Act, the Commission and the Office of Management and Budget shall transfer the management and control of USASpending.gov from the Office of Management and Budget to the Commission, as required by the Federal Funding Accountability and Transparency Act of 2006, as amended by this Act.

TITLE II—FEDERAL ACCOUNTABILITY AND SPENDING TRANSPARENCY COMMISSION

SEC. 201. FEDERAL ACCOUNTABILITY AND SPENDING TRANSPARENCY COMMISSION.

Chapter 36 of title 31, United States Code, as added by section 101, is further amended by inserting after subchapter II the following new subchapter:

''SUBCHAPTER III—FEDERAL ACCOUNTABILITY AND SPENDING TRANSPARENCY COMMISSION

''§ 3621. Establishment

''(a) ESTABLISHMENT.—There is established the Federal Accountability and Spending Transparency Commission as an independent agency in the Executive Branch.

''(b) FUNCTIONS AND POWERS TRANSFERRED.—

''(1) FUNCTIONS TRANSFERRED.—Except as provided in this section, there are transferred to the Commission all functions of the Recovery Accountability and Transparency Board.

''(2) POWERS, AUTHORITIES, RIGHTS, AND DUTIES.—The Federal Accountability and Spending Transparency Commission shall succeed to all powers, authorities, rights, and duties that were vested in the Recovery Accountability and Transparency Board on the day before the effective date of this chapter.

''§ 3622. Composition of the Commission

''(a) MEMBERS.—

''(1) IN GENERAL.—The Commission shall be composed of five Commissioners who shall be appointed by the President, by and with the consent of the Senate.

''(2) PARTY AFFILIATION.—Not more than three of the members of the Commission shall be members of the same political party.

''(3) TERM.—Each Commissioner shall hold office for a term of five years and until a successor is appointed and has qualified, except that—

''(A) a Commissioner shall not so continue to serve beyond the expiration of the next session of Congress subsequent to the expiration of such term of office;

''(B) any Commissioner appointed to fill a vacancy occurring prior to the expiration of the term for which that Commissioner's predecessor was appointed shall be appointed for the remainder of such term; and

''(C) the terms of office of the Commissioners first taking office after the enactment of this paragraph shall expire as designated by the President at the time of nomination, one at the end of one year, one at the end of two years, one at the end of three years, one at the end of four years, and one at the end of five years.

''(4) COMPENSATION.—An individual appointed to the Commission under this subsection shall be compensated at the rate of basic pay prescribed for level III of the Executive Schedule under section 5314 of title 5.

''(b) CHAIRMAN.—

''(1) IN GENERAL.—The President shall appoint, by and with the advice and consent of the Senate, a member of the Commission as Chairman, who shall serve as Chairman at the pleasure of the President. An individual may be appointed as Chairman at the same time that person is appointed as a Commissioner. At any time, the President may appoint, by and with the advise and consent of the Senate, a different Chairman, and the Commissioner previously appointed as Chairman may complete that Commissioner's term as a Commissioner.

''(2) DUTIES.—The Chairman shall be the chief administrative officer of the Commission and shall preside at meetings of the Commission.

''(3) POWERS AND FUNCTIONS.—

''(A) Except as otherwise provided in this paragraph and in section 3625 of this chapter, the executive and administrative functions of the Commission, including functions of the Commission with respect to the appointment and supervision of personnel employed under the Commission, the distribution of business among such personnel and among administrative units of the Commission, and the use and expenditure of funds, according to budget categories, plans, programs, and priorities established and approved by the Commission, shall be exercised solely by the Chairman.

''(B) In carrying out any of his functions under the provisions of this paragraph, the Chairman shall be governed by the general policies, plans, priorities, and budgets approved by the Commission and by such regulatory decisions, findings, and determinations as the Commission may by law be authorized to make.

''(C) The appointment by the Chairman of the heads of major administrative units under the Commission shall be subject to the approval of the Commission.

''(D) Personnel employed regularly and full time in the immediate offices of Commissioners other than the Chairman shall not be affected by the provisions of this paragraph.

''(E) The Commission shall be responsible for the functions of revising budget estimates of the Commission and determining the distribution of appropriated funds according to major programs and purposes of the Commission.

''(F) The Chairman may authorize the performance by any officer, employee, or administrative unit under the Chairman's jurisdiction of any functions of the Chairman under this paragraph.

''(4) LIMITATION ON TERMS.—No person appointed as Chairman under this subsection shall serve as Chairman for more than 10 years, whether or not such service is consecutive.

''(5) INTERIM CHAIRMAN.—Upon the effective date of this chapter, the person serving as Chairperson of the Recovery Accountability and Transparency Board on the day before the effective date of this chapter shall serve as acting Chairman of the Commission until the President appoints a Chairman of the Commission pursuant to this subsection.

''(c) VACANCIES.—A vacancy in the Commission shall not impair the right of the remaining Commissioners to exercise all the powers of the Commission.

''§ 3623. Functions

''(a) IN GENERAL.—The Commission shall—

''(1) be responsible for the collection, storage, and public disclosure of information about Federal spending;

''(2) serve as the authoritative government source for the information about Federal spending that it collects; and

''(3) coordinate and conduct oversight of Federal funds in order to prevent waste, fraud, and abuse.

''(b) SPECIFIC FUNCTIONS.—The functions of the Commission shall include each of the following:

''(1) Receiving, storing, and publicly disseminating all of the information that is reported to it under sections 3602, 3603, and 3604 of this title.

''(2) Reviewing whether reporting under section 3602 of this title meets applicable standards and specifies the purpose of the Federal award and measures of performance.

''(3) Identifying possible criminal activity and referring such matters to appropriate Federal, State, and local law enforcement authorities.

''(4) Supporting ongoing criminal investigations, prosecutions, and related proceedings.

''(5) Furnishing research, analytical, and informational services to Executive agencies, inspectors general, law enforcement agencies, and appropriate State authorities in the interest of detection, prevention, and prosecution of waste, fraud, and abuse of Federal funds.

''(6) Regularly evaluating the quality of the data submitted to it under sections 3602, 3603, and 3604 of this title.

''(7) Standardizing common data elements and data reporting standards to foster transparency and accountability for Federal spending, as required by section 3611 of this title.

''(8) Reviewing whether there are appropriate mechanisms for interagency collaboration relating to Federal funds, including coordinating and collaborating to the extent practicable with the Council of the Inspectors General on Integrity and Efficiency established by section 11 of the Inspector General Act of 1978 (5 U.S.C. App.).

''(9) Issuing a report in accordance with subsection (e) on the feasibility of collecting and publishing online tax expenditures data.

''(c) PRIORITIES IN ANALYSES AND REVIEWS.—

''(1) IN GENERAL.—To the extent practicable, the Commission shall give high priority to analyses and reviews relating to Federal funds—

''(A) awarded without the use of competitive procedures; or

''(B) awarded to any contractor found to be in violation of the Foreign Corrupt Practices Act of 1977.

''(2) IDENTIFICATION.—The Commission shall identify any contractor found to be in violation of the Foreign Corrupt Practices Act of 1977 as a violator of such Act in any contract information related to such contractor published online under the Federal Funding Accountability and Transparency Act of 2006.

''(d) REPORT REQUIREMENTS.—

''(1) REPORTS.—

''(A) REGULAR REPORTS ON DATA QUALITY AUDITS.—The Commission shall regularly submit to the President and Congress reports on its audits of the quality of the data submitted to it under sections 3602, 3603, and 3604 of this title.

''(B) SEMI-ANNUAL REPORTS ON ACTIVITIES.—The Commission shall submit semi-annual reports to the President and Congress, summarizing the activities and findings of the Commission and, in the Commission's discretion, the findings of inspectors general of Executive agencies that relate to the Commission's activities during the reporting period.

''(C) REPORT ON SAVINGS.—Not later than five years after the effective date of this chapter, the Commission shall submit to the President, Congress, and the Comptroller General of the United States a report containing estimates of the direct and indirect cost savings to the Treasury achieved as a result of the Commission's activities.

''(D) OTHER REPORTS.—Section 2(f) of the Federal Funding Accountability and Transparency Act of 2006 requires another report by the Commission.

''(2) PUBLIC AVAILABILITY.—The Commission shall make all reports submitted under paragraph (1) publicly available contemporaneously online.

''(3) GAO EVALUATION.—Upon receipt of the report submitted by the Commission under paragraph (1)(C), the Comptroller General shall conduct an evaluation of the report and submit the evaluation to Congress within six months after receipt of the report, with such findings and recommendations as the Comptroller General considers appropriate.

''(e) TAX EXPENDITURES REPORT.—

''(1) IN GENERAL.—For purposes of subsection (b)(7), not later than one year after the effective date of this chapter, the Commission shall submit to the appropriate congressional committees a report on tax expenditures data that includes the following:

''(A) A description of processes that could be put in place to collect and disseminate tax expenditures data, and the potential effects of making such data publicly available on the Internal Revenue Service, taxpayers, and other relevant parties determined by the Commission.

''(B) Any changes in law that are needed to make such tax expenditures data publicly available.

''(2) TAX EXPENDITURES DEFINED.—In this section, the term 'tax expenditures' has the meaning given that term in section 3(3) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 622(3)).

''(3) PUBLIC AVAILABILITY.—The Commission shall make the report submitted under paragraph (1) publicly available.

''(f) RECOMMENDATIONS.—

''(1) IN GENERAL.—The Commission shall make recommendations to Executive agencies on measures to prevent waste, fraud, and abuse relating to Federal funds.

''(2) RESPONSIVE REPORTS.—Not later than 30 days after receipt of a recommendation under paragraph (1), an Executive agency shall submit a report to the President, the congressional committees of jurisdiction, and the Commission on whether the Executive agency agrees or disagrees with the recommendations and any actions the Executive agency will take to implement the recommendations. The Commission shall make all reports submitted to it under this paragraph publicly available contemporaneously online.

''§ 3624. Powers

''(a) IN GENERAL.—The Commission shall conduct independent analyses and reviews of spending of Federal funds, including analyses and reviews of information maintained in the Federal accountability portal established under section 3612 of this title, and provide investigative and audit support to the inspectors general of Executive agencies.

''(b) ANALYSES AND REVIEWS.—The Commission may—

''(1) conduct its own independent analyses and reviews of spending of Federal funds; and

''(2) collaborate with and provide support for any inspector general of any Executive agency or other law enforcement authority on any audit, investigation, or other review relating to Federal funds.

''(c) AUTHORITIES.—

''(1) ANALYSES, REVIEWS, AND INVESTIGATIVE AND AUDIT SUPPORT.—In conducting analyses and reviews, and in providing investigative and audit support to inspectors general and law enforcement authorities, the Commission shall have the authorities provided under paragraphs (1), (3), and (6) through (10) of section 6(a), and section 6(b), of the Inspector General Act of 1978 (5 U.S.C. App.).

''(2) MATCHING PROGRAM AUTHORITY WITH RESPECT TO EVALUATIONS AND REVIEWS.—The authorities provided under section 6(a)(9) of the Inspector General Act of 1978 (provided to the Commission pursuant to paragraph (1)) may be used by the Commission while conducting an evaluation or other review authorized under such Act.

''(d) CONTRACTS.—

''(1) IN GENERAL.—The Commission may enter into contracts to enable the Commission to discharge its duties under this chapter, including contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, and make such payments as may be necessary to carry out the duties of the Commission.

''(2) CONTRACTING FOR MISSIONS OF OTHER AGENCIES.—The Commission may enter into contracts with any Federal agency (within or outside the executive branch) to enable such agency to identify waste, fraud, and abuse, including contracts and other arrangements for audits, studies, analyses, and other services.

''(3) CONTRACTING FOR PUBLICATION OF DATA.—The Commission may make contracts or agreements with any Federal agency (within or outside the executive branch) to publish data maintained by such agency on the website maintained under the Federal Funding Accountability and Transparency Act of 2006.

''(e) TRANSFER OF FUNDS.—The Commission may transfer funds appropriated to the Commission for expenses to support administrative support services, investigations, audits, reviews, or other activities related to oversight by the Commission of Federal funds to any office of inspector general, the Office of Management and Budget, and the General Services Administration.

''§ 3625. Employment, personnel, and related authorities

''(a) EXECUTIVE DIRECTOR.—The Commission shall have an Executive Director, who shall be appointed by the Commission and serve at the pleasure of the Commission. The

Executive Director shall report directly to the Commission and carry out the functions of the Commission subject to the supervision and direction of the Commission. The position of Executive Director shall be a career reserved position in the Senior Executive Service, as that position is defined under section 3132 of title 5.

''(b) OTHER EMPLOYEES.—The Commission may appoint and fix the compensation of such officers, attorneys, information technology professionals, and other employees as may be necessary for carrying out the functions of the Commission under this chapter.

''(c) ADMINISTRATIVE SUPPORT.—The General Services Administration shall provide the Commission with administrative support services, including the provision of office space and facilities.

''§ 3626. Transfer of certain personnel

''(a) RECOVERY ACCOUNTABILITY AND TRANSPARENCY BOARD EMPLOYEES.—The Chairman or Executive Director, or both, shall identify employees of the Recovery Accountability and Transparency Board for transfer to the Commission, and such identified employees shall be transferred to the Commission for employment.

''(b) PAY.—

''(1) Except as provided in paragraph (2), each transferred employee shall, during the 2-year period beginning on the effective date of this chapter, receive pay at a rate equal to not less than the basic rate of pay (including any geographic differential) that the employee received during the pay period immediately preceding the date of transfer.

''(2) Paragraph (1) does not limit the right of the Commission to reduce the rate of basic pay of a transferred employee for cause, for unacceptable performance, or with the consent of the employee.

''(3) Paragraph (1) applies to a transferred employee only while that employee remains employed by the Commission.

''§ 3627. Advisory committee to Commission

''(a) ESTABLISHMENT AND PURPOSE.—

''(1) ESTABLISHMENT.—The Commission shall establish an advisory committee to be known as the Federal Accountability and Spending Transparency Advisory Committee (in this section referred to as the 'Advisory Committee').

''(2) PURPOSE.—The Advisory Committee shall submit to the Commission such findings and recommendations related to the Commission's implementation of this chapter as it determines are appropriate.

''(b) MEMBERSHIP AND CHAIRPERSON.—

''(1) IN GENERAL.—The Commission shall appoint no fewer than 10, and no more than 20, members to the Advisory Committee, from among individuals who—

''(A) represent the interests of recipients of Federal contracts;

''(B) represent the interests of State, local, and tribal governments receiving Federal grants;

''(C) represent the interests of other recipients of Federal funds; and

''(D) represent nonprofit organizations that advocate transparency and accountability in government.

''(2) TERM.—Each member of the Advisory Committee appointed under this section shall serve for a term of three years, except that the Commission may appoint original members of the Committee to one-year and two-year terms in order to achieve staggered terms. No person shall serve more than one term.

''(3) CHAIRPERSON.—The members of the Advisory Committee shall elect a chairperson.

''(c) MEETINGS.—The Advisory Committee shall meet not less frequently than six times annually, at the call of the chairperson of the Advisory Committee.

''(d) COMPENSATION AND TRAVEL EXPENSES.—Each member of the Committee who is not a full-time employee of the United States shall—

''(1) be entitled to receive compensation at a rate not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level V of the Executive Schedule under section 5316 of title 5 for each day during which the member is engaged in the actual performance of the duties of the Committee; and

''(2) while away from the home or regular place of business of the member in the performance of services for the Committee, be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703(b) of title 5.

''(e) STAFF.—The Commission shall make available to the Advisory Committee such staff of the Commission as the chairperson of the Advisory Committee recommends is necessary to carry out this section.

''(f) REVIEW BY COMMISSION.—After receipt of any finding or recommendation from the Advisory Committee, the Commission shall—

''(1) review the finding or recommendation; and

''(2) promptly issue a public statement—

''(A) assessing the finding or recommendation of the Advisory Committee; and

''(B) disclosing the action, if any, the Commission intends to take with respect to the finding or recommendation.

''(g) ADVISORY COMMITTEE FINDINGS.—Nothing in this section shall be construed as requiring the Commission to agree to or act upon any finding or recommendation of the Advisory Committee.

''(h) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Advisory Committee.

''§ 3628. Authorization and availability of appropriations

''(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $51,000,000 for each of fiscal years 2012, 2013, 2014, 2015, 2016, 2017, 2018, and 2019 to carry out the functions of the Commission.

''(b) AVAILABILITY OF APPROPRIATIONS.—If the Recovery Accountability and Transparency Board has unobligated appropriations as of the effective date of this chapter, such appropriations are authorized to remain available to the Commission until September 30, 2015.

''§ 3629. Sunset

''This subchapter shall cease to be in effect after the date occurring seven years after the date of the enactment of this subchapter.''.

SEC. 202. CONFORMING AMENDMENT RELATING TO COMPENSATION OF CHAIRMAN.

Section 5314 of title 5, United States Code, is amended by adding at the end the following new item:

''Chairman of the Federal Accountability and Spending Transparency Commission.''.

SEC. 203. CONFORMING AMENDMENTS RELATED TO RECOVERY ACCOUNTABILITY AND TRANSPARENCY BOARD.

(a) REPEAL OF SUPERSEDED PROVISIONS IN SUBTITLE B OF TITLE XV OF PUBLIC LAW 111–5.—Subtitle B of title XV of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 287) is amended by striking sections 1521, 1522, 1525(a), 1529, and 1530.

(b) CONFORMING AMENDMENTS.—

(1) REFERENCES TO BOARD AND CHAIRPERSON.—

(A) Paragraph (2) of section 1501 of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 287) is amended to read as follows:

''(2) COMMISSION.—The term 'Commission' means the Federal Accountability and Spending Transparency Commission established in chapter 36 of title 31, United States Code.''.

(B) Such section is further amended by striking paragraph (3).

(C) The following provisions of such Act are amended by striking ''Board'' each place it appears and inserting ''Commission'' in the headings or text, as the case may be: the heading of subtitle B of title XV, and sections 1523, 1524, 1525(b), 1525(c), 1526, 1527, 1528, 1542, and 1553.

(D) Section 1513(b)(2) of such Act is amended by striking ''the quarter in which the Board terminates under section 1530'' and inserting ''the quarter ending September 30, 2013''.

(c) REPEAL OF SUBTITLE B OF TITLE XV OF PUBLIC LAW 111–5.—Effective on October 1, 2013, subtitle B of title XV of division A of such Act is repealed.

(d) REFERENCES IN FEDERAL LAW TO BOARD.—On and after the effective date of this Act, any reference in Federal law to the Recovery Accountability and Transparency Board is deemed to be a reference to the Federal Accountability and Spending Transparency Commission.

TITLE III—ADDITIONAL PROVISIONS

SEC. 301. CLASSIFIED INFORMATION.

Nothing in this Act or the amendments made by this Act shall be construed to require the public disclosure of classified information.

SEC. 302. PAPERWORK REDUCTION ACT EXEMPTION.

Section 3518(c) of title 44, United States Code, is amended—

(1) in paragraph (1), by striking ''paragraph (2)'' and inserting ''paragraph (3)'';

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following new paragraph:

''(2) Notwithstanding paragraph (3), this subchapter shall not apply to the collection of information during the conduct of any evaluation, or other review conducted by the Federal Accountability and Spending Transparency Commission, or during the conduct of any audit, investigation, inspection, evaluation, or any other review conducted by the Council of Inspectors General on Integrity and Efficiency or any office of inspector general, including any office of special inspector general.''.

SEC. 303. MATCHING PROGRAM EXCEPTION FOR INSPECTORS GENERAL.

Section 6(a) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in paragraph (8), by striking ''and'';

(2) by redesignating paragraph (9) as paragraph (10); and

(3) by inserting after paragraph (8) the following new paragraph:

''(9) notwithstanding subsections (e)(12), (o), (p), (q), (r), and (u) of section 552a of title 5, United States Code, to compare, through a matching program (as defined in such section), any Federal records with other Federal or non-Federal records, while conducting an audit, investigation, or inspection authorized under this Act to identify weaknesses that may lead to waste, fraud, or abuse and to detect improper payments and fraud; and''.

SEC. 304. TRANSFER OF CONSOLIDATED FEDERAL FUNDS REPORT.

(a) TRANSFER OF FUNCTIONS.—The Commission and the Secretary of Commerce shall transfer the functions of the Consolidated

Federal Funds Report to the website established under the Federal Funding Accountability and Transparency Act of 2006, as amended by this Act.

(b) INFORMATION.—Section 2(d) of the Federal Funding Accountability and Transparency Act of 2006, as amended by section 103 of this Act, is further amended—

(1) by striking the period at the end of paragraph (6) and inserting ''; and''; and

(2) by adding at the end the following new paragraph:

''(7) shall permit users to determine the following information:

''(A) For each fiscal year, the total amount of Federal funds that were obligated in each State, county or parish, congressional district, and municipality of the United States.

''(B) For each fiscal year, the total amount of Federal funds that were actually expended in each State, county or parish, congressional district, and municipality of the United States.''.

(c) CONFORMING REPEALS OF SUPERSEDED PROVISIONS.—Chapter 62 of subtitle V of title 31, United States Code, is repealed. The item relating to that chapter in the table of chapters at the beginning of subtitle V of such title is repealed.

SEC. 305. TRANSFER OF AUTHORITY OVER CATALOG OF FEDERAL DOMESTIC ASSISTANCE TO COMMISSION.

(a) TRANSFER OF AUTHORITY FROM ADMINISTRATOR OF GENERAL SERVICES AND DIRECTOR OF OFFICE OF MANAGEMENT AND BUDGET TO COMMISSION.—

(1) DEFINITION.—Paragraph (6) of section 6101 of title 31, United States Code, is amended to read as follows:

''(6) 'Commission' means the Federal Accountability and Spending Transparency Commission established in subchapter III of chapter 36 of this title.''.

(2) AMENDMENTS RELATING TO PROGRAM INFORMATION REQUIREMENTS.—Section 6102 of such title is amended—

(A) in subsections (a) and (b), by striking ''Administrator'' and inserting ''Commission'' both places it appears;

(B) in subsection (c)—

(i) by striking ''Administrator'' and inserting ''Commission'';

(ii) in paragraph (3), by striking ''and that the printed catalog'' and all that follows through ''printing''; and

(iii) in paragraph (4)—

(I) by striking ''transmit annually'' and inserting ''make''; and

(II) by striking ''to the Committee'' and all that follows through the period and inserting the following: ''available to the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.''.

(3) AMENDMENTS RELATING TO ASSISTANCE AWARDS INFORMATION SYSTEM.—Section 6102a of such title is amended—

(A) by striking subsection (b);

(B) by redesignating subsection (c) as subsection (b);

(C) by striking ''Director'' and inserting ''Commission'' each place it appears; and

(D) in subsection (b), as so redesignated—

(i) by striking ''transmit promptly after the end of each calendar quarter, free of charge,'' and insert ''make available''; and

(ii) by striking ''Oversight'' and inserting ''Administration''.

(4) AMENDMENTS RELATING TO ACCESS TO COMPUTER INFORMATION SYSTEM.—Section 6103 of such title is amended—

(A) in subsections (a) and (c), by striking ''Administrator'' and inserting ''Commission'' each place it appears; and

(B) by striking the text of subsection (b) and inserting the following: ''The Commission shall publish online all of the information contained in the information system under subsection (a) in accordance with the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note).''.

(5) AMENDMENTS RELATING TO CATALOG OF FEDERAL DOMESTIC ASSISTANCE PROGRAMS.—Section 6104 of such title if amended by striking ''Administrator'' and inserting ''Commission'' each place it appears.

(6) REPEAL OF AUTHORIZATION.—Section 6106 of such title is repealed.

(b) DEADLINE FOR TRANSFER OF PROGRAM INFORMATION SYSTEM AND CATALOG OF FEDERAL DOMESTIC ASSISTANCE.—Within 180 days after the effective date of this Act, the Commission and the Administrator of General Services shall transfer the management and control of the following from the Administrator to the Commission, as required by chapter 61 of title 31, United States Code, as amended by subsection (a):

(1) The computer information system required under section 6103 of such title, as so amended.

(2) The catalog of Federal domestic assistance programs required under section 6104 of such title, as so amended.

(c) DEADLINE FOR TRANSFER OF ASSISTANCE AWARDS INFORMATION SYSTEM.—Within 180 days after the effective date of this Act, the Commission and the Director of the Office of Management and Budget shall transfer the management and control of the assistance awards information system from the Director to the Commission, as required by section 6102a of title 31, United States Code, as amended by subsection (a).

SEC. 306. GOVERNMENT ACCOUNTABILITY OFFICE IMPROVEMENT.

(a) AUTHORITY TO OBTAIN INFORMATION.—

(1) AUTHORITY TO OBTAIN RECORDS.—Section 716 of title 31, United States Code, is amended in subsection (a)—

(A) by striking ''(a)'' and inserting ''(2)''; and

(B) by inserting after the section heading the following:

''(a)(1) The Comptroller General is authorized to obtain such agency records as the Comptroller General requires to discharge his duties (including audit, evaluation, and investigative duties), including through the bringing of civil actions under this section. In reviewing a civil action under this section, the court shall recognize the continuing force and effect of the authorization in the preceding sentence until such time as the authorization is repealed pursuant to law.''.

(2) COPIES.—Section 716(a) of title 31, United States Code, as amended by subsection (a), is further amended in the second sentence of paragraph (2) by striking ''inspect an agency record'' and inserting ''inspect, and make and retain copies of, an agency record''.

(b) ADMINISTERING OATHS.—Section 711 of title 31, United States Code, is amended by striking paragraph (4) and inserting the following:

''(4) administer oaths to witnesses when auditing and settling accounts and, with the prior express approval of the Comptroller General, when investigating fraud or attempts to defraud the United States, or irregularity or misconduct of an employee or agent of the United States.''.

(c) ACCESS TO CERTAIN INFORMATION.—

(1) ACCESS TO CERTAIN INFORMATION.—Subchapter II of chapter 7 of title 31, United States Code, is amended by adding at the end the following:

''§ 721. Access to certain information

''(a) No provision of the Social Security Act, including section 453(l) of that Act (42 U.S.C. 653(l)), shall be construed to limit, amend, or supersede the authority of the Comptroller General to obtain any information or to inspect or copy any record under section 716 of this title.

''(b) No provision of the Federal Food, Drug, and Cosmetic Act, including section 301(j) of that Act (21 U.S.C. 331(j)), shall be construed to limit, amend, or supersede the authority of the Comptroller General to obtain any information or to inspect or copy any record under section 716 of this title.

''(c) No provision of the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (Public Law 94–435) and the amendments made by that Act shall be construed to limit, amend, or supersede the authority of the Comptroller General to obtain any information or to inspect or copy any record under section 716 of this title, including with respect to any information disclosed to the Assistant Attorney General of the Antitrust Division of the Department of Justice or the Federal Trade Commission for purposes of pre-merger review under section 7A of the Clayton Act (15 U.S.C. 18a).

''(d)(1) The Comptroller General shall prescribe such policies and procedures as are necessary to protect from public disclosure proprietary or trade secret information obtained consistent with this section.

''(2) Nothing in this section shall be construed to—

''(A) alter or amend the prohibitions against the disclosure of trade secret or other sensitive information prohibited by section 1905 of title 18 and other applicable laws; or

''(B) affect the applicability of section 716(e) of this title, including the protections against unauthorized disclosure contained in that section, to information obtained consistent with this section.

''(e) Specific references to statutes in this section shall not be construed to affect access by the Government Accountability Office to information under statutes that are not so referenced.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 7 of title 31, United States Code, is amended by inserting after the item relating to section 720 the following:

''721. Access to certain information.''.

(d) AGENCY REPORTS.—Section 720(b) of title 31, United States Code, is amended—

(1) in the matter preceding paragraph (1), by inserting ''or planned'' after ''action taken''; and

(2) by striking paragraph (1) and inserting the following:

''(1) the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Government Reform of the House of Representatives, the congressional committees with jurisdiction over the agency program or activity that is the subject of the recommendation, and the Government Accountability Office before the 61st day after the date of the report; and''.

SEC. 307. AMENDMENTS TO THE INSPECTOR GENERAL ACT OF 1978 AND THE INSPECTOR GENERAL REFORM ACT OF 2008.

(a) INCORPORATION OF PROVISIONS FROM THE INSPECTOR GENERAL REFORM ACT OF 2008 INTO THE INSPECTOR GENERAL ACT OF 1978.—

(1) CLASSIFICATION AND PAY.—

(A) AMENDMENT.—Section 8G of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by adding at the end the following new subsection:

''(i) CLASSIFICATION AND PAY.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, the Inspector General of each designated Federal entity shall, for pay and all other purposes, be classified at a grade, level, or rank designation, as the case may be, at or above those of a majority of the senior level executives of that designated

Federal entity (such as a General Counsel, Chief Information Officer, Chief Financial Officer, Chief Human Capital Officer, or Chief Acquisition Officer). The pay of an Inspector General of a designated Federal entity shall be not less than the average total compensation (including bonuses) of the senior level executives of that designated Federal entity calculated on an annual basis.

''(2) LIMITATION ON ADJUSTMENT.—

''(A) IN GENERAL.—In the case of an Inspector General of a designated Federal entity whose pay is adjusted under paragraph (1), the total increase in pay in any fiscal year resulting from that adjustment may not exceed 25 percent of the average total compensation (including bonuses) of the Inspector General of that entity for the preceding 3 fiscal years.

''(B) SUNSET OF LIMITATION.—The limitation under subparagraph (A) shall not apply to any adjustment made in fiscal year 2013 or each fiscal year thereafter.''.

(B) CONFORMING REPEAL.—Section 4(b) of the Inspector General Reform Act of 2008 (Public Law 110–409; 122 Stat. 4304; 5 U.S.C. App. 3 note) is repealed.

(2) PAY RETENTION.—

(A) AMENDMENT.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended by adding after section 8L the following new section:

''SEC. 8M. PAY RETENTION.

''(a) IN GENERAL.—The provisions of section 3392 of title 5, United States Code, other than the terms 'performance awards' and 'awarding of ranks' in subsection (c)(1) of such section, shall apply to career appointees of the Senior Executive Service who are appointed to the position of Inspector General.

''(b) NONREDUCTION IN PAY.—Notwithstanding any other provision of law, career Federal employees serving on an appointment made pursuant to statutory authority found other than in section 3392 of title 5, United States Code, shall not suffer a reduction in pay, not including any bonus or performance award, as a result of being appointed to the position of Inspector General.''.

(B) CONFORMING REPEAL.—Section 4(c) of the Inspector General Reform Act of 2008 (Public Law 110–409; 122 Stat. 4304; 5 U.S.C. App. 3 note) is repealed.

(3) ALLEGATIONS OF WRONGDOING AGAINST SPECIAL COUNSEL OR DEPUTY SPECIAL COUNSEL.—

(A) AMENDMENT.—Section 11(d) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by adding at the end the following new paragraph:

''(12) ALLEGATIONS OF WRONGDOING AGAINST SPECIAL COUNSEL OR DEPUTY SPECIAL COUNSEL.—

''(A) SPECIAL COUNSEL DEFINED.—In this paragraph, the term 'Special Counsel' means the Special Counsel appointed under section 1211(b) of title 5, United States Code.

''(B) AUTHORITY OF INTEGRITY COMMITTEE.—

''(i) IN GENERAL.—An allegation of wrongdoing against the Special Counsel or the Deputy Special Counsel may be received, reviewed, and referred for investigation by the Integrity Committee to the same extent and in the same manner as in the case of an allegation against an Inspector General (or a member of the staff of an Office of Inspector General), subject to the requirement that the Special Counsel recuse himself or herself from the consideration of any allegation brought under this paragraph.

''(ii) COORDINATION WITH EXISTING PROVISIONS OF LAW.—This paragraph does not eliminate access to the Merit Systems Protection Board for review under section 7701 of title 5, United States Code. To the extent that an allegation brought under this subsection involves section 2302(b)(8) of that title, a failure to obtain corrective action within 120 days after the date on which that allegation is received by the Integrity Committee shall, for purposes of section 1221 of such title, be considered to satisfy section 1214(a)(3)(B) of that title.

''(C) REGULATIONS.—The Integrity Committee may prescribe any rules or regulations necessary to carry out this paragraph, subject to such consultation or other requirements as might otherwise apply.''.

(B) CONFORMING AMENDMENT.—Section 7(b) of the Inspector General Reform Act of 2008 (Public Law 110–409; 122 Stat. 4312; 5 U.S.C. 1211 note) is repealed.

(b) AGENCY APPLICABILITY.—

(1) AMENDMENTS.—The Inspector General Act of 1978 (5 U.S.C. App.), as amended by subsection (a), is further amended—

(A) in section 8L—

(i) in subsection (a)(1)—

(I) by striking the first ''agency'' and inserting ''Federal agency and designated Federal entity''; and

(II) by striking the second and third ''agency'' and inserting ''Federal agency or designated Federal entity''; and

(ii) in subsection (b)—

(I) in paragraph (1), by striking ''agency'' and inserting ''Federal agency and designated Federal entity''; and

(II) in paragraph (2)—

(aa) in subparagraph (A), by striking ''agency'' and inserting ''Federal agency and designated Federal entity''; and

(bb) in subparagraph (B), by striking ''agency'' and inserting ''Federal agency and designated Federal entity''; and

(B) in section 11(c)(3)(A)(ii), by striking ''department, agency, or entity of the executive branch'' and inserting ''Federal agency or designated Federal entity''.

(2) IMPLEMENTATION.—Not later than 180 days after the date of enactment of this Act, the head and the Inspector General of each Federal agency and each designated Federal entity (as such terms are defined in sections 12 and 8G of the Inspector General Act of 1978 (5 U.S.C. App.), respectively) shall implement the amendments made by this subsection.

(c) REQUIREMENTS FOR INSPECTORS GENERAL WEBSITES.—Section 8L(b)(1) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) by striking ''report or audit (or portion of any report or audit)'' and inserting ''audit report, inspection report, or evaluation report (or portion of any such report)''; and

(2) by striking ''report or audit (or portion of that report or audit)'' and inserting ''report (or portion of that report)'' each place it appears.

(d) CORRECTIONS.—

(1) EXECUTIVE ORDER NUMBER.—Section 7(c)(2) of the Inspector General Reform Act of 2008 (Public Law 110–409; 122 Stat. 4313; 31 U.S.C. 501 note) is amended by striking ''12933'' and inserting ''12993''.

(2) PUNCTUATION AND CROSS-REFERENCES.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(A) in section 6(a)(4), by striking ''information, as well as any tangible thing)'' and inserting ''information), as well as any tangible thing''; and

(B) in section 8G(g)(3), by striking ''8C'' and inserting ''8D''.

(3) SPELLING.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(A) in section 3(a), by striking ''subpena'' and inserting ''subpoena'';

(B) in section 6(a)(4), by striking ''subpena'' and ''subpenas'' and inserting ''subpoena'' and ''subpoenas'', respectively;

(C) in section 8D(a)—

(i) in paragraph (1), by striking ''subpenas'' and inserting ''subpoenas''; and

(ii) in paragraph (2), by striking ''subpena'' and inserting ''subpoena'', each place it appears;

(D) in section 8E(a)—

(i) in paragraph (1), by striking ''subpenas'' and inserting ''subpoenas''; and

(ii) in paragraph (2), by striking ''subpena'' and inserting ''subpoena'' each place it appears; and

(E) in section 8G(d), by striking ''subpena'' and inserting ''subpoena''.

(e) REPEAL.—Section 744 of the Financial Services and General Government Appropriations Act, 2009 (division D of Public Law 111–8; 123 Stat. 693; 5 U.S.C. App. 8L) is repealed.

SEC. 308. LIMITS AND TRANSPARENCY FOR TRAVEL AND CONFERENCE SPENDING.

(a) TRAVEL EXPENSES OF FEDERAL AGENCIES RELATING TO CONFERENCES.—

(1) LIMITATIONS AND REPORTS ON TRAVEL EXPENSES TO CONFERENCES.—Chapter 57 of title 5, United States Code, is amended by inserting after section 5711 the following:

''§ 5712. Limitations and reports on travel expenses to conferences

''(a) In this section, the term—

''(1) 'conference' means a meeting that—

''(A) is held for consultation, education, or discussion;

''(B) is not held entirely at an agency facility;

''(C) involves costs associated with travel and lodging for some participants; and

''(D) is sponsored by 1 or more agencies, 1 or more organizations that are not agencies, or a combination of such agencies or organizations; and

''(2) 'international conference' means a conference attended by representatives of —

''(A) the United States Government; and

''(B) any foreign government, international organization, or foreign nongovernmental organization.

''(b) No agency may pay the travel expenses for more than 50 employees of that agency who are stationed in the United States, for any international conference occurring outside the United States, unless the Secretary of State determines that attendance for such employees is in the national interest.

''(c) At the beginning of each quarter of each fiscal year, each agency shall post on the public Internet website of that agency a report on each conference for which the agency paid travel expenses during the preceding 3 months that includes—

''(1) the itemized expenses paid by the agency, including travel expenses, the cost of scouting for and selecting the location of the conference, and any agency expenditures to otherwise support the conference;

''(2) the primary sponsor of the conference;

''(3) the location of the conference;

''(4) in the case of a conference for which that agency was the primary sponsor, a statement that—

''(A) justifies the location selected;

''(B) demonstrates the cost efficiency of the location; and

''(C) provides a cost benefit analysis of holding a conference rather than conducting a teleconference;

''(5) the date of the conference;

''(6) a brief explanation how the conference advanced the mission of the agency;

''(7) the title of any Federal employee or any individual who is not a Federal employee whose travel expenses or other conference expenses were paid by the agency; and

''(8) the total number of individuals whose travel expenses or other conference expenses were paid by the agency.

''(d) Each report posted on the public Internet website under subsection (c) shall—

''(1) be in a searchable electronic format; and

''(2) remain on that website for at least 5 years after the date of posting.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 57 of title 5, United States Code, is amended by inserting after the item relating to section 5711 the following:

''5712. Limitations and reports on travel expenses to conferences.''.

(b) LIMITATIONS ON ANNUAL TRAVEL EXPENSES.—

(1) IN GENERAL.—In the case of each of fiscal years 2012 through 2016, an agency (as defined under section 5701(1) of title 5, United States Code) may not make, or obligate to make, expenditures for travel expenses, in an aggregate amount greater than 80 percent of the aggregate amount of such expenses for fiscal year 2010.

(2) IDENTIFICATION OF TRAVEL EXPENSES.—

(A) RESPONSIBILITIES.—Not later than September 1, 2012 and after consultation with the Administrator of General Services and the Director of the Administrative Office of the United States Courts, the Director of the Office of Management and Budget shall establish guidelines for the determination of what expenses constitute travel expenses for purposes of this subsection. The guidelines shall identify specific expenses, and classes of expenses, that are to be treated as travel expenses.

(B) EXEMPTION FOR MILITARY TRAVEL.—The guidelines required under subparagraph (A) shall exclude military travel expenses in determining what expenses constitute travel expenses. Military travel expenses shall include travel expenses involving military combat, the training or deployment of uniformed military personnel, and such other travel expenses as are determined under the guidelines.

(c) CONFERENCE TRANSPARENCY AND LIMITATIONS.—

(1) DEFINITIONS.—In this subsection—

(A) the term ''agency'' has the meaning given under section 5701(1) of title 5, United States Code; and

(B) the term ''conference'' has the meaning given under section 5712(a)(1) of that title (as added by subsection (a)).

(2) PUBLIC AVAILABILITY OF CONFERENCE MATERIALS.—Each agency shall post on the public Internet website of that agency detailed information on any presentation made by any employee of that agency at a conference, including—

(A) any minutes relating to the presentation;

(B) any speech delivered;

(C) any visual exhibit, including photographs or slides;

(D) any video, digital, or audio recordings of the conference; and

(E) information regarding any financial support or other assistance from a foundation or other non-Federal source used to pay or defray the costs of the conference, which shall include a certification by the head of the agency that there is no conflict of interest resulting from the support received from each such source.

(3) LIMITATION ON AMOUNT EXPENDED ON A CONFERENCE.—

(A) IN GENERAL.—No agency may expend more than $500,000 to support a single conference.

(B) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to preclude an agency from receiving financial support or other assistance from a foundation or other non-Federal source to pay or defray the costs of a conference the total cost of which exceeds $500,000.

(4) LIMITATION ON THE ANNUAL NUMBER OF CONFERENCES AN AGENCY MAY SUPPORT.—No agency may expend funds on more than a single conference sponsored or organized by an organization during any fiscal year, unless the agency is the primary sponsor and organizer of the conference.

SEC. 309. EFFECTIVE DATE.

Except as otherwise provided in this Act, this Act and the amendments made by this Act shall take effect on the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ISSA) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ISSA. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

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

The American people have a right to know that taxpayer dollars are well spent. We have a responsibility to stay up with the times. As government has grown, waste, fraud, abuse, and mismanagement have increased. Today, however, the technology is before us, if we simply embrace it, to do a far better job of accounting for every dollar spent on behalf of the American people. That's not just the American dollars that are spent by the Federal Government, but dollars passed on to the private sector, to the States, to public entities, and to nonprofits.

Today, as those trillions of dollars are put out, we find that we don't know where they're spent. At best, we know the first place they went to. Under the Recovery Act, often called the ''stimulus,'' we can all disagree or agree on how the money was spent; but unlike previous appropriations, under that act, we found a way to do a better job of tracing the dollars, of tracing the dollars through recipient reporting—a system that, although costing a little bit to do, ultimately once set up saves money.

The DATA Act before us today will literally track those trillions of dollars in a way not done outside of the Recovery Act. Quite frankly, we owe a debt of gratitude to the Recovery Board for showing us an effective system on which we could build.

Just a few days ago, our committee, on a very bipartisan basis, evaluated the GSA's lavish spending. They explained to us that part of the way they spent $830,000-plus was, in fact, to cobble together, as they put it, multiple baskets of money—meaning, if you didn't know or couldn't trace how they'd spent their money, you wouldn't know that it was spent on a mind reader and a clown. You wouldn't know that those 10 trips, essentially, were publicly funded trips so that key executives could have family vacations.

With the DATA Act, we expect that and many other wasteful practices to be brought to an end. Some of them will be brought to an end by the ranking member and our work on the committee, but a great many of them will be brought to bear by the American people being able to search online and learn what they currently cannot learn.

The DATA Act has been a bill that has been, unlike many, completely bipartisan. The minority and the majority have worked hand in hand. We come to you today with a bill that has been agreed to and that will save—I repeat, save—billions of dollars. Additionally, we do, in fact, amend some of the abuses under the GSA scandal and do so based on the good work of Representative DENNIS ROSS of Florida, who introduced strong language to do exactly what we're doing today.

Before we go on, let me just say that I want to thank the ranking member, because the work on this bill and the reason this bill is before us on suspension is that we've been able to work hand in hand with members of the majority and minority and with key staff on both sides to make sure that we have a bill that will pass the House, hopefully, on a unanimous basis, and clearly, we'll see the Senate send a message that it's time for accountability generated from bipartisan work in the House.

I reserve the balance of my time.

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

First, let me say that the chairman, Chairman ISSA, has worked very closely with us as we have cosponsored this bill and has worked hard to make sure that all of its provisions are satisfactory to this side. So he is absolutely right, Madam Speaker, it is truly a bipartisan bill. Again, I thank him.

Taxpayers deserve to know how their money is being spent, and we on our committee and all those in Congress believe we have a responsibility to ensure that those hard-earned tax dollars are spent effectively and efficiently. H.R. 2146, the Digital Accountability and Transparency Act, will make the Federal Government more accountable by making it easier for taxpayers to see where their money is going. By making government spending more transparent, we will, hopefully, reduce wasteful spending.

This bill aims to capitalize on the success of the Recovery Accountability and Transparency Board. The Democrats in Congress created the board as part of the Recovery Act in 2009. In addition to promoting job creation, economic activity and long-term growth, the Recovery Act fostered unprecedented accountability and transparency in government spending. Under the administration's implementation and the RAT Board's oversight, the Recovery Act has had historically

low levels of waste, fraud, and abuse. The successful implementation of the Recovery Act should be a model for improving transparency and accountability in all Federal spending.

The DATA Act would do many of the same things the President directed by executive order on June 13, 2011. The DATA Act would establish a new, independent commission to lead the government's efforts on Federal spending transparency and accountability. The new commission would be authorized to set government-wide data standards and to coordinate the oversight of Federal funds to prevent waste, fraud, and abuse.

I supported this legislation when it was considered by the Oversight Committee in June, but I had several concerns which I asked Chairman ISSA to work with me on addressing. I commend the chairman for bringing an amendment to the floor today that addresses those concerns.

This bill also includes language requiring agencies to disclose their spending on conferences and to justify their locations and cost efficiency. The bill, as amended, also requires agencies to reduce their travel spending by 20 percent from fiscal year 2010 levels. The President directed agencies to reduce travel spending in an executive order issued on November 9, 2011.

When he signed that executive order to cut waste and promote efficient spending, he said this:

> We can't wait for Congress to act. We can't wait for them to get our fiscal house in order and make the investments necessary to keep America great. That's why, today, I'm signing an executive order that will build on our efforts to cut waste and promote more efficient spending across the government. We're cutting what we don't need so that we can invest in what we do need.

Let's show the President that Congress can and will act to reduce wasteful spending. I urge my colleagues to join me, our chairman, and our committee in supporting this legislation.

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

Mr. ISSA. Madam Speaker, I would now like to yield 5 minutes to the gentleman from Oklahoma (Mr. LANKFORD).

Mr. LANKFORD. If people call my office and ask a simple question, something as simple as, How much did this cost?, it is difficult for even a Member of Congress to be able to track down all the details. How much was allotted for that grant? How much was actually spent? How much was that contract? How much was actually spent? How much does this agency spend on X number of programs or on this specific program?

An individual hardworking taxpayer should be able to go research that out. Outside groups should be able to research that and should be able to develop some way to systematically research and compare. Right now, we can't do that.

□ 1340

We may do something as labor intensive as mail them something, or email them some things that we found, or maybe get a PDF document and be able to send it in, or send them to an agency Web site, but there is no systematic structured way to be able to compare last year to this year, one agency to another agency, how this contract was done, how this grant was done. This is a great moment to be able to bring all that information together so that every group, including Congress, can pull that data and can research it.

This gets to the essence of why transparency is such a big deal because we want every single taxpayer to be able to look in and be able to see how their money is spent. That's an appropriate way to be able to respond to this.

This also eliminates the duplication reporting from a contractor or an agency that is actually trying to file this information to not have to do it multiple times, to make it more efficient. This deals with the inconsistent requirements of reporting across different platforms. This deals with the basics of grant and contract recipients being able to also report in that data, as was done by the Recovery Board, which has been very successful in getting accurate information in.

This also engages those outside individuals, grant writers, grant recipients, and contract recipients, to be able to come back in and process that data so we get real-time information. And it deals with one of the most basic things: efficient use of money. In this particular bill, it deals with all these conferences, reducing the cost of government conferences, finding some way to be able to put some parameters around them and structure, so that money is not pulled from one place or another to be able to function in conference, a conference that doesn't have a quarter of a million dollars budget spending $850,000 for a single event.

I reiterate what we have said on both sides of the aisle: transparency is not a partisan issue. This is a bipartisan bill, and whoever is in the White House and whoever is running agencies, just like Congress, is accountable to all the American people.

This makes all of what we do publicly available, easy to be able to research, easy to be able to compare. It is a simple way to take this on. I'm strongly in support of this and grateful that it's a very bipartisan act.

Mr. CUMMINGS. Madam Speaker, I yield 5 minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. I thank the gentleman for yielding and for his leadership, and I thank the chairman for his leadership.

This is truly a bipartisan effort, and one that is sorely needed, as we can see from the hearing that we held last week in the Oversight and Government Reform Committee on the General Services Administration. And it was just outrageous that they would spend over $800,000 for some conference with mind readers and clowns when so many Americans are struggling and working hard.

This bill will help prevent this type of abuse from happening again, and I am rising in strong support of H.R. 2146, the Digital Accountability and Transparency Act.

It is good government, it is bipartisan, it is something that we can all agree on. It is common sense, and if it had been in place earlier we could have possibly prevented the type of abuse that we are both dedicated to cleaning up.

This bill will improve congressional oversight of how Federal dollars are being spent. This bill does this by creating a single online portal for information about where Federal spending can be tracked. The bill requires recipients of Federal grants, loans, and contracts to disclose how much money they receive and how that money is spent, and reduces the compliance burden on recipients of Federal funds by streamlining reporting and establishing universal data standards.

The Congressional Budget Office has certified that:

> H.R. 2146 contains no intergovernmental or private-sector mandates, as defined by the Unfunded Mandates Reform Act (UMRA), and would impose no additional costs on State, local or tribal governments.

This is designed to save money and to save the taxpayers, and to allow the public to have insight into how these dollars are being spent, too.

The DATA Act capitalizes on the reporting required under the American Recovery and Reinvestment Act and President Obama's executive order establishing the Government Accountability and Transparency Board, and it will give legislative teeth to increase transparency and accountability over Federal spending across the government.

The DATA Act also caps nonmilitary travel spending at 20 percent below FY10 levels and limits both the number of and amount spent on agency conferences, which will save taxpayers hundreds of millions of dollars per year.

So this is truly something we can all agree upon. The technology is there. This bill puts the political will behind having this accountability. We do know how to track this. This will be in one centralized place, it will be available to the public, and it's an improvement in all ways.

Currently available data on Federal spending is incomplete, confusing, and inconsistent. This act would centralize and simplify the convoluted reporting that is in place now, and everything would be reported in the same way. The bill also includes uniform reporting from the recipients of the Federal funds and, very importantly, all of this would be available to the public.

The independent commission that would be established by this would be responsible for publishing and monitoring Federal spending. A number of

diverse groups have come out in favor of it. I have roughly 20 groups that have written in support of the bill, from the Citizens for Responsibility and Ethics in Washington, to the Taxpayers for Common Sense, to POGO, to OMB Watch.

I believe this is an important bill. I believe it will make the government perform better, save taxpayers money, and the time of those who are tracking where these dollars are going. It is well overdue, and it should pass today.

I urge all of my colleagues on both sides of the aisle to vote for this important piece of legislation.

POGO AND PARTNERS STRONGLY SUPPORT PASSAGE OF THE DATA ACT

April 23, 2012.

MEMBERS OF THE HOUSE OF REPRESENTATIVES: We, the undersigned organizations, are writing in strong support of the Digital Accountability and Transparency Act (DATA Act), H.R. 2146, which is planned for a floor vote this Wednesday. The DATA Act is an important step towards improving federal financial transparency and would empower the public to better understand how their federal dollars are being spent.

Currently available data on federal spending is incomplete and inconsistent. The DATA Act would centralize and simplify the convoluted spending reporting standards so that every government agency reports their spending in the same way. Importantly, the bill also includes uniform reporting from recipients of federal funds. All of this information will be readily available to the public.

The DATA Act establishes an independent commission responsible for publishing and monitoring federal spending, modeled after the Recovery Accountability and Transparency Board. It also sets consistent government-wide standards for financial data reporting. Its enactment will greatly improve the scope, granularity, timeliness, usefulness, and accuracy of public reports on federal spending beyond what is currently available.

Concerns many of us expressed with earlier versions of the legislation have been addressed. For example, the bill provides for continuity of the Federal Funding Accountability and Transparency Act and USAspending.gov. It ensures that reporting requirements will persist even if the Commission sunsets. It requires prime federal award recipients to identify all sub-awards, and expands Treasury Department reporting requirements. It also strengthens the Government Accountability Office's ability to obtain certain agency records.

This bill, introduced by Rep. Darrell Issa (R–CA), cosponsored by Rep. Elijah Cummings (D–MD) and 13 others, was passed unanimously by the House Oversight and Government Reform Committee, and enjoys strong bipartisan support.

We urge that you be present and vote ''yes'' on the DATA Act to shine a light on the spending of our tax dollars.

For more information, please contact Daniel Schuman of the Sunlight Foundation, Angela Canterbury of the Project on Government Oversight, or Sam Rosen-Amy of OMB Watch.

Sincerely,

Center for Responsive Politics, Citizens for Responsibility and Ethics in Washington, (CREW), Cost of Government Center, Data Transparency Coalition, Electronic Frontier Foundation, Fore See, Global Financial Integrity, iSolon.org, Jubilee USA Network, Liberty Coalition, Missionary Oblates US Province.

National Freedom of Information Coalition, National Priorities Project, OMB Watch, OpenTheGovernment.org, Progressive Librarians Guild, Project On Government Oversight (POGO), Tabulaw Inc., Taxpayers for Common Sense Action, Taxpayers Protection Alliance, The Sunlight Foundation, U.S. Transparency, Washington Coalition for Open Government, WashingtonWatch.com.

Mr. ISSA. Madam Speaker, I yield 3 minutes to the gentleman from Florida (Mr. ROSS), the author of many of the reforms in this bill.

Mr. ROSS of Florida. Thank you, chairman, for yielding.

Madam Speaker, I rise in strong support of the Digital Accountability and Transparency Act of 2011, also known as the DATA Act.

The DATA Act finally does what America wants: opens up the books of government and lets the taxpayers see what is being spent. The bill also cuts agency travel spending by hundreds of millions of dollars per year, a great and necessary first step.

By requiring Federal agencies to report how their funds are spent and capping travel expenses, this commonsense bipartisan bill will bring much-needed accountability and transparency to Federal spending. The DATA Act should also send a clear message to bureaucrats here in Washington, D.C.

The American taxpayer is watching, and they're sick and tired of the blank-check mentality. Let's make sure that taxpayer dollars are no longer spent on lavish conferences. But with this bill we can also begin to crowdsource all Federal spending.

I thank the gentleman from California (Mr. ISSA) for introducing this bill and for his leadership on transparency and accountability in government. Let's make sure that common sense becomes something common in government.

Please join me in supporting the DATA Act.

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

As the Chairman stated and others have stated on this floor, we saw the abuses that took place at GSA, and we will certainly continue to follow them, because I believe that all of us were very upset about those abuses, Madam Speaker.

One of the things that we do believe is that the legislation like this is so important because it shines a light on how money is being spent. It won't solve all the problems, but it certainly will solve a lot of them.

□ 1350

One of the things that Mr. Devaney said, who was over the stimulus bill and the RAT Board there, is that he wanted to do certain things that not only would lay out a formula for accountability, but would prevent people from even abusing the system.

Again, I think what we're doing here puts us out front of, hopefully, some things that people may have been thinking about doing. We don't even want to think about it because there are so many people in our districts who work so hard to earn their money, and they don't mind paying their taxes, they don't mind sacrificing, as long as they know that that money is being spent effectively and efficiently.

One of the things that we have to do, Madam Speaker, is to make sure that we establish and maintain a trust with them so that when they write that check, they know it's going towards the roads that they want to see built, going towards making sure the air is clean, and making sure that the park rangers are present. They want to see that money spent properly. They don't want to see it spent on some bureaucrats flying around the country using the money in an improper way.

So with this bipartisan bill, I think we send a message to the public that we're going to do everything in our power to make sure that they have as much information as possible about where that money goes when it leaves their checking account. And because of that and because this bill is so significant and because it is about a truly bipartisan effort, I'm hoping that we will have every Member of the House voting in favor of it.

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

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

Madam Speaker, the expression we often hear about success and failure is that success has many fathers, while, in fact, failure is an orphan. This bill will not be an orphan. In fact, the work of Ranking Member CUMMINGS, along with Representative MALONEY, Representative SHERMAN, Representative COLLIN PETERSON, and the former chairman of the full committee, ED TOWNS, on just one side, have been critical in getting this done. The support of JASON CHAFFETZ, DAN BURTON, BLAKE FARENTHOLD, the gentleman who spoke a minute ago, JAMES LANKFORD, MIKE KELLY, TOM LATHAM, PATRICK MCHENRY, and DENNIS ROSS all have been critical in this process.

But perhaps less often heard, as the ranking member referred, former Inspector General and chairman of the Recovery Board, Earl Devaney, has been critical to shepherding the process that has gone over two Congresses, and I want to thank him personally while he's enjoying his well-earned retirement. Along with him was Vice President JOE BIDEN, who has been supportive and helped us in this process and held numerous meetings at the White House on behalf of it. In the Senate, MARK WARNER of Virginia has championed and introduced the companion product, making it bipartisan in both Houses.

Additionally, as I think the ranking member alluded to, the Sunlight Foundation, the Project on Government Oversight, the American Institute of Certified Public Accountants, the Americans for Tax Reform, the Data

Transparency Coalition, and XPRL US have all been critical. The last one I mentioned is particularly critical because the need for standards that ultimately are set that allow for this transparency are going to come not from us in government but from organizations who have open and transparent capability that we will leverage. All of these and more are to be thanked today.

I want to close by saying the winners of this effort will be the American people. It will be the American people because when this is fully implemented, the American people, who are used to Googling for information outside of government, will find it possible to get meaningful information on where their hard-earned tax dollars are being spent just as quickly. And that's the goal of our committee: to recognize that the hundred-or-so staff and members on both sides of the aisle of the Oversight Committee cannot protect the American people alone. The 12,000-or-so members of the Inspector General's staff throughout government cannot protect the American people alone. But with data transparency and more access and sunlight available more broadly, we believe that these organizations can, in fact, have the kind of whistleblowers and information providers that will allow us to scrub the balance sheet to wrench out waste, fraud, and abuse in our government at any level.

So I join with the ranking member in urging its unanimous support and yield back the balance of my time.

Mr. CONNOLLY of Virginia. Madam Speaker, the Oversight and Reform Committee marked up the DATA Act without holding a single hearing about the advisability of creating additional, duplicative reporting requirements for grantees, subgrantees, contractors and subcontractors. The reporting requirements imposed by this bill would affect local and state governments, colleges and universities, and private sector federal contractors and subcontractors. I ask unanimous consent to include for the RECORD statements from the National Governors Association, National Association of Counties, National League of Cities, National Association of Chief Information Officers, International City/County Management Association, National Association of State Budget Officers, National Association of State Auditors, Comptrollers, and Treasurers, Government Finance Officers Association, and George Mason University opposing this legislation.

The authors of this bill believe that creating these additional regulations on the private sector and mandates on state and local governments will cost $51 million per year, which is the new spending authorized by the DATA Act. That only represents the direct cost, not the indirect costs taxpayers will bear if local and state governments and colleges and universities must spend more money filing paperwork to comply with the requirements of this bill. That cost also does not account for the costs to private sector businesses to comply with new regulations imposed by this bill. University and contractor associations have not taken a public position opposing this legislation because of last-minute changes to the bill made by Mr. ISSA's staff.

These changes should have been made during Committee or Subcommittee markup, but our Committee engaged in no substantive deliberations about the content of the bill in that context. As a result, today we have a bill that probably is less costly to both public and private entities but nonetheless still creates new private and public sector regulations and mandates at a significant cost. I remain concerned that the laudable goal of creating a single reporting system for federal spending could be lost in a maze of duplicative and conflicting reporting requirements as a result of this bill.

It is ironic that a bill whose stated purpose is transparency would be rammed through Committee and then brought to the floor with last-minute changes made in the least public manner possible. As a result of this convoluted legislative process, there may be problems with the current text of the DATA Act which have not been subjected to review by the committee of jurisdiction. I hope that the Senate reviews the current text of this bill carefully not only because of the bill's costs, new regulations, and new mandates, but also because the haphazard manner in which the bill was written increases the likelihood that there are drafting errors, duplicative regulations, or provisions that are inconsistent with current law.

It should be obvious that our committee could work in a bipartisan manner to promote transparency through legislation like the DATA Act, but certain provisions of this bill and the lack of deliberation in developing it expose stakeholders to potential negative unintended consequences. For these reasons I must oppose this legislation.

GOVERNMENT FINANCE OFFICERS ASSOCIATION; INTERNATIONAL CITY/COUNTY MANAGEMENT ASSOCIATION; NATIONAL ASSOCIATION OF COUNTIES; NATIONAL ASSOCIATION OF STATE AUDITORS, COMPTROLLERS AND TREASURERS; NATIONAL ASSOCIATION OF STATE BUDGET OFFICERS; NATIONAL ASSOCIATION OF STATE CHIEF INFORMATION OFFICERS; NATIONAL LEAGUE OF CITIES,

April 24, 2012.

Hon. DARRELL ISSA,
Chairman, Oversight and Government Reform Committee, House of Representatives, Washington, DC.

DEAR CHAIRMAN ISSA: On behalf of the above listed organizations, we are writing to commend you on your efforts to further transparency and accountability in federal spending and to express our sincere appreciation to your staff in working with many of our organizations to include recommended changes in the most recent draft amendment to H.R. 2146, the Digital Accountability and Transparency Act. We agree with the long term purpose of the Act to consolidate and streamline the reporting of federal funds. However, in addition to the overall goals of modernization, efficiency and accountability, the shift toward data reporting standardization should keep in mind the costs and burdens for fiscally strained state and local governments and other federal grant recipients.

While there are a number of positive changes contained in the most recent draft, we remain concerned about the magnitude of reporting and the stated timelines for implementation. The lack of funding for state and local governments to carry out the reporting and necessary oversight is disappointing given the enormous administrative challenges inherent in implementing Recovery Act-type reporting for all grants and contracts. Having adequate staff and sufficient equipment and data systems are essential to effective implementation and oversight.

The ultimate success of Recovery Act reporting and the resulting low level of fraud and abuse can be attributed not only to the work of the Recovery Accountability and Transparency Board but also to the commitment and dedication of accountability and oversight professionals at the state and local levels. It was recognized early on that the lack of funding for state and local governments was a major oversight and shortcoming of the original Recovery Act, and it appears that this shortcoming will be repeated in the DATA Act.

We believe that an efficient and streamlined reporting process, such as the one established in the DATA Act, hinges on identifying challenges and establishing well thought out and vetted business processes. Relying on the success of reporting for a small number of ARRA grants and contracts and expanding that universe to include all federal awards will require significant planning and resources.

We have recently become aware that the current Recovery Accountability and Transparency Board will conduct a grants information reporting pilot project this summer to identify cost efficiencies and the potential pitfalls of moving toward a centralized system for data collection and warehousing. Such a pilot would be an important step in identifying the plausibility of expanding ARRA-like reporting requirements to the entire universe of grants and contracts.

As we have suggested previously, we believe that developing a phased-in approach to implementing the DATA Act would allow for grant recipients to establish the appropriate processes for such an enormous endeavor. Such an approach would also give the Recovery Board an opportunity to undertake its planned information reporting pilots and would help to mitigate the reoccurring data quality problems that have plagued USASpending.gov.

While we support the intent of the DATA Act, trying to implement the requirements on all grants and contracts all at once will severely limit the chances of meeting the intended goals and objectives. We hope that you will reconsider the legislation in its current form to develop a reasonable phased-in approach for implementation and that you will consider adding a funding provision to support state and local governments, which will be essential partners for successful implementation.

We look forward to continuing the dialog on this important initiative. Please feel free to contact our representatives in Washington should you have any questions or desire further information.

MICHAEL BELARMINO,
NACo.
CORNELIA CHEBINOU,
NASACT.
LARS ETZKORN, NLC.
SUSAN GAFFNEY, GFOA.
ELIZABETH KELLAR, ICMA.
SCOTT PATTISON, NASBO.
PAM WALKER, NASCIO.

NGA OPPOSES DATA ACT LEGISLATION

WASHINGTON.—The National Governors Association (NGA) today issued the following statement regarding the establishment of an independent agency in the executive branch to improve transparency in federal spending and coordinate investigations to prevent fraud:

''While governors support the need for transparency in accountability and reporting, they have long opposed unfunded mandates.

''The DATA Act (H.R. 2146) builds upon lessons learned by states in tracking federal funds under the American Recovery and Reinvestment Act. Unfortunately, funding is not provided for the Act's numerous new requirements.

''Without funding for state compliance, governors cannot implement the bill and therefore do not support the passage of the DATA Act. Governors encourage Congress to work with them to develop a more workable solution that meets the needs of states.

GEORGE MASON UNIVERSITY, OFFICE OF THE VICE PRESIDENT, RESEARCH AND ECONOMIC DEVELOPMENT,

Fairfax, VA, April 24, 2012.

Hon. Gerry Connolly,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE CONNOLLY: I am writing to you regarding H.R. 2146, the Digital Accountability and Transparency Act (DATA Act), which is scheduled to be considered on the House Floor tomorrow. George Mason University very much appreciates all your efforts to make the necessary changes in the bill so it would accomplish the goal of more accountability and transparency in federal spending by enhancing the reporting requirements of Federal agencies and recipients of federal funds. We support this goal and also recognize the sincere efforts of all those involved to meet the concerns of the various stakeholders. Nevertheless, we continue to oppose the bill for the following reasons.

The bill requires recipients to report, not less than quarterly, any transaction, basic location information, individual Federal awards by agency, the total amount of funds received and the amount of funds expended or obligated for an individual award per quarter, subawardees (or prime awardee depending on status of recipient) and any additional information requested. Mason has approximately 650 active awards totaling over $285 million. Mason already reports on each of these, and to do so on a quarterly basis would require an additional 2½–3 additional FTEs. This is just the administrative cost to our Office of Sponsored Programs, not counting the time PIs would have to spend. Since State funds are dwindling and administrative costs allowed in indirect costs are capped at 26% the Act will impact our budget.

It should be noted that the Federal Demonstration Partnership found that the Recovery Act quarterly reporting resulted in each award costing an additional $7900 to administer, for little useful information. Research is about creating and advancing knowledge and is less prone to duplication and abuse because researchers generally know their peers and their published work. We have several other concerns such as the FAST Commission and the penalties for noncompliance, but the cost of quarterly reporting is the most direct.

Again, thank you for all you do on behalf of George Mason University. I look forward to continuing to work with you. Please let me know if you have any questions.

Sincerely,

KERRY D. BOLOGNESE,
Director of Federal Relations.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I rise today to speak on H.R. 2146, the DATA Act. I join all of my colleagues on both sides of the aisle in supporting greater transparency in Federal grants and contracts. But the details in how we reach that goal are important. The bill as reported by the Committee on Oversight and Government Reform would have created an extra level of bureaucracy and duplicative reporting of financial data in addition to an administrative tax on scarce Federal research dollars and an unfunded mandate imposed on our already struggling universities.

Research universities, the economic engines of our Nation, typically receive research grants from 6–7 Federal agencies, each with its own financial reporting requirements and data standards. The bill as introduced would simply have added one more agency, in the form of the new Commission, to which universities would have to report. This would have increased the administrative costs on Federal research dollars without providing any new information about funding to those institutions.

The amendment being considered today is a big improvement on the original bill in ensuring that financial reporting of Federal grants and contracts is standardized and consolidated to reduce the overall administrative burden on grant recipients such as universities while providing the increased transparency that is the goal of this bill. I want to express my appreciation to Chairman ISSA and Ranking Member CUMMINGS for working closely with the university groups to address these issues.

However, I believe that more work still needs to be done on this bill to guarantee that financial reporting is fully streamlined and agencies are required to comply with a consolidated reporting system. I understand that the transition will be difficult for all involved, including both the granting agencies and the grant recipients, but I also believe that a consolidated financial reporting system is good for the government and good for the taxpayer.

I share with some of my colleagues other concerns that have been expressed about this bill, but today I speak only in my role as Ranking Member of the Committee on Science, Space, and Technology. I hope that Chairman ISSA and Ranking Member CUMMINGS will maintain their open dialogue with the universities and other Federal grant and contract recipients about the details of this bill as it moves forward. I believe we all share the goal of increased transparency while keeping U.S. research dollars directed to ground-breaking research that is the foundation of our economic growth, rather than to additional paperwork.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ISSA) that the House suspend the rules and pass the bill, H.R. 2146, as amended.

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

A motion to reconsider was laid on the table.

SMALL BUSINESS CREDIT AVAILABILITY ACT

Mr. LUCAS. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3336) to ensure the exclusion of small lenders from certain regulations of the Dodd-Frank Act, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3336

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 Credit Availability Act''.

SEC. 2. CLARIFICATION OF SWAP DEALER DEFINITION.

Section 1a(49) of the Commodity Exchange Act (7 U.S.C. 1a(49)) is amended by striking all that follows subparagraph (A)(iv) through subparagraph (C) and inserting the following: ''provided however, in no event shall an insured depository institution, an institution chartered and operating under the Farm Credit Act of 1971, or a United States uninsured branch or agency of a foreign bank that has a prudential regulator be considered to be a swap dealer to the extent that it enters into a swap—

''(I) with a customer that is seeking to manage risk in connection with an extension of credit by the institution to, on behalf of, or for the benefit of, the customer; or

''(II) to offset the risks arising from a swap that meets the requirement of subclause (I).

''(B) INCLUSION.—A person may be designated as a swap dealer for a single type or single class or category of swap or activities and considered not to be a swap dealer for other types, classes, or categories of swaps or activities.

''(C) EXCEPTIONS.—

''(i) The term 'swap dealer' does not include a person that enters into swaps for such person's own account, either individually or in a fiduciary capacity, but not as part of regular business activities as described in subparagraph (A).

''(ii) In determining whether a person is a 'swap dealer' within the meaning of subparagraph (A), the following shall not be considered as part of the determination:

''(I) any swap entered into for a person's own account for the purpose of hedging or mitigating commercial risk; and

''(II) any swap entered into for a person's own account for the purpose of meeting State or local governmental regulatory compliance purposes.

''(iii) In determining whether a person is a 'swap dealer' within the meaning of subparagraph (A)(iii), any swap which involves a capacity contract, a renewable energy credit, an emissions allowance, or an emissions offset shall not be considered as part of that determination, if—

''(I) the contract, credit, allowance, or offset is utilized to meet obligations under State or local law or regulation for that person; and

''(II) the swap is entered into for that person's own account.''.

SEC. 3. EXCLUSIONS FROM FINANCIAL ENTITY DEFINITION.

Section 2(h)(7)(C)(ii) of the Commodity Exchange Act (7 U.S.C. 2(h)(7)(C)(ii)) is amended to read as follows:

''(ii) EXCLUSION.—Such definition shall not include an entity that is a small bank, savings association, farm credit system institution, non-profit cooperative lender controlled by electric cooperatives, or credit union if the aggregate uncollateralized outward exposure plus aggregate potential outward exposure of the entity with respect to its swaps does not exceed $1,000,000,000.''.

SEC. 4. CLARIFICATION OF THE EXEMPTIONS FOR CAPTIVE FINANCE COMPANIES FROM THE DEFINITION OF MAJOR SWAP PARTICIPANT AND FROM THE SWAP CLEARING REQUIREMENT.

(a) EXCLUSION FROM DEFINITION OF MAJOR SWAP PARTICIPANT.—Section 1a(33)(D) of the Commodity Exchange Act (7 U.S.C. 1a(33)(D)) is amended to read as follows:

''(D) EXCLUSION OF CERTAIN CAPTIVE FINANCE ENTITIES.—

''(i) IN GENERAL.—The definition under this paragraph shall not include an entity whose primary business is providing financing that facilitates the sale or lease of products by or on behalf of the parent company or another subsidiary of the parent company, and uses derivatives only for the purpose of hedging underlying commercial risks in a consolidated financing and leasing portfolio, at least 90 percent of which, as of the end of its preceding fiscal year, is qualifying financing (including loans, notes, installment sales contracts, receivables, and operating and financing leases).

''(ii) DEFINITIONS.—In this subparagraph:

''(I) QUALIFYING FINANCING.—The term 'qualifying financing' means—

''(aa) any financing or lease of, or that includes, a product; or

''(bb) any financing to or for the benefit of an affiliate of the entity, a distribution entity, or any customer or affiliate of a distribution entity,

except that the term does not include any financing that does not facilitate the sale of a product manufactured by the entity or its affiliates, as determined by the Commission.

''(II) PRODUCT.—The term 'product' means—

''(aa) any good that is manufactured or sold by an affilliate of the entity; and

''(bb) any service that is provided by an affiliate of the entity.

''(III) DISTRIBUTION ENTITY.—The term 'distribution entity' means a person whose primary business is the sale, lease or servicing of a product that is manufactured by the entity or its affiliates.

''(IV) AFFILIATE.—The term 'affiliate' means, with respect to an entity—

''(aa) a person that reports information or prepares financial statements on a consolidated basis with the entity, or for which a parent company reports information or prepares financial statements on a consolidated basis for the person and the entity; or

''(bb) a person of which the entity or the parent of the entity holds 50 percent or more of the equity interests.

''(V) PERSON.—The term 'person' means an individual, partnership, corporation (including a business trust), limited liability company, joint stock company, trust, unincorporated association, joint venture or other entity, or a government or any political subdivision or agency thereof.''.

(b) EXCLUSION FROM SWAP CLEARING REQUIREMENT.—Section 2(h)(7)(C)(iii) of such Act (42 U.S.C. 2(h)(7)(C)(iii)) is amended to read as follows:

''(iii) EXCLUSION OF CERTAIN CAPTIVE FINANCE ENTITIES.—Such term shall not include an entity excluded from the definition of major swap participant by reason of section 1a(33)(D).''.

SEC. 5. EFFECTIVE DATE.

The amendments made by this Act shall take effect as if they had been included in subtitle A of title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act.

SEC. 6. 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 Oklahoma (Mr. LUCAS) and the gentleman from Minnesota (Mr. PETERSON) each will control 20 minutes.

The Chair recognizes the gentleman from Oklahoma.

GENERAL LEAVE

Mr. LUCAS. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on the bill, H.R. 3336.

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

There was no objection.

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

Madam Speaker, I rise to voice my support for this bill. First and foremost, I would like to thank my committee's ranking member, Mr. PETERSON, and his staff for their diligent work on this bill on behalf of end-users and small business lenders. We have a longstanding tradition of bipartisanship at the Agriculture Committee, and their work was invaluable. I'd like to thank Representative HARTZLER for her leadership on H.R. 3336 on behalf of the small business institutions and the businesses they serve.

I would like to acknowledge and thank Representative HULTGREN and Representative BOREN, whose legislation, H.R. 3527, will not be considered today. As a result of their leadership and Mr. PETERSON's support, many of the critical issues for end-users addressed in H.R. 3527 were resolved by the CFTC in its final ''definitions rule.''

I think we can reasonably feel assured that agricultural cooperatives and other end-users out in the countryside won't be unnecessarily deemed ''swap dealers'' and regulated like the largest financial institutions. As I said from the outset, if the CFTC on its own resolves concerns we have raised for months in our committee room, we would not proceed with legislation. And that's what we've done with H.R. 3527. However, concerns with the implementation of title VII remain, and so we are here today to proceed with H.R. 3336. This bill addresses issues that are important to community and farm credit banks—organizations which are instrumental to the economic vitality of our towns and rural communities.

In the Dodd-Frank Act, Congress was careful to ensure that new regulations wouldn't impose unnecessary costs on small institutions that might deter them from extending credit to businesses across America. Small banks pose very little risk to our financial system. Within the banking system, 96 percent of the notional value of derivatives is held by the five largest banks. The very small remaining percentage of the derivatives exposure in our financial system is spread across hundreds of small institutions. That's why Congress never intended for these community lenders to be regulated the same as the largest global financial institutions.

□ 1400

This bill aims to restore Congressional intent by exempting small banks, credit unions, nonprofit cooperative lenders, and farm credit institutions from costly clearing requirements under Dodd-Frank. It also ensures that banks can continue to provide risk management tools to their borrowers.

In addition, thanks to the leadership of Representatives SCHILLING, OWENS, and MCINTYRE, provisions of H.R. 3336 will ensure captive finance affiliates of manufacturing companies like John Deere and Caterpillar are eligible for the same exemptions as their parent companies and other end-users. These affiliates are an important source of credit to consumers and businesses and promote our manufacturing sector.

Lastly, through the hard work of Representatives COSTA, CARDOZA, and BACA, H.R. 3336 clarifies that utilities will not be miscast as swap dealers because they enter into contracts that are required by State law. The legislation clarifies that complying with State laws alone won't also draw new and costly Federal regulations.

There are many Members on both sides of the aisle at the Ag Committee who have spent time getting this bill to where it is today. We have been careful not to create loopholes or to stray from congressional intent. The bill does not open the door for large financial players to evade regulations or engage in speculative or highly risky activities.

Madam Speaker, in this economy, it all comes back to jobs. To create new jobs, businesses need access to credit to make new investments. This bill ensures that businesses maintain access to credit from community lenders.

So I urge my colleagues to support H.R. 3336 and ensure that America's small businesses can continue to access the credit they need to build our economy.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, today, the House considers H.R. 3336, a bill which makes clarifying changes to the Dodd-Frank Act. Like two other Dodd-Frank bills that the House passed previously—H.R. 2779, the inter-affiliate bill, and H.R. 2682, the margin bill—this legislation was crafted in a bipartisan manner.

As the Ag Committee continues to oversee the implementation of Dodd-Frank, I firmly believe that the CFTC is ultimately going to get the rules and regulations right. If you look at the Dodd-Frank rules that have already been completed, by and large they have been bipartisan and responsive to the

concerns that we have heard during our oversight hearings.

For example, during a legislative hearing last year, we heard concerns about business conduct standards and the potential impact it could have on pension plans' ability to use swaps to hedge risk. When the commission approved a bipartisan final rule establishing these business conduct standards, the general response from the pension community was satisfaction.

More recently, the CFTC approved last week—again with a bipartisan vote of 4–1—rules defining who will be subject of Dodd-Frank's new oversight. Again, the general view from the end-user community is that the rule addresses their concerns. In fact, I believe one of the bills the committee voted on earlier, H.R. 3527, which rewrote the swap dealer definition, now no longer seems necessary.

I talk frequently with CFTC Chairman Gensler, and from what he has told me, I am confident that the remaining concerns that H.R. 3336 seeks to address will ultimately be resolved satisfactorily by the CFTC. I think somebody used this bill to send a message to the CFTC, and since that message is consistent with the original intent of Dodd-Frank, I have no objection to it.

As originally considered by the committee, H.R. 3336 is meant to address concerns raised by farm credit institutions, credit unions, and small banks that worry about being forced to clear. Under current law, the CFTC is supposed to develop an asset-based exemption from clearing. When you look at the swap activity of some of the banks, questions were raised whether a fixed-asset test was appropriate. The risk-based test contained in the bill will, I think, prove more than adequate and certainly will provide incentives to banks to more robustly back up their swap positions, to the extent that they are not doing so now.

During the committee's markup of H.R. 3336, Representatives MCINTYRE and OWENS raised concerns they heard on behalf of captive finance companies which fear that the exemptions provided to them under the Dodd-Frank law will not be implemented properly. This bill not only addresses those concerns, it closed a potential loophole in Dodd-Frank which could have allowed captive finance companies to use the original Dodd-Frank exemption to engage in speculation or swap activities unrelated to the commercial business without proper oversight.

Also, during the markup, Representative COSTA raised concerns on behalf of California utilities, which fear being classified as swap dealers for entering into transactions necessary to comply with State regulations. Working with members of the California delegation, we were able to adequately address these concerns as well.

Given that the legislation clarifies what Congress intended to do with the original Dodd-Frank law, I urge my colleagues to support its passage.

And with that, Madam Speaker, I reserve the balance of my time.

Mr. LUCAS. Madam Speaker, I would like to yield 4 minutes to the gentlewoman from Missouri (Mrs. HARTZLER), who is the primary sponsor of our important piece of legislation today.

Mrs. HARTZLER. Thank you, Mr. Chairman, for bringing this forth and for the bipartisan support for this bill.

I'm pleased to bring the Small Business Credit Availability Act forward today in order to help small businesses, American manufacturers, farmers, and consumers to access the credit they need in order to grow our economy.

Madam Speaker, we need jobs in our country. We need manufacturing to stay strong in America, and we need small businesses to be able to grow. They can't do that if Washington stands in their way.

The Small Business Credit Availability Act removes the onerous barriers to credit imposed by the 2009 Dodd-Frank bill governing a bank's ability to offer low-rate fixed loans to small businesses and manufacturers. This bill also removes the barriers to low-rate fixed loans for credit unions, farm credit banks, rural electric cooperative infrastructure lenders, and finance companies who offer credit to their customers.

Without this bill, the Farm Credit Council alone expects that substantial new costs between $6 million and $27.2 million a year will be added to their cost of doing business, all for new processes and red tape that are not needed.

It is important that local businesses, local manufacturers, and local farmers be able to access low-rate interest loans from local financial entities. This bill keeps the business in the local communities, where it belongs, by reducing the costly new regulations imposed by the 2009 bill. In addition, it clarifies a provision of Dodd-Frank to ensure that manufacturers will be able to continue to provide credit to customers who buy their products.

We need to do everything we can to keep manufacturing here in America, and H.R. 3336 helps do that.

Lastly, our bill clarifies that State utilities are unduly burdened by Dodd-Frank when complying with State law as they enter into contracts. It's time for Washington to cut the unnecessary red tape that hampers job creation. By passing the Small Business Credit Availability Act, Congress will remove the barriers and clear the way for local entities to do business at home and create jobs while doing it.

I urge all my colleagues to support this vital bill.

Mr. PETERSON. Madam Speaker, I now yield such time as he may consume to the distinguished gentleman from California (Mr. COSTA).

Mr. COSTA. Madam Speaker, I rise today in support of H.R. 3336, the Small Business Credit Availability Act.

This bipartisan measure received unanimous support in the House Committee on Agriculture and ensures, as the previous speakers have indicated, that small financial entities such as community banks, farm credit system institutions, and credit unions will not be burdened with costly regulations resulting from the reform of our financial system. That was never Congress' intent.

I appreciate very much the work of Chairman LUCAS and Ranking Member PETERSON and their staffs, as well as the bill's sponsor, Representative HARTZLER, to reach an agreement with not only myself, but my colleagues, Congressmen BACA and CARDOZA, who are also on the committee, as well as the California delegation on the underlying text of this bill. Without your support, obviously we could not address this issue pertaining to California.

While we work to maintain the viability of small businesses recognized in H.R. 3336, we also must look for ways to avoid unintended consequences resulting from the implementation of the Dodd-Frank Act on other entities, in this case, such as utilities.

□ 1410

It's always the difficult challenge we have in Congress, the law of unintended consequences, that we must respond to.

Because of California's regulatory environment, I expressed concerns in the committee that California's energy providers, our utility companies, might be or would be inadvertently, as we believe, swept up by the ''swap dealer'' definition, which is the efforts that the committee has addressed. Over several weeks, we worked together with the staff and the utilities to develop language that provides the clarity needed to ensure that companies within California that provide energy for all businesses and residences—which are ultimately California's ratepayers—are not penalized by the Federal regulators for simply complying with State law.

H.R. 3336 includes language clarifying that the actions undertaken to comply with State or local laws or regulations are excluded in determining whether or not an entity is considered a swap dealer. Let me be specific. The language clarifies that resource adequacy contracts entered into to satisfy California's Public Utilities Commission procurement requirements, renewable energy credits used to satisfy the California Renewable Portfolio Standard, and emission allowances to satisfy California's greenhouse regulations should not—and this is the key line—should not be considered in determining whether or not an entity is a swap dealer.

My colleagues, we should understand that the situation we're dealing with in these examples, these transactions, are closely regulated by California's Public Utilities Commission or the California Air Resources Board, and they pose no systemic risk to our financial systems or to the ratepayers.

While California is currently affected, it is possible that these concerns could be shared by energy providers in other States. That's why the committee, in their wisdom, chose to address this issue to help not only California, but possibly to extend to other States that might be similarly affected. For these reasons, I encourage my colleagues to support this bill.

I once again want to thank the chairman, thank Ranking Member PETERSON, Chairman LUCAS, and the author of the bill, Representative HARTZLER.

Mr. LUCAS. Madam Speaker, I yield 4 minutes to the gentleman from Illinois (Mr. SCHILLING).

Mr. SCHILLING. Thank you, Chairman LUCAS.

I rise in support of H.R. 3336, the Small Business Credit Availability Act.

Madam Speaker, I've only been in Congress for a little over a year, but I have found the House Committee on Agriculture to be very bipartisan, and I believe that it is in large part due to the leadership of Chairman LUCAS and Ranking Member PETERSON.

I come to the floor today to speak in support of a bipartisan provision in the bill that is important to the American manufacturing sector—and particularly to Illinois companies like John Deere and Caterpillar, which employ almost 150,000 men and women.

Many of the manufacturers here at home have what are called ''captive finance affiliates'' whose function is to provide loans and leases to customers to purchase the goods they make. The credit that captive finance companies provide is essential to agricultural producers, construction contractors, and manufacturers, and the jobs they support here at home.

Congress provided an exemption in the current law for captive finance affiliates so that when they hedge risks associated with providing loans to their customers, they receive the same exemptions available to the parent company and other end-users. However, there is a lack of guidance in the CFTC's implementation of the exemption, leading to concern that these captive finance companies could be subject to mandatory clearing requirements or regulated as major swap participants. There is bipartisan agreement that this is not what Congress originally intended.

H.R. 3336 will provide the needed clarification for our manufacturers and their captive affiliates. It does so while also providing safeguards against abuse. First and foremost, this only applies to entities that use derivatives to manage their risks, meaning they cannot use derivatives to speculate. In addition, these entities cannot engage in financing that does not facilitate the sale of their manufactured products. The CFTC will have the authority to prevent affiliates from qualifying for this exemption.

Again, I appreciate the bipartisan nature of providing certainty on this issue. I want to thank Chairman LUCAS, Ranking Member PETERSON, Congressman BILL OWENS, Congressman MIKE MCINTYRE, and Congressman RANDY NEUGEBAUER for their efforts on this issue. I also really want to thank the majority and minority House Ag Committee and their staff for their work on this issue, especially Ryan McKee and Clarke Ogilvie. It is important to provide certainty for our folks back home.

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

Mr. LUCAS. Madam Speaker, I yield 3 minutes to the gentleman from Texas (Mr. CONAWAY).

Mr. CONAWAY. Thank you, Mr. Chairman.

Madam Speaker, I rise today in strong support of H.R. 3336, the Small Business Credit Availability Act.

Today's bill makes several narrow changes to the law which will further clarify exactly how Congress intended for the CFTC to implement the new swap dealer registration requirements under Dodd-Frank.

In the law, Congress authorized the CFTC to exclude small financial institutions that provide swaps in connection with loans from the heavy regulations as swap dealers. We did so because we understood the importance of allowing these institutions the ability to package together loans and hedging instruments.

Offering loans in this way allows small financial institutions to offset some of their underlying risk and offer lower loan rates to local farmers, ranchers, and small businesses. These lower loan rates mean the businesses that sustain our rural communities will have greater access to the capital they need to continue to invest in their growing businesses.

With the Entity Definitions recently released by the CTFC—although not yet published in the Federal Reserve—the CFTC took steps towards resolving the issues addressed by H.R. 3336. However, it left some undone. Unfortunately, the current rule is silent on the commodity swaps for agricultural businesses, is unnecessarily restrictive of farm credit system institutions, and applies arbitrary time restrictions on excluded swaps.

H.R. 3336 would strengthen the rule passed by the CTFC by expanding the scope of the exemption to protect the way rural America has long done business. The farms, ranches, and small businesses in the district I represent have never been and never will be a part of the systemic failure of our financial system. Neither they nor the small institutions that serve them ought to be considered as a threat.

Today's legislation is carefully tailored to ensure that we do not shackle small businesses and family farms with rules that ought to apply and are meant to police the largest Wall Street banks.

I want to thank Ms. HARTZLER for the work that she's done on shepherding this bill through committee. She has been a staunch advocate for protecting small businesses from the overreach of Dodd-Frank. I would also like to thank Ranking Member BOSWELL, my counterpart on the General Farm Committees and Risk Management Subcommittee; our chairman, Mr. LUCAS; and our ranking member, Mr. PETERSON, for their continued efforts at comity and bipartisanship on the House Agriculture Committee.

Like many bills moved through our committee this year, H.R. 3336 passed with unanimous bipartisan support. This is a testament to the leadership on both sides of the aisle and to the carefully crafted bill that Ms. HARTZLER introduced.

With those remarks, Madam Speaker, I urge swift adoption of the Small Business Credit Availability Act.

Mr. LUCAS. Madam Speaker, I would note to my colleague, the ranking member, I have one additional speaker, and then myself for whatever close I may have.

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

Mr. LUCAS. Madam Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. HULTGREN).

Mr. HULTGREN. Chairman LUCAS, thank you so much for your support on this issue. It has been a pleasure working with you and your staff during my first term here in Congress and on the Ag Committee.

In the committee this year, we have worked hard to protect farms and small businesses from Dodd-Frank red tape. That's why I rise today in strong support of Representative VICKY HARTZLER's bill.

H.R. 3336 reduces unnecessary regulatory burdens on small financial institutions to ensure they can continue to provide capital to small businesses in their communities.

The bill ensures that small financial and farm credit institutions will continue to be able to provide swaps to their loan customers without being considered or registered as swap dealers.

I am pleased that the CTFC has come out with a ruling more favorable than the original legislation, but I think it's important still to note that this bill ensures that the CTFC provides an exemption from clearing for small financial institutions that are hedging their own risks.

I also want to thank my Illinois colleague, Congressman BOBBY SCHILLING, for his work on this bill. He added a provision particularly important for companies like John Deere and Caterpillar, which has facilities in my district.

□ 1420

Mr. PETERSON. Madam Speaker, again, this bill clarifies what was the original intent of the Dodd-Frank deliberations. Some of what's in this bill, I think, has already been resolved, but there are some clarifications here. If

there is duplication, it doesn't do any harm, so we support this bill and encourage that it be adopted.

I yield back the balance of my time.

Mr. LUCAS. Madam Speaker, I yield myself the balance of my time.

I think, as we've heard here today, this piece of legislation is an effort, in a very bipartisan way, to address some of the issues in Dodd-Frank that need to be fixed. If you care about production agriculture, if you care about Main Street business, if you care about the people who work in the factories that produce the products and do the things that make this great economy move forward, then you'll support H.R. 3336.

It won't affect the five biggest financial institutions that do 96 percent of this kind of business, but it will help the people who really toil and struggle every day to make a living. It will help the small communities where those good folks live. It's a positive effort to address issues that have come to light in the course of the Ag Committee's exhaustive hearings.

I simply thank my colleague, Congresswoman HARTZLER, for working diligently on this bill. I thank the ranking member and my colleagues.

Let's vote for H.R. 3336. Let's try and help the folks back home.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oklahoma (Mr. LUCAS) that the House suspend the rules and pass the bill, H.R. 3336, 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.

Mrs. MALONEY. Madam 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.

MOTION TO INSTRUCT CONFEREES ON H.R. 4348, SURFACE TRANSPORTATION EXTENSION ACT OF 2012, PART II

Mr. MICA. Madam Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

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

There was no objection.

Mr. RAHALL. Madam Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Rahall moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4348 be instructed to recede from disagreement to the amendment of the Senate.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from West Virginia (Mr. RAHALL) and the gentleman from Florida (Mr. MICA) each will control 30 minutes.

The Chair recognizes the gentleman from West Virginia.

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

Madam Speaker, the long-term authorization of surface transportation programs expired on September 30, 2009. Since that time, Congress has enacted nine separate Surface Transportation Extension Acts, allowing us to continue limping along, patching together our Nation's surface transportation system. These short-term, start-and-stop Surface Transportation Extension Acts are undermining our surface transportation system.

Running these programs through short-term extensions creates tremendous uncertainty among State departments of transportation, public transit agencies, and highway and transit contractors that delay critical highway and transit projects, costing good-paying jobs each step of the way.

With more than 2.5 million construction and manufacturing workers still out of work, it is far past time for Congress to enact surface transportation legislation that will remove this uncertainty, create and sustain family-wage jobs, and restore our Nation's economic growth.

That's why I offer this motion today. We have an opportunity before us to move quickly to pass legislation that can remove this uncertainty and get America back to work.

Over a month ago, the Senate passed S. 1813, known as MAP–21, by an overwhelmingly bipartisan vote of 74–22. Now, each of us in this body knows how difficult it is for the other body to agree on just about anything. But, unlike the House, the Senate was able to come together to pass bipartisan legislation that will provide States with the certainty that they need to move forward with highway and transit projects and get Americans back to work. It is time for the House, believe it or not, to follow the other body's lead and pass S. 1813.

Certainly, S. 1813 is not the exact bill that I would have written. However, the Senate bill is a dramatic improvement over what House Republicans proposed in their now-dead partisan reauthorization bill known as H.R. 7, which was reported by the Transportation and Infrastructure Committee, but never acted upon by the full House.

Last week, in an effort to facilitate a conference with the Senate on MAP–21, the House of Representatives passed H.R. 4348, another surface transportation extension bill. I supported the House passage of H.R. 4348 as a vehicle to go to conference on the Senate bill.

I said then—taking Republicans at their word that they are serious about moving this process forward—passage of that short-term extension bill would allow us to quickly convene a conference with the Senate on its bipartisan, multiyear surface transportation reauthorization bill, which passed with the support of three-quarters of the other body.

A long-term bill will provide the certainty that States need to invest and proceed with their plans long on the books. It will provide the certainty that highway and transit contractors desperately need to give them the confidence to hire that one more worker. That is what surface transportation is all about, putting Americans back to work and sustaining our economic competitiveness.

If there are issues that we must change, we can address those through a technical corrections bill that will make the necessary policy changes to improve the bill. That is not unprecedented. We've done it before.

There is nothing to prevent the Congress from enacting S. 1813 and then continuing to work to develop further bicameral, bipartisan changes to further improve surface transportation programs and policies. But American workers should not have to wait any longer as Congress searches for agreement. The time for political games is over.

So my motion is simple, very simple. It instructs House conferees to agree to the Senate bill. Enactment of MAP–21 will put in place 18 months worth of funding, provide state DOTs and public transit agencies the certainty they need to advance projects, and provide contractors the certainty they need to hire that one more worker. Out-of-work Americans simply cannot wait any longer.

I reserve the balance of my time.

Mr. MICA. Madam Speaker, I rise in opposition to the motion to instruct and yield myself such time as I may consume.

Madam Speaker, I want to take a little bit of time to explain to you and my colleagues and others who may be listening to this debate about what's happening now. The other side of the aisle has just offered a motion to instruct, and we're going to conference on an important piece of legislation. That's the transportation bill that sets the transportation policy for the United States of America.

For all of our transportation projects, those projects that would be eligible, we identify the terms of participation for States and local governments and everyone who is going to receive Federal funds for transportation projects. So all of that is very important.

It is important that we put people to work. When I go back home, I talk to

people who lost their house, lost their job, and they want an opportunity to work. And you heard that, in fact, there have been nine amendments since the bill expired, and six of those extensions were passed under the Democrats. I've had to do three.

They had complete control of the U.S. House of Representatives, the United States Senate, and the White House, and still had to pass six extensions. Then I learned from our staff that they did not pass a single freestanding extension.

□ 1430

Before we left for Easter, I passed a freestanding extension to get us so that we wouldn't close down jobs, that we wouldn't stop contracts, that we wouldn't stop people working. Now they're asking us to take the Senate carte blanche, a proposal which was adopted by the Senate—not a total vote, but it was a bipartisan vote—and just adopt it in their motion to instruct.

Now, Madam Speaker, I just got through explaining the Constitution to a wonderful group of young people from the Stetson Baptist Christian School in DeLand, Florida, on the steps just a few steps from here—right out that door and down those steps—and they stood there. I explained to them that the Founding Fathers created two Houses. The first body that they created, most importantly, the Congress of the United States, a legislative branch with a House and, yes, young people and teachers and chaperones that were listening, and I said also with the Senate.

They did that because they wanted all of those opinions to come together and they wanted us to work, again, in a bipartisan fashion to come up with the best possible solution. Yes, they'd operated with Articles of Confederation with a unicameral government, but last time I checked down the hall, I think if we open those doors and look down there, there is the United States Senate, and this is the people's House of Representatives.

I also explained to the students, this is the only body in which the Members actually have to be elected. Everybody else can be appointed. The Senators can be appointed. The President, actually you could replace him by appointment, the Vice President. But the only Federal representative that they have is the House of Representatives.

But what they want to do is cast the participation of the House of Representatives aside and just adopt what the Senate has brought forward. I tell you that the House has worked hard.

Now, I didn't have the benefit of 6,300 earmarks, which my predecessor had, to pass a bill, so it's taken me a little bit longer, and a few days ago we did pass a bill. It wasn't a bill that we passed out of committee, H.R. 7, with all the Republican votes but one, and we tried to bring to the House. It wasn't the vote that we heard in committee for some 18 hours, most of the time consumed not with Republican amendments but with Democrat amendments, over a hundred Democrat amendments, and I said we're going to sit there as long as it takes and give everyone an opportunity to participate in this free and open process, which we are doing here. Today they propose closing down that free and open process. Let's just adopt what the Senate tossed over to us.

I say ''no,'' and I say ''no'' for a whole host of reasons. The Senate proposal is a proposal that will bankrupt the trust fund. The Senate proposal is a path to just building paths, to resurfacing, to short-term jobs, not answering the call of the people who sent us here to make certain that their transportation money, when they go fill up their gas tank, pay for 1 gallon of gas, 18.4 cents comes to Washington in the trust fund, and we spend it. That's what this sets the policy for, what's eligible for receiving those Federal dollars.

But we'll just forget there's a House of Representatives and cast that body aside. I think not.

I think even an eighth-grader from one of my schools at home can figure this out, Madam Speaker, and I just can't agree with this motion to recommit.

I reserve the balance of my time.

Mr. RAHALL. Madam Speaker, I yield myself 1 minute.

In order to respond to the distinguished chairman, that's funny, and I appreciate the history lesson he's just given us on legislation in this body. It's funny, while you were speaking to students from your district, I was just speaking to students from my district outside on the Capitol steps as well. They happened to have been from Webster Junior High School from Webster Springs, West Virginia.

I explained to them the process that we're in right now going to conference on the transportation bill, how the other body had passed in a bipartisan fashion, the other body who can rarely agree on anything, including a resolution saying ''I love mother,'' but here they came together and passed a bill with 72 votes in a bipartisan fashion. I had explained to them briefly what the other body's bill did and what our bill did. That's funny. They were all nodding in agreement. They all said we ought to accept the Senate bill; go for the Senate bill.

So I guess the point I'm making is that we all know how this place works. We all know the difficulties in getting something through the other body where, like it or not, the Framers of our Constitution set it up so that the minority in that body has the power.

Madam Speaker, I yield 3 minutes to the distinguished gentleman from Oregon (Mr. DEFAZIO), the ranking member on our Highways and Transit Subcommittee.

Mr. DEFAZIO. In a bitterly divided Congress along partisan lines, I think there is one thing we can all agree upon: America is falling apart.

Our Nation's infrastructure, according to two reports from commissions that met during the Bush administration when the Republicans controlled the House, the White House, and the Senate, came to the same conclusion: we are vastly underinvesting in our national transportation infrastructure.

We're not even spending enough to bring the Eisenhower-era investments up to a state of good repair: 150,000 bridges need repair or replacement; 40 percent of the pavement on the National Highway System needs to be substantially rebuilt, not just paved over; and a $60 billion to $70 billion backlog on critical capital investments for our legacy transit systems across America.

The good news is, if we make these investments, we'll put millions of people to work—and not just construction workers, not just engineers, manufacturing steel for the bridges, manufacturing for light railcars, for streetcars, first Made in America streetcars in 70 years being produced at Oregon Iron Works, and the components sourced from 24 States in the United States of America.

We have the strongest buy America requirements in our transportation sector, and I hope that we can agree, as we move forward through this conference, to strengthen those even more so we don't leak these precious tax dollars and jobs overseas like we do in so many other ways.

Now, I understand the reluctance of the majority, and they will prevail here today, to say, Let's do the Senate bill now and move on. Let's put people back to work starting next week. But I've got to caution the majority. They will prevail today, but these temporary extensions are costing us jobs. They aren't status quo, let's just extend 90 days and 90 days.

We are getting substantiated reports from the 50 States that they are delaying or cancelling transportation investments and projects for this construction season because of the uncertainty about Federal funding. Time is of the essence here.

In the northern tier States, we've got to get this bill done before we take—well, we've got a break next week, then we're back, I think, for 7 legislative days, then we've got a break the next week, then we come back for another 7 legislative days, then we've got a 10-day break after that.

We've got to squeeze in a little legislative work between these breaks. I believe that if we're determined that we can begin the conference as soon as we are appointed, and we could have this done no later than May 15 before we begin, two breaks from now, another break. So we've got to stop taking breaks and give the American people a break and put them back to work. Make the investments they know we need in our Nation's infrastructure.

I urge support for the ranking member's position.

□ 1440

Mr. MICA. Madam Speaker, I am pleased to yield 3 minutes to the gentleman from Tennessee, who also chairs the Highways Subcommittee, Mr. DUNCAN.

Mr. DUNCAN of Tennessee. I thank Chairman MICA for yielding me this time, and I especially thank him for his long and hard work on this legislation. He has raised several points, Chairman MICA has, as to the problems that this motion to instruct would cause, so let me just mention a few things.

This motion to instruct conferees to accept the Senate bill in its entirety is contrary to the purpose of having a House and Senate conference. It is our responsibility to sit down with our Senate colleagues and address areas where we have differences of opinion. More importantly, the Senate bill includes provisions that many people have serious concerns about.

For example, the Senate bill requires that all new passenger vehicles, beginning in 2015, be equipped with an event data recorder. These recorders are similar to the black boxes required on airplanes. While the intent of this provision is to collect safety information, many people think this is a slippery slope that we really don't want to go down. Privacy is a big concern for many of my constituents and for many people across this country, and this provision, many people feel, would cross the line of Federal intrusion into citizens' personal, or private, lives.

There are also other areas where the Senate bill does not go far enough. We've talked about environmental streamlining for years, but everyone on both sides of the aisle knows we need to really do something about that now because other developed nations are doing projects in half the time or less than we are. In the last two Federal highway studies, one showed it took 13 years and another said it took 15 years from conception to completion. These are not transcontinental highways. These are just relatively short highway projects, and we could be doing those in 6 or 7 years.

The Senate bill does not set hard deadlines for Federal agencies to approve projects, so they can be delayed and delayed and delayed. It does not allow State environmental laws to be used in place of Federal environmental laws. There are some States in which the State laws are better. The Senate bill does not expand the list of projects that qualify for categorical exclusions. The Senate bill does not expedite projects that are being rebuilt due to a disaster, such as the bridge on Interstate 35 in Minnesota, which was done so quickly to everybody's great relief. These are issues not addressed in the Senate bill, issues which could be addressed in the conference. There are also many other issues that Chairman MICA has pointed out.

Let me just say that much of the highway bill that the House has produced came from the other side. I understand there were hundreds of letters from Democratic Members and that 60 percent of what was requested in those letters was done by the committee staff. Then there were over 100 amendments.

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

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

Mr. DUNCAN of Tennessee. We started our markup at, I think, 9 o'clock in the morning, and we went until about 3 o'clock the next morning. We addressed over 100 amendments that were submitted by Democratic Members, and I think over 20 of them were put into the bill. So many things were put in by the other side before the bill ever was marked up, and then during the markup. Now we're supposed to do away with all of that and just go with the Senate bill, but I don't think that's the way we should do it. I urge my colleagues to oppose this motion.

Mr. RAHALL. Madam Speaker, I yield 2 minutes to our distinguished ranking member of the Subcommittee on Railroads, the gentlelady from Florida, Ms. CORRINE BROWN.

Ms. BROWN of Florida. I thank the Members of the House.

Madam Speaker, let me just say, in having served on the committee for 19 years, it is the House bill I am very disappointed with. Secretary LaHood stated it best: it's the worst bill he has seen in 35 years. Of course, it's the worst bill I've ever seen. I sat through that markup from 9 o'clock in the morning until 3 o'clock in the morning, and it was a nightmare, since many of the proposals dismantle transportation.

I can truly say that people come to this floor often raving against the Senate. I now say thank God for the United States Senate because they have come up with a commonsense bill that we can fund and pass—and go home. It's a bill that would fund transportation and really put about 2 million people to work. We have many projects in the Florida area that could benefit from our passing comprehensive transportation, but more than that, we have such a high unemployment rate in Florida—9 percent—that every $1 billion we spend in transportation will generate 44,000 permanent jobs.

In talking about rules and regulations, visiting us today in the Capitol is the Hawk family, whose daughter was killed because of pollution. When we talk about regulations, surely we've got to strike a balance. We have regulations for a purpose. When we raise our hand to defend and protect the public, we're talking about the Constitution, but we also have a responsibility to make sure that we protect the public and have a balanced approach and not destroy all of the regulations pertaining to the environment, which is what the House bill did in the markup.

We can go on and on, but let me just tell you as I close that you can fool some of the people some of the time, but you can't fool all of the people all of the time. Pass the Senate bill.

Mr. MICA. Madam Speaker, I am pleased to yield 2½ minutes to a gentleman who has authored one of the major amendments to the legislation that passed, the gentleman from Wisconsin (Mr. RIBBLE).

Mr. RIBBLE. I am struck here this afternoon. I've heard my good friends on the other side of the aisle and their concerns. I think it's legitimate that they would like to see long-term certainty in our infrastructure system. Yet, when the highway bill ended in 2009, they controlled the White House, the House of Representatives and the U.S. Senate. While in the majority of all three levels of government, they chose to extend the transportation authorization six times. So here we are, once again, with another delay tactic, letting the American people wait some more. They know that this motion to instruct is not going to go anywhere because there are important reforms that the American people have told us they want.

One of those reforms is my amendment, which is part of our bill that streamlines the redtape. Why in the world should we take 15 years to get a highway project finished? It's because we're waiting two-thirds of the time to get approvals done. It's nonsensical, yet we keep on promulgating the same problem over and over and over again. It's like Groundhog Day here. I have to tell you, Madam Speaker, it gets frustrating after a while.

We need to get on with this and move forward with something. Let's get this into conference so that we can go ahead and make our reforms. The American people have spoken. They spoke in the last election. They decided that they wanted a split government, that they wanted the majority over here in the House and a different majority in the Senate. That was their choice. The way a bill becomes law is that the Senate does its thing and then we do our thing, and then we come together and negotiate in between to find the best common ground for all Americans. That's what we plan on doing here.

I very strongly urge my colleagues to vote ''no'' on this motion to instruct. Let us get to conference with our reforms and with the House-passed legislation, the bipartisan House-passed legislation. Let's get on with it so that we can get some certainty put back into this.

Mr. RAHALL. Madam Speaker, I am honored to yield 2 minutes to the gentlelady from Texas, a valued member of our committee, Ms. EDDIE BERNICE JOHNSON.

Ms. EDDIE BERNICE JOHNSON of Texas. Let me thank my ranking member and chair of the Transportation and Infrastructure Committee.

I rise in support of the provisions included in the Senate version of the reauthorization. It was my hope that we

would have a longer-term bill, one that would reauthorize surface transportation, transit, and rail provisions for several years. I support the Senate version because it will provide certainty to the State departments of transportation, to transit agencies, and to contractors, which will help create and sustain jobs for out-of-work Americans.

□ 1450

Most of the roads and bridges in this country are in serious disrepair, and States and municipalities are unable to address these needs with piecemeal extensions.

The Senate bill preserves transit funding and continues funding major transit programs from the highway trust fund. I was very concerned with the elimination of transit funding included in the House version. Transit funds are essential to both urban and rural areas by providing alternative transportation, easing congestion, and reducing emissions. In addition, I support the expansion of the TIFIA program to $1 billion annually, and the modifications that make it easier for public transportation agencies with dedicated revenue sources to apply for TIFIA loans.

Madam Speaker, we are currently operating under the ninth extension of SAFETEA–LU. This really is unacceptable, and we owe it to the American people to address our crumbling infrastructure and to get them back to work.

I voted for the most recent extension of SAFETEA–LU, but for the purpose of getting to where we are now, so we could get to conference and consider the Senate amendment to H.R. 4348 in conference. I implore my colleagues to support the instructions to put the Senate transportation bill before us in conference so that we can bring it to the floor.

Mr. MICA. Madam Speaker, I yield 2 minutes to one of the outstanding new members of the Transportation and Infrastructure Committee, the gentleman from Indiana (Mr. BUCSHON).

Mr. BUCSHON. Thank you, Mr. Chairman.

Madam Speaker, I rise today in opposition to this motion to instruct. The House needs to conference with the Senate and craft a long-term highway bill.

In MAP–21, the Senate bill, there is a provision that was offered by Senator BINGAMAN that provided disincentive to States and cities to consider partnering with the private sector for fear of losing a percentage of its Federal funding. This is only one of the many problems I have with the Senate bill.

In my State of Indiana, Governor Daniels made the bold move to enter into a public-private partnership for the Indiana toll road. Indiana received over $4 billion up front for the lease of this road. When the Governor announced this public-private partnership, Members of this body were critical of the decision, and some even claimed that it would never work.

Not only has it been successful for the Indiana toll road, but it has also resulted in over $6.5 billion invested in infrastructure projects throughout Indiana. After 30 years of planning, Interstate 69 in my district is being built connecting Evansville, the third largest city in the State, to Annapolis.

The Indiana toll road is a perfect example of how business and government can work together to address America's infrastructure needs. The Bingaman amendment ignores these types of successes, and rather than rewarding, States are putting the American taxpayer first and pursuing alternative funding for roads. It will punish a State and take away portions of their Federal funding. Under the Bingaman amendment, Indiana would lose $72 million. Nevada, I should point out, will lose $66 million.

In these challenging fiscal times, public-private partnerships represent an exciting option to many States to better leverage their Federal transportation dollars. Congress should take positive steps to encourage innovative financing strategies like public-private partnerships rather than penalizing them. The only way to fully address our Nation's infrastructure needs is to involve the private sector. The Federal Government can't do everything.

BUILDING AMERICA'S FUTURE,
APRIL 16, 2012.

Hon. JOHN BOEHNER,
Speaker, House of Representatives,
The Capitol, Washington, DC.
Hon. NANCY PELOSI,
Minority Leader, House of Representatives,
The Capitol, Washington, DC.

DEAR SPEAKER BOEHNER AND MINORITY LEADER PELOSI: In order to remain economically competitive, the United States must have a modern 21st century transportation system. Goods must move efficiently to market and people must reliably get from their homes to their jobs or schools.

However, as you are keenly aware, transportation-funding shortfalls are increasing at all levels of government, and traditional funding sources are no longer keeping pace with rapidly growing needs. As a result, states and cities have had to increasingly look to innovative solutions, such as partnering with the private sector (where appropriate) in an effort to modernize their transportation networks. Now is surely not the time to restrict the ability of states and cities to innovate.

Yet, that is precisely what happened with the inclusion of several harmful provisions in the Senate's transportation bill (MAP–21). We are particularly concerned about language that provides a disincentive to states and cities to consider partnering with the private sector for fear of losing a percentage of its federal funding; eliminates the option to use Private Activity Bonds (PABs) to finance leased highway projects; and changes the depreciation timetable for longterm highway leases from 15 years to 45. Taken together or individually, these provisions would have a chilling effect upon future private investment in infrastructure, perhaps even bringing it to a complete halt.

As the House continues to work on its multi-year transportation bill, we urge you not to include any provisions that would make it more difficult for states and cities to continue to innovate and partner with the private sector. In order to address our nation's enormous transportation needs, states must rely on a variety of options to fund and finance those needs. At a time when federal funds are increasingly limited but needs are growing exponentially, the last thing Congress should do is tie the hands of governors and mayors by limiting the options available to them.

Public private partnerships are not the solution to every state's transportation funding challenges, but they are certainly a piece of the solution.

Our own experience with public private partnerships in infrastructure investment convinces us that the private sector is looking for such long term stable investments and that these partnerships must be a viable option for helping to fund our transportation needs.

We urge you to protect the ability of states seeking creative solutions to transportation funding challenges, rather than creating roadblocks to leveraging state dollars with private investment.

Sincerely,

MICHAEL R. BLOOMBERG,
Mayor, City of New York.
ED RENDELL,
Former Governor, State of Pennsylvania.
MITCH DANIELS,
Govenor, State of Indiana.

Mr. RAHALL. Madam Speaker, I yield 2 minutes to our distinguished ranking member on the Water Resources and Environment Subcommittee, the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. I thank Mr. RAHALL for yielding.

Madam Speaker, I rise to speak in support of the motion to instruct conferees. This motion would direct conferees to adopt the Senate bill, MAP–21, which I introduced as H.R. 14 in March. This legislation can provide State DOTs, transit agencies, and contractors with the certainty they need to create and sustain jobs for the thousands of Americans who are still out of work as a result of the economic downturn.

MAP–21 not only passed overwhelmingly in the Senate with a bipartisan majority of 74–22, but the Senate bill is fully paid for and will save an estimated 1.8 million jobs and create up to 1 million additional jobs when implemented. During a weak economic recovery looking for a jump-start, this is precisely what we need to do.

Given that H.R. 4348 is merely a 90-day extension of highway programs at current levels with a few policy additions, we could put the construction industry back to work that much faster, given that the construction season is in full swing if this motion to instruct is adopted.

MAP–21 has the support of three-quarters of Congress, Senate Democrats, Senate Republicans, House Democrats; it has the support of the White House. It's time that the House Republicans got on board with job creation instead of fighting it. Americans

want safe roads and bridges; but, above all, they want jobs.

The Senate passed the biggest job-creating bill in this Congress by an overwhelming bipartisan margin. The House has done nothing. Let's get this country moving again by passing the Senate bill so the President can sign it. Let's create jobs. Let's Make It in America.

I urge my colleagues to support this motion to instruct conferees.

Mr. MICA. I yield 3½ minutes to the chair of the Rail Subcommittee, the distinguished member of our Transportation and Infrastructure Committee, the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. I just want to remind my colleague from New York, as he is walking off the floor, that it was the Democratic-controlled Congress that was unable to pass a transportation bill when they had control of this body for the past couple of years.

Today, I come to the floor in opposition to the motion to instruct; and, quite frankly, I'm surprised, I'm shocked, I'm stunned that my colleagues on the other side are willing to take up a Senate bill which is a bad bill and, in fact, there's a couple of provisions in there that I would think the ranking member of the full committee and the ranking member of the Railroad Subcommittee would embrace. There is a coal ash provision in there which is going to be good for coal in West Virginia, so that is something I would hope that we would embrace going to conference, to come out and save those jobs in West Virginia, create more jobs.

Then, of course, the gentlelady from Florida, she embraces the Senate bill, which is going to be a disincentive for private money. It's my understanding that Florida is a leader when it comes to working with the private sector to build infrastructure. Why in the world would we want to have a disincentive out there for public-private partnerships when Florida will benefit mightily from it? Again, as I said, I'm stunned that we're standing here today with this motion to instruct.

The Senate bill fails to make real reforms, continues the transportation enhancement and safety routes, the school programs that mandate bike paths and roadside flowers and ''walking school bus'' programs. You would think that the people in Pennsylvania, Florida or West Virginia didn't love their kids enough that they wouldn't be able to instruct them on their own how to go to school safely.

Also, the people in Pennsylvania, we need to spend that money—not on bike paths, although I love bike paths, I have got a few of them in my district—but the time we face today should be focused on repairing those bridges when Pennsylvania has over 5,000 bridges that are in desperate need of repair. Again, the Senate bill continues to mandate that they hire a bike/pedestrian coordinator and a Safe Routes to School coordinator. Like I said, those are things I don't believe belong in this bill.

Further, the Senate bill fails, or it creates, actually, a national freight program adding to bureaucracy at PennDOT. The new freight program allows States to use up to 10 percent of their appropriated funds for freight rail projects, which means less money for highways and bridges. I'm an advocate for rail in this country. I don't believe that Class I's would want anything to do with this because every time they have got involved with Federal money, it takes a lot longer and it's a lot more expensive. I don't even believe that the Class I's would embrace a program like this that the Senate is putting forward out there. The Federal regulatory provisions for passenger rail providers include rail authorities that are intended to stifle competition. Once again, there's private sector initiatives going on all over this country when it's coming to commuter rail.

Another thing, positive train controls, the Senate doesn't push that back. We found the technology is not there; it's not right. We don't have it. You can't use alternative forms of safety devices when it comes to positive train control.

In addition to that, in Pennsylvania, Pennsylvania, New Jersey and Delaware, SEPTA, they are going to have to spend half of their capital money, half of their capital dollars, to put positive train control in place. This is going to cause even the trains in New Jersey and the Philadelphia area to be less safe because they are not going to be spending on fixing their rolling stock and rehabilitating their rail lines.

□ 1500

So this bill, again, falls far short of any kind of reforms we need, as well as the Railroad Rehabilitation Improvement Financing fund, which is a loan program to tap into $35 billion.

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

Mr. MICA. I yield the gentleman 30 additional seconds.

Mr. SHUSTER. Now, that's the kind of reform we need to see, not forcing States to spend 10 percent in freight rail projects, but let's let them tap into this RRIF loan program and make it easier.

The way our bill and our reforms are, it would make it much easier for the Class I's, and especially the short lines, to be able to invest those dollars at low interest rates and improve the freight rail system in this country.

Again, I'm stunned that my colleagues wouldn't support these what I consider to be groundbreaking reforms that will allow us to spend more money on building roads and bridges.

With that, I urge a rejection of this motion to instruct.

Mr. RAHALL. May I inquire as to the time remaining?

The SPEAKER pro tempore. The gentleman from West Virginia has 16 minutes remaining, and the gentleman from Florida has 12½ minutes remaining.

Mr. RAHALL. I have the right to close debate?

The SPEAKER pro tempore. The gentleman is correct.

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

Mr. MICA. Madam Speaker, I am pleased to yield 2 minutes to one of our star new members of the committee, the gentleman from New York (Mr. HANNA).

Mr. HANNA. I thank the gentleman from Florida.

I rise in opposition to the motion to instruct.

The House has developed some of the strongest policy reforms in decades. I, for one, am not ready to give them up. I thank Chairman MICA in particular for his leadership to streamline project delivery. It shouldn't take 15 years to finish a project. Our bill streamlines the permitting process so that they can be done concurrently, instead of consecutively. This is good policy and something worth fighting for. We can cut this time in half—and we should.

I also worked on two other provisions that simply aren't addressed in the Senate bill:

One addressed the use of engineering services. Specifically, it calls for States to utilize private sector engineering firms to the maximum extent possibility. State DOTs should streamline their operations and reduce overhead so more money is going to put shovels in the ground, not to bureaucracy.

The second provision would create regional planning organizations to give small communities a seat at the table, which is something they don't have now. The rural areas I represent face stiff competition for limited Federal dollars, and they deserve their fair share. But this reform, too, is absent from the Senate bill.

Let's work with the Senate to get these and other good ideas from both sides included in a final bill. Madam Speaker, we should embrace this process to make a positive impact on the Senate bill.

I urge my colleagues to oppose the motion to instruct.

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

Mr. MICA. Madam Speaker, I am pleased to yield 3 minutes to one of the senior members of the Transportation Committee, the gentleman from California (Mr. GARY G. MILLER).

Mr. GARY G. MILLER of California. Thank you, Mr. Chairman.

What's interesting about the debate is, if the Senate bill is good, you're going to appoint conferees, argue for the Senate side—you don't have to introduce a bill here in the House—and expect us to accept it when we haven't read it, we haven't debated it. It came to the floor without any discussion on our side. So when we go to conference, if you like the Senate provisions, if you

like a 2-year bill when we're going to fight for a 5-year bill, you're welcome to ask for that.

But there are some things in the Senate bill that really bother me. You had the Senate side say and guarantee there were no earmarks in this bill. Well, if you look at what Senator REID has done, in the 2005 SAFETEA–LU, the House put out a $45 million request for a project that was considered a legal earmark at that point in time. What Mr. REID has done is he has reappropriated that project to a $45 million project near the Las Vegas airport.

Now, it's nice that the Senate wants to make promises, but actions speak a lot louder than words. And when the actions of the bill state clearly that $45 million of House money authorized in 2005 is being transferred to a project in Las Vegas in a bill—and it's 2012—something inappropriate about that promise seems to occur.

I really appreciate the chairman putting language in our original bill on environmental streamlining. I think he did a great job on this. But when I wrote the bill, the language was very clear on what we were trying to do.

In 2005, authored language in TEA–LU said if a State has an environmental process that meets or exceeds Federal environmental law, they don't have to go through a duplicative process, and it allowed five States the opportunity to participate in that. But one State took advantage of that: the State of California. To this date, it's saving 17 months on process time—just application—and it's saving 30 months on delivery time.

What we tried to do in the House bill was the same thing. We're saying: Allow environmental reciprocity. But we want to go beyond that. We want to say not only should States be allowed to do that, but allow local municipalities and counties to do the same thing. They can save 17 months on process, 30 months on delivery. Today, time equals dollars. Plus, if you can create the projects today, we're going to move the economy forward in a positive direction and create some jobs.

But there's other things we need to do.

Receiving grants: Current law says that if a State or municipality applies for a Federal grant, they can't start the project until the grant money is received by the municipality or the agency. What we've done is say that once you have been approved for the grant, if you want to start the project, now start the project and you can reimburse yourself when the grant funds come in. You might save 12 months alone waiting for a grant to come in from the Federal Government; whereby, you can start today using local agency funds or State funds and get your money back when this money comes in from the grant project.

We need to establish some certainty on when you can start a project. The problem we have is, when applications are made to the Federal Government for a process for approval, it goes through an uncertain time process where they can delay and delay and delay. We've said, thanks to the chairman, that there's a date certain. Now the Federal Government has to respond by a date and has to approve it by a date.

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

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

Mr. GARY G. MILLER of California. Thank you, Mr. Chairman.

I think Chairman MICA did a great job putting the language into the bill, because it says you have to know when you can do something based on the Federal process and it sets a deadline for the Federal bureaucrats to get their job done.

Now, it seems like local governments and State governments are rapidly wanting to do things and the Federal Government drags its heels, requiring them to delay until they get final approval. We're saying, no, let's set a date for the Federal bureaucracy to approve a project—and I know you agree with this issue on your side—to let the construction projects go forward and make sure bureaucrats do their job. I approve what Chairman MICA is willing to do and wants to do here.

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

Mr. MICA. Madam Speaker, at this time I have no further requests for time, and I yield myself the balance of my time.

I started out talking about how it's important for the legislative process to properly be fulfilled under the terms of the Constitution and separation of responsibilities in the legislative body. This motion, of course, would close all of that down. We'd accept what the Senate has done without all of the work many Members have put into it. And I didn't go to Webster Springs, but I did go to Beckley, West Virginia, where we held the first meeting to allow the other side of the aisle to present at the very first of these deliberations their viewpoint and their recommendations for trying to pass a long-term transportation bill.

We took many of those—as you heard, 60 percent of the recommendations form the other side. We took 100 amendments, considered them, and passed 20 during 18 hours of marking up and considering the bill. So we've tried to make this a bipartisan process and a full process that everyone gets to participate in. But now they're here telling us that we don't want the House to participate any further, and just take the Senate bill and go along.

□ 1510

Now they, of course, passed six extensions, short term, keeping things in turmoil during—I think we calculated about 14 months. I've had to do three in about the same period of time. The difference is, I didn't have 6,300 earmarks, I didn't control the other body or that house downtown, what do they call it? The White House. But they controlled them all, all the branches, and they couldn't git 'er done.

So, the Senate bill does not set a threshold on some of these environmental approvals that tie us up. And no one wants to step over any good environmental provisions. What we want to do is shorten a little bit the time that these things go under consideration. They go on and on. You heard Mr. RIBBLE talk: 15 years to approve some of the projects in his district, 7 years on average for simple processing if the Federal Government gets involved. And we keep repeating the same thing. You heard the speaker say it's like Groundhog Day around here, and we've got to stop the Groundhog Day, and we could do that by having the House provisions adopted.

There are a whole host of things wrong with the Senate bill, and I won't get into them. And I know it's been a bumpy road to get here. I've told folks that when I became chairman—and I think the ranking member, when he became ranking member, neither of us was handed an operating manual. So this has been a bumpy road to get here, and it is a difficult process, but we tried to include everyone in that process and come up with the best suggestions and recommendations.

Mr. RIBBLE's amendment, which is to streamline provisions of H.R. 7, is excellent. Well, we'll get more for less, and we can do it responsibly. Mr. BOUSTANY from Louisiana's amendment getting the Highway Maintenance Trust Fund to get funds that are collected for improvement of the ports—actually they improve our ports that are so important to infrastructure. So there are many good provisions in our legislation. It's not what I would have exactly crafted or passed in the very beginning or brought out here, but it is a vehicle so that everybody can have consideration who has participated in this process.

So I submit to you, although it's been a bumpy road with some twists and turns—we didn't expect that the Senate bill is a path to fewer jobs; it's a path to fewer projects actually getting done. It's a path to build only paths, if you want to look at it that way. Unfortunately, it's also a path to a dead end for transportation.

So, I submit, Madam Speaker, that we take a different road, that we take a road to where we'll have more jobs. We could do more with less, and we can, I think, do a lot more for the American people in a very difficult time in our history in moving this great country forward and building our infrastructure.

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

Mr. RAHALL. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, as I said in my opening comments, the Senate bill, MAP–21, is not the perfect bill. It's not the bill I would have written had I had

my druthers. And yet I hear several of my colleagues on the other side saying how stunned they are that I am not for the House bill and that I would be here offering a motion to accept, carte blanche, the other body's bill.

I'm sure those Members know how this process works, and before I just give them a brief lesson on that, let me repeat my words again from my opening comments: that the other body's bill is not perfect. If there are issues that we must change, we can address those through a technical corrections bill that will make the necessary policy changes to improve the bill. This is not unprecedented. We have done it before, I would say to my stunned colleagues on the other side of the aisle.

So there is nothing to prevent Congress from enacting S. 1813 and then continuing to work to develop further bicameral, bipartisan changes to further improve our surface transportation programs and policies. But the bottom line here, the bottom line here is that our American workers should not have to wait any longer as Congress searches for an agreement. The time for political games, the time for adding stuff to score political points, is over.

I would say, in addition, to my distinguished chairman from Florida, he appears to blame part of his problems, headaches, and troubles on his side of the aisle on the fact that we no longer have what are known as earmarks. Now, it seems to me his suggestion is that we reinstate that process known as earmarks whereby we, in this body, if it's so concerned about Members of the House having a say and doing our constitutional jobs, where we would have a legitimate input into the making of transportation policy by deciding those local projects that are best for our people, rather than leaving them to bureaucracies or to Presidents of the United States, regardless of who occupies that office.

So, last week, I asked my colleague to join me in a bipartisan manner in writing a letter, which he kindly agreed, to the Speaker urging an expeditious naming of conferees, which we've now done. That was a bipartisan letter signed by the big four in our committee. I would now ask him, again, in the spirit of bipartisanship, and I will yield him time if he's prepared to answer my question yes or no—yes or no—if he will join me in a bipartisan letter to the Speaker asking for the reinstatement of earmarks. Yes or no?

Mr. MICA. Will the gentleman yield?

Mr. RAHALL. Yes, I'll yield.

Mr. MICA. I have to be a little bit more verbose. Would you allow me additional time?

Mr. RAHALL. I'll grant you 1 minute.

The SPEAKER pro tempore. The gentleman from Florida is recognized for 1 minute.

Mr. MICA. When I took over as ranking member and we had sort of a rank way in which earmarks were done, I cleaned up the process. I think earmarks, there can be bad legislative earmarks and bad administrative earmarks. When they're done behind closed doors, they're not properly vetted, they're not transparent, and they haven't had the sunshine, the antiseptic sunshine to let people know what's going on and they're not a worthwhile project that has true support, they shouldn't be considered, whether by the administration or legislatively. I think that we have a moratorium now, and I'd like to see a different way to present those requests. I think fundamentally under Article I of the Constitution, I think it's section 2, we should, as the House of Representatives, and we do earmark, even if we just put one line in that says that we'll turn all this money and responsibility over to the administration—that is an earmark. But we can do, and we should do better.

Mr. RAHALL. I appreciate the gentleman's response. Perhaps we ought to start drafting such a letter and see how far we get.

But let me conclude my part of the debate here, Madam Speaker, by reiterating what my motion is. It's simple, it's pure, it's clean, and it's straightforward. It instructs our conferees that we are appointing today to agree to the Senate bill.

That bill, known as MAP–21, provides a total of $109 billion in funding for fiscal years '12 and '13 for Federal highway, highway safety, and public transportation programs.

Among its other features, it continues current funding levels, it sustains approximately 1.9 million jobs on an annual basis, it provides continued dedicated financing for public transit from the highway trust fund—no more ''go fish'' with general appropriators on a yearly basis for our transit agencies. It continues and expands upon provisions developed during the last Surface Transportation Act to expedite project delivery without gutting environmental protections or limiting public participation.

I fear if you do either of the last two, you're only going to prolong the process through court battles because there will be court challenges that will go on beyond any approval process of the bureaucracy that may exist today.

The Senate bill also strengthens Buy America requirements that apply to Federal highway, transit, and rail capital projects by prohibiting the segmentation of such projects in order to avoid Buy America requirements. It ensures that the Department of Transportation periodically review existing nationwide waivers applicable to highway and rail projects. It requires DOT to justify any proposed waiver of the Buy America requirements, and it ensures that the American public has notice of an opportunity to comment on any proposed waiver prior to taking effect.

Finally, MAP–21's bipartisan financing package fully pays for the bill—fully pays for the bill, fully pays for the bill—by providing approximately $9.6 billion in new revenues into the highway trust fund.

□ 1520

This amount will fully pay for highway, transit, and highway safety programs authorized by the bill, and it will allow DOT to maintain a positive balance in both the highway and transit accounts of the highway trust fund at the end of the bill.

The bipartisan offsets do not add to the deficit because the general fund of the Treasury is also made whole for every dollar that's transferred into the highway trust fund.

So as I conclude, let me say that for these reasons I urge adoption of this motion.

Mr. MICA. Will the gentleman yield for one question?

Mr. RAHALL. I yield to the gentleman from Florida.

Mr. MICA. Last week, I think it was, you had come to the floor and asked me to sign a letter to the Speaker to appoint conferees and to go to conference. That's correct?

Mr. RAHALL. Correct.

Mr. MICA. And then we signed that and we sent it to the Speaker. It has gone to the Speaker. So now we're doing that, and now you're asking me to go to conference and roll over and play dead?

Mr. RAHALL. No, I'm not asking you to roll over and play dead. I'm saying that we ought to go to conference, accept the Senate bill. We can come back, as I've said now for the third or fourth time, and enact a technical corrections bill if there is something that we see in there that is drastically bad.

Mr. MICA. Will the gentleman yield?

Mr. RAHALL. I yield to the gentleman.

Mr. MICA. I thought this motion to recommit was to accept the Senate position. So we're getting it to conference. Didn't I pass a motion to go to conference? So now what? You're asking me to just, okay, surrender, it's all over?

Mr. RAHALL. Reclaiming my time, Madam Speaker, I've said many times during this debate that that's not the position of this gentleman that we roll over and play dead to the other body. I've said the other body is not the perfect bill. I've said that there are technical corrections we can change once we get a conference underway. Once we pass a conference committee bill, we can come back and make technical changes. That's not unprecedented in this body.

The important point here to remember is: no longer can we play these political games; no longer can we add extraneous stuff on a jobs bill such as this transportation bill to score political points for a certain wing of our party.

What we need to do, and the American people are demanding, this is the time that contracts are let for work—

not 90 days from now, not 180 days from now. This is springtime. This is time when the highway projects are let, and the American worker is waiting to know whether he or she will have a job this summer.

That's why I think every move should be made to get to conference expeditiously, to have that conference conclude its work and bring a bill back for both Houses of Congress to enact in order to provide that certainty to the American small businesses, to the American economy, to the American worker that he or she will have a job this summer. And that certainty should not wait around for us to decide whether we're going to roll over and play dead or not. That bill can be corrected, as we've done numerous times in this body, through technical changes once we have given that certainty to the American worker and to the American people.

It's for that reason that I urge that the House today approve this motion to instruct conferees as we go to conference on the transportation bill.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

Mr. RAHALL. Madam 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.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 4:45 p.m. today.

Accordingly (at 3 o'clock and 24 minutes p.m.), the House stood in recess.

□ 1645

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. YODER) at 4 o'clock and 45 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: motion to instruct conferees on H.R. 4348; motion to suspend the rules and pass H.R. 3336; and motion to suspend the rules and pass H.R. 1038; all by the yeas and nays.

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

MOTION TO INSTRUCT CONFEREES ON H.R. 4348, SURFACE TRANSPORTATION EXTENSION ACT OF 2012, PART II

The SPEAKER pro tempore. The unfinished business is the vote on the motion to instruct on H.R. 4348, offered by the gentleman from West Virginia (Mr. RAHALL), on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct.

The vote was taken by electronic device, and there were—yeas 181, nays 242, not voting 8, as follows:

[Roll No. 179]

YEAS—181

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

NAYS—242

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

NOT VOTING—8

Filner
Holden
Loebsack
Lowey
Marino
Paul
Rangel
Slaughter

□ 1711

Messrs. SHIMKUS, CALVERT, Mrs. HARTZLER, and Mr. COFFMAN of Colorado changed their vote from ''yea'' to ''nay.''

Messrs. POLIS, COSTA, and RYAN of Ohio changed their vote from ''nay'' to ''yea.''

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 179, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "yea."

SMALL BUSINESS CREDIT AVAILABILITY ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3336) to ensure the exclusion of small lenders from certain regulations of the Dodd-Frank 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 Oklahoma (Mr. LUCAS) that the House suspend the rules and pass the bill, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 312, nays 111, not voting 8, as follows:

[Roll No. 180]

YEAS—312

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Benishek
Berg
Berkley
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Clarke (MI)
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Farr
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinojosa
Hochul
Honda
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Keating
Kelly
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moore
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pastor (AZ)
Paulsen
Pearce
Pence
Peters
Peterson
Petri
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quayle
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Roybal-Allard
Royce
Runyan
Ruppersberger
Ryan (WI)
Sanchez, Loretta
Scalise
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Walz (MN)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—111

Ackerman
Baldwin
Becerra
Berman
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Capps
Capuano
Chu
Cicilline
Clarke (NY)
Clay
Cleaver
Cohen
Conyers
Courtney
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Edwards
Ellison
Engel
Eshoo
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Grijalva
Gutierrez
Hastings (FL)
Heinrich
Hinchey
Hirono
Holt
Hoyer
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Kildee
Kucinich
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lofgren, Zoe
Luján
Lynch
Maloney
Markey
Matsui
McCollum
McDermott
McGovern
Meeks
Michaud
Miller (NC)
Miller, George
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pelosi
Perlmutter
Pingree (ME)
Price (NC)
Rothman (NJ)
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Scott (VA)
Serrano
Sherman
Smith (WA)
Speier
Stark
Thompson (CA)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—8

Filner
Holden
Loebsack
Lowey
Marino
Paul
Rangel
Slaughter

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1719

Messrs. MORAN, AL GREEN of Texas, and DICKS changed their 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.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 180, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

CONVEYANCE OF LAND TO CORRECT ERRONEOUS SURVEY, COCONINO NATIONAL FOREST, ARIZONA

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1038) to authorize the conveyance of two small parcels of land within the boundaries of the Coconino National Forest containing private improvements that were developed based upon the reliance of the landowners in an erroneous survey conducted in May 1960, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 421, nays 1, not voting 9, as follows:

[Roll No. 181]

YEAS—421

Ackerman
Adams
Aderholt
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison

Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Long
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
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)

NAYS—1

Amash

NOT VOTING—9

Akin
Filner
Holden
Loebsack
Lowey
Marino
Paul
Rangel
Slaughter

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1726

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 181, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "yea."

Mr. AKIN. Mr. Speaker, on rollcall No. 181, I was unavoidably detained and would have voted "yea."

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3674

Mr. LANGEVIN. Mr. Speaker, I ask unanimous consent to withdraw my name as a cosponsor to H.R. 3674.

The SPEAKER pro tempore (Mr. MEEHAN). Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

□ 1730

APPOINTMENT OF CONFEREES ON H.R. 4348, SURFACE TRANSPORTATION EXTENSION ACT OF 2012, PART II

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees:

From the Committee on Transportation and Infrastructure, for consideration of the House bill (except section 141) and the Senate amendment (except secs. 1801, 40102, 40201, 40202, 40204, 40205, 40305, 40307, 40309–40312, 100112–100114, and 100116), and modifications committed to conference: Messrs. MICA, YOUNG of Alaska, DUNCAN of Tennessee, SHUSTER, Mrs. CAPITO, Mr. CRAWFORD, Ms. HERRERA BEUTLER, Messrs. BUCSHON, HANNA, SOUTHERLAND, LANKFORD, RIBBLE, RAHALL, DEFAZIO, COSTELLO, Ms. NORTON, Mr. NADLER, Ms. BROWN of Florida, Messrs. CUMMINGS, BOSWELL, and BISHOP of New York.

From the Committee on Energy and Commerce, for consideration of sec. 142 and titles II and V of the House bill, and secs. 1113, 1201, 1202, subtitles B, C, D, and E of title I of Division C, secs. 32701–32705, 32710, 32713, 40101, and 40301 of the Senate amendment, and modifications committed to conference: Messrs. UPTON, WHITFIELD, and WAXMAN.

From the Committee on Natural Resources, for consideration of secs. 123, 142, 204, and titles III and VI of the House bill, and sec. 1116, subtitles C, F, and G of title I of Division A, sec. 33009, titles VI and VII of Division C, sec. 40101, subtitles A and B of title I of Division F, and sec. 100301 of the Senate amendment, and modifications committed to conference: Messrs. HASTINGS of Washington, BISHOP of Utah, and MARKEY.

From the Committee on Science, Space, and Technology for consideration of secs. 121, 123, 136, and 137 of the House bill, and sec. 1534, subtitle F of title I of Division A, secs. 20013, 20014, 20029, 31101, 31103, 31111, 31204, 31504, 32705, 33009, 34008, and Division E of the Senate amendment, and modifications committed to conference: Messrs. HALL, CRAVAACK, and Ms. EDDIE BERNICE JOHNSON of Texas.

From the Committee on Ways and Means, for consideration of secs. 141 and 142 of the House bill, and secs. 1801, 40101, 40102, 40201, 40202, 40204, 40205, 40301–40307, 40309–40314, 100112–100114, and 100116 of the Senate amendment, and modifications committed to conference: Messrs. CAMP, TIBERI, and BLUMENAUER.

There was no objection.

THE SMALL BUSINESS TAX SIMPLIFICATION ACT

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

Mr. BERG. Mr. Speaker, in North Dakota, we know jobs come from small business, not from Big Government. Small business is the backbone of our economy, and it's the engine to get America back to work. Unfortunately, all too often, instead of helping small business, Washington serves as a roadblock to its growth by piling on excessive regulations and imposing burdensome complex Tax Code on the job creators.

The legislation I'm introducing today is known as the Small Business Tax Simplification Act. It will simplify our Tax Code for small businesses. Instead of being bogged down with complex tax-reporting requirements, this bipartisan legislation will allow businesses to use a simplified form of accounting that more closely matches the way small business owners run their businesses.

This bill represents commonsense change that would ease the burden of tax complexity for many small businesses, as they can spend more of their time and resources doing what they do best, and that's growing jobs and helping our economy.

GOP FRESHMAN CLASS ON COMPREHENSIVE TAX REFORM

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 to join here this evening with six or more of my colleagues from the freshman class to talk about a very important issue that we face in this Nation, and that is the need for our country to engage in an open and honest debate about comprehensive tax reform as we come to the end of the year with the expiration of our individual tax rates, our corporate tax rates, and the potential exposure of the estate tax being reinitiated at levels that would decimate family farmers and families across all of America.

I am pleased to be joined by so many of my colleagues who understand the importance and the critical nature of this issue to put us on a path to make America competitive when it comes to the world economy, and also to come up with a Tax Code that is simpler and easier for people to understand and that we don't have to spend thousands of dollars, hundreds of dollars, paying advisers to fill out forms just to meet the obligation of a tax burden that is out of control because of spending that is completely causing this Nation to create a national debt of $15.6 trillion. As we go forward in this conversation, let us be open, honest and fair about the issues before us.

With that, I would like to yield, Mr. Speaker, to a good friend of mine from Georgia.

Mr. AUSTIN SCOTT of Georgia. Thank you. I will tell you the key to this is open and honest debate.

We hear a lot from the President and from Democrats today about America's millionaires not paying their fair share. And they, quite honestly, quote Warren Buffett and talk about the Buffett rule. And certainly I'm happy that Mr. Buffett lives in a country like I do where he's able to achieve what he has. But Warren Buffett is a billionaire, not a millionaire.

Now, let's talk about who America's millionaires are. In my part of the country, farmland sells for about $3,500 an acre. So if you own 285 acres of land that you farm, you're a millionaire. In other parts of the country, it may sell for as much as $15,000 an acre. And if you're a farm family with 66 acres, that's one of America's millionaires.

These are hardworking, middle-income Americans who have saved all their lives to pay for the farm. We need to work to protect these family farms so the next generation can carry on their legacy. We hear a lot about that—protecting the American farmer—from the other side of the aisle. Yet they propose tax policies that do the exact opposite and very much would destroy our agricultural industry and the safety net that it provides this country.

□ 1740

In fact, if you follow their tax policy, America's farmers will simply be another statistic. What statistic? As it stands today, approximately 30 percent of family businesses will be passed on to the family's second generation—only in America—12 percent will make it to the third generation, and only 3 percent of all family businesses make it to the fourth generation or beyond. For a family farmer, for a small business owner, that's very disheartening. However, if the President has his way, those percentages will be even lower.

On January 1, 2013, the death tax will rise from the dead again, re-ordained by President Obama, and return with a rate of as much as 55 percent. Again, in my part of the country, a middle-income family farmer in my part of the country who owns more than 285 acres of land could be assessed a death tax of as much as 55 percent of what they try to leave to the next generation. That's what the President defines as the family farmer's ''fair share.''

Mr. Speaker, family farms are a significant and reliable food source for our country and the world, and they play a vital role in our Nation's national security. However, under the President's death tax proposal, family farmers will be forced to downsize their operations chunk by chunk, selling their assets to pay for what amounts to nothing other than the seizure of the family farm. Many may shut down and have to sell everything just to cover the cost.

I think of the song by Crosby, Stills & Nash that said: ''Tax the rich, feed the poor, 'til there are no rich no more.'' This is certainly the attitude of the current administration.

The truth is you simply can't feed the hungry without the family farmer. They play a vital role in everything we are and do as Americans.

Mr. Speaker, you want more hungry people in America? You want a decline in family businesses and higher unemployment? Follow the President's proposal on the death tax, because that's exactly where it leads. It's the seizure of assets of the family farmers and the family businesses in America. I promise you, if that happens, there will be more hungry people in America.

Mr. REED. I so appreciate my colleague from Georgia, the president of the freshman class, for his comments on the family farm and standing up for family farmers all across America.

One thing that we're going to face at the end of the year with the expiration of these tax rates and a need for us to commit firmly to comprehensive tax reform, I hope we all adopt a policy, a policy that I have heard from folks throughout my district, across my great State of New York, and across this entire Nation, and that is a firm commitment that they're looking for from Washington, D.C., to adopt tax policy that is going to be certain, that we adopt tax policy that is going to be permanent. Because as we ask our local manufacturers, our job creators of the United States of America, they need to know that when they make these decisions on millions, if not billions, of dollars in local plants to put people back to work that the rules of the road are going to be clear and they are going to be certain and they are going to be permanent so that they can rely on that certainty, so that they can make the investment necessary to get this economy going forward again, and making sure that they can rely on those rules and that they won't change midstream as we see with tax policy that extends on 10-year windows—or tax extenders, the 101 tax extender policies that either expired last year at the end of 2011 or will expire at the end of 2012, things as basic as the research and development tax credit for our manufacturers across America. Those types of policies need to be done on a permanent nature so that when these investment decisions are made, the people that are making those choices know that there will be a forum and a platform on the American market that is secure, certain, and will allow them to make sure that there is a good thought process put in place as they make those investment decisions.

At this point in time, I would love to yield to my good friend from the State of Pennsylvania, one of our leaders in the freshman class, MIKE KELLY.

Mr. KELLY. I would like to thank my friend from New York (Mr. REED).

Mr. Speaker, I rise today to talk about the things that are certain in life. People always say there's two things you can be certain of. One is death and the other is taxes. There's another one that we're going to be certain of after January 1, and that is you're going to continue to pay taxes after death.

In a government that borrows 42 cents of every dollar it spends, it comes as no surprise that we can't even let the dead relax. They're still going to be taxed beyond what they ever could have possibly imagined in real life.

So we look at a country that now has the highest corporate tax in the industrial world; we're going to have the highest or the second highest death tax in the world. And why? Because of a town that's never learned to do what it tells all of its citizens to do: live within your means, play fair, pay your fair share.

Well, I would just suggest to you that, in addition to that, what we're telling people is, look, you don't have the certainty anymore that you have planned your estate the right way, because after January 1 this government is going to come up with heavier taxes on its citizens—not the ones that are on the ground and living, but the ones that have already died, that have paid their fair share, that have played within the rules, that have done everything they're supposed to do as good citizens of this great country. They're going to be told at the end of their life that you cannot go to your final resting place in peace. No. Everything that you have accumulated in your life and already paid taxes on is going to be taxed again.

And who is it that's going to face that burden? All those people that we tried to work so hard for, that we tried to put things aside for. Our children and our grandchildren are facing a hockey stick of spending that goes up and off the charts. Again, a country that cannot live within its own means, and yet an administration that tells its citizenry you have to pay your fair share, the rich are not paying their fair share.

Listen, farms are not only going to go away because those assets are going to have to be liquidated to pay death taxes, small businesses are also going to be harmed by this new tax. They're going to have to liquidate in order to pay the estate taxes that are left over after somebody has worked their whole life, paid their fair share, done what they're supposed to do, lived within their means. But that's not enough. That's not enough for this administration. They will continue to rip off from your pocket after death that which you have worked so hard to earn over your lifetime.

There is nothing more prickly; not even the sharpest cactus in the desert has more prickly pins on it than this law and this rule in the way it's coming.

So I would just say to all my friends, if it's really about being fair, if it's really about playing by the rules, if it's really about a stewardship where you take what is given to you and you pass it on to the next generation in better shape than you got it, my goodness, how have we strayed so far from a basic American principle as that? How have we strayed so far as to tell those who have worked so hard in their lifetime that even in their death they cannot rest, they cannot be assured of that which they have worked so hard in order to pass on to the next generation is going to be vulnerable? Fifty-five percent tax on your estate.

The liquidation of family farms, the liquidation of family businesses, the liquidation of the dreams of our children and grandchildren, all of them go up in smoke as this tsunami of tax increases that this administration will be forcing on the American people after January 1.

I thank my friend from New York for bringing this issue up.

Mr. REED. Well, I thank the gentleman from Pennsylvania for joining us here tonight.

In listening to your comments, I wholeheartedly agree that what we're seeing at the end of this year, if Washington, D.C., does not get its act together—and we as the freshman class, I think, are doing a great job in holding this city accountable and really changing the culture of Washington, D.C. The job has just started. We have a lot more work to do, and we'll continue to go forward on that mission.

But what we have to commit ourselves to is, if we do not act by the end of the year, the largest tax increase in the history of America will go into effect with the expiration of the individual tax rates, the reinstatement of the estate taxes at levels of 55 percent and beyond, and we need to act.

Mr. KELLY. Will the gentleman yield?

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

Mr. KELLY. I think the other thing that is very important to understand is that we talk about competing in the global economy. Now, our friends to the north in Canada do not have a death tax. Our friends to the south in Mexico do not have a death tax. This, again, is an example of an administration that is so out of touch with the real world, that has never had any skin in the game, never understood that in order to produce a profit you must first know how to create one and not just how to tax it. But we are, again, taking ourselves out of the global economy and we are telling our people, You know what? You may be better off living in Canada or in Mexico, especially if you've accumulated anything in your lifetime, because you're not going to be able to pass it on to the next generation.

Mr. REED. I so appreciate that comment.

With that, I would like to yield to another colleague of ours, a great Member of the freshman class from Florida, Colonel WEST.

□ 1750

Mr. WEST. I thank the kind colleague of mine from New York (Mr. REED).

Mr. Speaker, as a field artillery officer in the United States Army, I learned a thing or two about weaponry. Our success on the battlefields of Desert Storm and Desert Shield depended on choosing the correct artillery for each specific objective, whether it was halting the enemy's forward progress, diminishing the strength of its forces, or completely destroying its capabilities.

Although he has never served our country in uniform or risked his life to defend its freedoms and liberties on distant shores, it seems President Obama understands a thing or two about weaponry as well. But in the President's case, Mr. Speaker, the current weapon of choice is tax policy, and the enemies are small businesses, investors, entrepreneurs, and corporations, who seemingly are deemed undesirable. In short, these are the economic engines of our Nation.

The President's planned tax increases seemed designed solely to demonize the rich and use them as a propaganda tool to score political points. But the collateral damage of these policies will spread far and wide into the heartland of America. After all, the 160 percent increase in Federal cigarette taxes put in place in 2009 by President Obama and his administration, certainly affects those earning far less than $250,000, despite his promise not to raise their taxes.

The fact is, Mr. Speaker, next year, unless changes are made in the Tax Code, Americans will be bombarded with the heavy artillery of the largest tax increase in the Nation's history, causing massive economic injury and destruction.

To begin with, if the Bush-Obama tax rates are allowed to expire, the current tax brackets of 10 to 35 percent will rise to 15 to 39.6 percent. Other tax provisions scheduled to disappear that will hit ordinary Americans include the American Opportunity Tax Credit—up to $2,500 per student for qualified college costs, a tax exclusion for forgiven mortgage debt, and a tax credit for employer-provided child care.

Children of farmers, as my colleague from Georgia talked about, and small business owners who wish to continue the legacy of their parents will find it increasingly difficult to do so, as the death tax exemption will shrink from $5 million to $1 million. Further, inherited assets exceeding that amount will be taxed at a maximum rate, Mr. Speaker, of 55 percent, up from 35 percent, and a 5 percent surcharge on estates over $10 million.

Investors will be battered with a capital gains tax increase from 15 percent to a maximum of 25.8 percent. Seniors who rely on their dividend returns will also be hampered. Stock dividends, currently 15 percent, will be taxed as ordinary income with a top rate of 43.4 percent. That's 39.6 percent income tax plus a 3.8 percent tax on investment income proposed in the President's health care law.

In the last few months we've heard a lot about fairness from the President, Mr. Speaker, especially when it comes to wealthier people. In President Obama's own message about his proposed budget for fiscal year 2013, he says everyone must shoulder their fair share. But how, Mr. Speaker, does he define fair when 47 percent of wage-earning households pay zero Federal income taxes, while the top 25 percent of wage-earning households pay 87 percent?

Besides, the spending proposed in the President's fiscal year 2013 budget is far beyond what the revenue base can support. It would be mathematically impossible to increase taxes on the Nation's highest earners to close the future trillion dollar-plus deficits if spending continues as President Obama has planned.

And according to a report by the Joint Committee on Taxation, the highly touted Buffett rule would raise a paltry 30 to $40 billion over the next 10 years.

Mr. Speaker, during that same timeframe, President Obama's budget would create nearly $7 trillion in new debt, which means the Buffett tax would lower that debt by less than half a percent. This is clearly not sound fiscal policy. It's the misguided policy of economic fairness, and it is just as Frederic Bastiat stated in his essay, ''The Law'': It is legal plunder under the

guise of benevolence and misconceived philanthropy.

While the President has some understanding of the destructive capability of his tax policy, he demonstrates little understanding of battlefield strategy, because those who are on the receiving end of an artillery barrage seldom stay in place.

When businesses and individuals are being bombarded with higher tax rates, they will simply change their behavior. Investors will shift money from taxable to nontaxable investments. Total economic activity slows, as there is less incentive for employees to work extra hours, while smaller, potential returns mean investors and venture capitalists are less willing to shoulder risks. All taxpayers have a greater incentive to shield their income.

Obviously, President Obama is no student of history either, Mr. Speaker, for if he were, he would know revenues increased under Presidents Kennedy, Reagan and yes, George W. Bush, at least until the 2007 financial crisis, when tax rates were reduced.

But increasing tax revenue does not appear to be the President's strategic objective. If it were, he would be recommending policies to help increase the revenue base by optimizing the regulatory and tax environment to encourage businesses to invest, grow, and hire.

The House of Representatives, Mr. Speaker, has passed 26 bills to do just that, but they currently languish on the desk of Senate Majority Leader HARRY REID, who will not bring them up for vote in the Senate.

Instead, President Obama seems determined to punish and wipe out economic success in this country, leveling tax weapons of mass destruction on all taxpayers. This is a battle our Nation can ill afford to lose. We must reform our Tax Code, and we must restore the conditions for economic success for all our citizens because truly, they are taxed enough already.

Mr. Speaker, unleashing the individual industrialism and entrepreneurial spirit of Americans does not come from capital consolidation in Washington, D.C. The American people do not want more Solyndras and GSA boondoggles.

The American people want economic security, which comes from this body becoming responsible stewards of their tax resources, not taking more from them based upon divisive, socioeconomic rhetoric.

The American people, Mr. Speaker, want a constitutional republic, not a socialist, egalitarian, welfare nanny state. The American people want an economic future so bright that they will have to wear sunglasses.

Mr. REED. I thank my colleague for his sentiment and the words that you expressed. And I'm reminded that we here in Washington cannot be like my children when they used to sit in the TV room and watch their cartoons, such as Teletubbies and the other ones that are there. We need to grow up. We need to deal with this issue once and for all.

And one thing that I'm repeatedly reminded of when I hear the President's proposal about the top 2 percent need to pay their fair share. I try to deal with this issue in an open and honest way. And if you do the math on that proposal, you raise $70 billion over 10 years. We have a $1.3 trillion deficit every year. The math just does not add up.

And so I always have to remind people as I engage in this debate about the need for comprehensive tax reform that the solution to our national debt problem is not going to be a revenue solution unless we grow this economy. Raising revenue through increasing taxes is not going to bridge—as my colleague said, mathematically, it is impossible to raise taxes enough to get to that $1.3 trillion number.

That's why I'm always reminded that this is a spending problem at its root cause, and that's why we need to continue to focus on that arena.

And I would also like to echo my colleague from Florida in his words. Essentially, this is going to boil down, in this November 2012 election, to two strategies of moving forward. And if I heard your statements and your words correctly, we essentially have one strategy that is going to be deployed by my colleagues on the Democratic side, on the other side of the aisle, who say it needs to be a revenue-based solution.

But that is code word back in my living rooms in my district for, we're going to raise taxes to deal with this situation. And I think this freshman class and the people that have joined us here on this side of the aisle in the Republican Party have firmly committed that the solution is on downsizing government, cutting spending, adhering to what our Founding Fathers believed in and put forth in the Constitution, a limited Federal Government, not an all-encompassing Federal Government that has grown the debt to the level that we see today.

□ 1800

I am also firmly committed to not engaging in the debate as to who caused it be it which President from whatever party. That is not the solution moving forward, engaging in the blame game. It is about recognizing the problem is upon us, whoever caused it, Democrat or Republican, and let's solve it.

When we come to November of 2012, the American people will not be stupid. They are not stupid individuals. They will see that the math doesn't add up with a solution based on my colleagues on the other side of the aisle of increasing taxes to bridge this national debt problem. It is about truly being fiscally responsible and getting our fiscal house in order.

Does my colleague have any additional comments?

Mr. WEST. I just want to say you are absolutely right, and I thank you for yielding an additional minute.

It is truly the choice between two futures: it is a future of economic freedom, or a future of economic dependency. It is a future that talks about the entrepreneurial will and spirit and the individual industrialism of the American people or collective subjugation. I think that the American people will make the right choice in November 2012.

Mr. REED. I so appreciate it, and I wholeheartedly agree with that sentiment.

At this point in time, I would like to yield to my good friend from Kansas (Mr. HUELSKAMP).

Mr. HUELSKAMP. Thank you, Congressman REED. It is a very timely topic.

I come from western Kansas, and big skies and big dreams, and big visions; and I tell you, we can see an approaching storm brewing sometimes hundreds of miles away. You can see the dark clouds. You can feel the gusting winds. Though the skies are wide open, sometimes it's hard to predict which path the storm will take.

We've heard tonight, and I'll say it again, there is a storm brewing here in Washington that may seem like miles, perhaps hundreds of miles, away; but it's not. Unlike our Kansas storms, it's pretty evident this storm is going to hit America unless this Congress and this President act.

Every American will pay higher taxes next year. Let me rephrase that. Every tax-paying American—because you know half of Americans pay no Federal income taxes. So I'm talking about the half that actually pay. Income and the capital gains rates will go up; the death tax will go up as well. The child tax credit and the standard deduction will decrease. All of this is certain to happen unless we act.

It's been mentioned that this would be the biggest tax increase in American history. I think it actually might be the biggest tax increase in human history. It could be. We'll look forward to those figures. Our economy is just starting to show signs of life again, however weak. Can you imagine what it will mean for the economy if taxes go up at the end of the year? Can you imagine where the stock market is going to go in the final quarter if Congress goes home before the election without acting to extend the lower capital gains rate?

I know my colleague, Colonel WEST, noted the President might not be a great student of history. Actually, all he has to do is study his own comments and go back less than 2 years ago. The President said, ''You don't raise taxes in a recession.'' That's President Obama, the President of our country, if he could study his own history. I agree with him. I don't agree with him on a lot of things. But he said you don't raise taxes in a recession.

Sure, we might have emerged from a formal definition of a recession, but I

don't think there is anyone out there who believes the economy is growing by leaps or bounds, and I don't think you can shoehorn a massive tax increase onto an already overburdened American economy. You just can't.

America needs and deserves a Tax Code that's not premised on pitting American versus American in a class warfare struggle. Unfortunately, that seems to be the only real solution this President has. The so-called Buffett rule is just a gimmick trying to distract the American people from the reality that he wants the biggest tax increase in American history, and he's going to get it unless we can change this before the end of the year.

I have proposed a bill called the American Opportunity and Freedom Act, which would make permanent the Bush-Obama tax cuts. Yes, the Bush-Obama tax cuts. Look back at history. This President extended the tax cuts. He signed them. They are the Bush-Obama tax cuts.

Remember, he called those tax cuts ''a substantial victory for middle class families.'' This was President Obama out on the campaign trail, today I believe, saying we have to extend these tax cuts. I agree.

I also support comprehensive reform, including the Fair Tax. I think my colleague from Georgia is going to visit about that, I hope. I've cosponsored the Jobs Through Growth Act and numerous other proposals to make our Tax Code fairer, flatter, and more simple.

The bottom line is we need to do something now. Our Tax Code should not outpace the Bible in number of words. It certainly doesn't outpace the Bible in wisdom, and families shouldn't have to read 100-page booklets to fill out their tax return. I'm told if you call the IRS one hour, you call the next hour, you call another hour later, you will get a different answer every time you call in, because even the folks who are implementing the Tax Code, they don't know what the answer is.

Americans out there are just trying to do the right thing, trying to do their fair share, Mr. President. Your IRS agents can't even tell them the right or same answer.

The most fundamental purpose of the Tax Code is to raise enough revenue in order to fund essential functions that fall within the purview of government.

I just got off a Skype phone call with fourth and fifth graders in Peoria, Kansas. They had a lot of great questions. I thought the best question was from a young man who said, Why are taxes so high? Of course, he probably doesn't pay much taxes. He probably heard that at home. The answer I gave him was this: because we spend too much money, and on top of that, we borrow another $1.1 trillion under the Obama budget. So not only are taxes high; they're still borrowing money so they can spend it. It comes down to how much we spend.

I think we can agree that Washington's problem isn't not enough revenue, it's too much spending.

Washington has created this storm. But unlike the tornadoes that sweep across the plains, we have an opportunity to avoid the devastating consequences of the approaching storm that's coming at the end of this year.

I'm excited to be here to talk about that because I must tell you, I am optimistic. We can solve this problem. We can take advantage of the approaching storm, actually do comprehensive tax reform that can change the future for all Americans. We can pull this economy out of the doldrums, go back to the days when the economy actually grew, when jobs were being created.

But in today's environment, the uncertainty created by this administration and by a tax law that's not permanent, that is dragging down our economy. We can't avoid that, and we can do much better. I'm happy to be here tonight to talk about that.

Mr. REED. I thank you so much, my colleague from Kansas, for coming down this evening to talk about this issue. You are exactly right. When I listened to the comments you had to offer, and as we go into this debate about comprehensive tax reform, I think there is somewhat of an agreement on both sides of the aisle that tax reform needs to be done because our Tax Code is way too complicated—70,000 pages of tax regulation and statutory language, legislation on top of legislation.

We need to firmly attack that Tax Code in a way that focuses on the primary goal of what our Tax Code was originally enacted for, to raise revenue, not to engage in policy determination or picking winners or losers through the Tax Code and advancing social policy through the Tax Code, but focusing on a Tax Code that raises revenue to cover our lawful, legitimate government expense as put forth in the United States Constitution of a limited Federal Government.

If we adhere to that principle and that goal, I am confident that both sides of this aisle will come together and achieve what could be one of those historical moments in this Chamber again where we set the country on a path to a more competitive and prosperous future moving forward.

With that, does the gentleman from Kansas seek recognition?

Mr. HUELSKAMP. If I might ask you a question, Have you read the entire Tax Code?

Mr. REED. I've tried. I've read numerous parts of it especially when I'm up late at night and I can't sleep. It seems like a panacea for those sleepless nights because it immediately puts me back to bed.

Mr. HUELSKAMP. It would probably be my guess that there isn't a colleague of ours that has read this Tax Code. Now, there are probably some special attorneys in this town that claim to have read that whole Tax Code. As you mentioned, how many pages?

Mr. REED. Seventy thousand.

Mr. HUELSKAMP. Seventy thousand pages. It's my understanding it's 3½ times the size of the Bible perhaps, longer than all of Shakespeare's works, and it's all about to be centralizing power in Washington.

We have a grand opportunity, I agree. With challenges come opportunities. We have a tremendous opportunity, and it will have to be a bipartisan opportunity. I agree with you. We have to have the President propose a solution and his only solution right now is let's just raise taxes.

□ 1810

If he does nothing, if he refuses to help us make America more competitive, if he refuses to help us, we'll have, as you mentioned, the single largest tax increase in American history. We can't stop it if he's not willing to help out, but I think the American people are demanding comprehensive tax reform. They're demanding us to get this right because we cannot afford the massive tax increases in the current law. I am very fearful about that, but I am optimistic that we can and will do the right thing.

I've got a friend of mine in Junction City, Kansas. I met him at a town hall. His name is Tom, and he's a small business owner. He said, You know, I'm going to start a small business—or I would—but because of those tax increases at the end of the year, I'm not going to do that. He said, I would have hired seven people. Those seven people not hired in Junction City, Kansas, don't show up on any list, but they show up in Junction City as seven more people—seven families—that don't have the income they need, and they probably end up having to have some government assistance or having to get help from their churches and their neighbors. Those are the things that get lost.

We can't forget in this town that it's not about us, that it's not about special interests. It's about the American people and about getting this economy going again. I appreciate the opportunity to talk about that. The common goal of those of us sitting in the Chamber tonight is to get this economy moving again and to actually be competitive internationally. I appreciate your leadership on that, CONGRESSMAN REED. You are doing a fantastic job here tonight.

Mr. REED. I appreciate the gentleman's comments, and I appreciate those kind words.

As we move forward, I'd like to bring a good friend of ours from Wisconsin into this conversation. He has been a stalwart down here on the House floor, and has joined us numerous times in these opportunities when we have a chance to debate the issues of the day.

With that, Mr. DUFFY, it is an honor to yield you time.

Mr. DUFFY. I appreciate the gentleman from New York for yielding.

As we talk about these issues—and I've been listening today as my colleagues have been discussing the tax

policy—if you take a step back, if you look at all of the different rules and regulations and bills that have taken place over the course of the last 3½ years, it's a torrential rain. We have to take it almost raindrop by raindrop, looking at each policy, each rule, each law that has gone into effect. I want to take a moment to step back from the tax debate and first start with the conversation in regard to the budget because I think most Americans that I talk to, they are very nervous about what's happening with this ever-expanding government and ever-expanding debt. Many Americans know we owe now $15.6 trillion. They know we've borrowed $1 trillion every year for the last 3 years.

So they will step back and go, Well, what's the plan? How do we address this really difficult problem?

I know a lot of the moms in my district are concerned about who's lending us that money. Ask the Chinese. They're concerned about their kids that they're raising so well, are educating so well. What kind of an America are they going to grow up in?

So they say, Listen, what kind of budget are you going to have? How are you going to fix it?

If they were to look to the Senate, they would look and see that for the past 3 years the Senate wasn't willing to pass a budget, that they weren't willing to put out a plan on how they would deal with this daunting issue that this country faces. If they were to look over to the President and ask the President, How do you deal with this cancer that is growing in America, which is our debt? How do you deal with it? I think they'd say, Well, Mr. President, you've given us a budget, but it's a budget that never balances. It's a budget that includes all the tax increases you've ever discussed, but it doesn't balance. It's a budget that we've brought to this House floor, and it was such a political document that doesn't accomplish the goals that the moms and dads of America want accomplished that not one Republican or one Democrat voted for that budget.

We need real ideas to be put on the table, and we need bold leadership to address the large issues that we face in this country. For the last 2 years, the House Republicans have given that bold leadership. We've been willing to put ideas on the table on how we fix the great problems of our generation. I'm proud of our freshman class, and I'm proud of our House Republicans for willing to step out and lead. Part of that leadership has been the reform of our tax system, of our Tax Code, making it more competitive and more fair, and I want to talk about that a little bit, which is the conversation tonight.

I think many Americans may not know this, but as of April 1, April Fool's Day, we had the highest corporate tax rate in the industrialized world, and that's because the Japanese on April 1 were the last ones to lower their taxes, making us the highest tax country. That's a problem. We find ourselves in a situation in America where one party is asking for a more competitive Tax Code that will encourage investment and growth in America. We have the other side, which is the President's side, that encourages, under the auspices of fairness, that we increase taxes.

As I talk to people back at home, these conversations oftentimes come up, and I'll ask my friends at home. I'll say, Listen, if you look at businesses in America, can you name a few of them that don't pay taxes? Are there a few businesses here that you can identify that don't pay taxes?

Virtually everyone in the town hall will shake their heads and go, Yeah, yeah. I can name that business that doesn't pay taxes.

So I'll ask them, Well, if you want that business to pay taxes, if you were just willing to raise the tax rate from 35 percent up to 40 percent, which is what the President wants to do, will that business that's in your head that doesn't pay taxes now pay taxes if you just increase the rate by 5 percentage points?

No. The Tax Code is broken—for generations, long before I got here. I was riding my trike when people were carving out special interests in the Tax Code. There are 70,000 pages in the Tax Code that are for special interests, special loopholes. The people of my district don't take advantage of those 70,000 pages. It's for the special interests that come to this town day after day and ask to carve themselves out. What have we done? We in this House have said that's not fair; that's not right.

Let's carve them all back in. Let's reduce the complexity of the Tax Code, bring all these people back in and make them, yes, pay their fair share. What we've said that we can do is take the top rate from 35 percent and bring it down to 25 percent, and then the other rates down to 10 percent. If you do that by eliminating all the loopholes in the code, you'll bring in more revenue, and it will be fair. Doesn't that make sense? Raise and raise doesn't accomplish it. Reforming the Tax Code is where we have to go. Let's get a bipartisan group together, carve out those special interests, reduce the rates, and make us more competitive.

We hear a lot about the Buffett tax, right? It's a tax on investment income. Listen, there are two different kinds of income. You have the income that you get from your salary. Your salaried income, that's taxed at a certain rate. You're guaranteed to get that every week or every 2 weeks because you put your 40 or 80 hours in, and that paycheck comes to you and you're guaranteed to get it. But there is also investment income. In America and around the world, investment income is taxed at a little bit of a lower rate.

You say, Well, why? Why would that be taxed at a lower rate? The reason is—let's say you invest $100,000. You're not guaranteed to make anything on that $100,000. Actually, you might lose the whole investment—you might lose that $100,000—but if you're lucky enough or smart enough or savvy enough to make some money on that $100,000 investment, we've said you should have a tax rate that's a little bit less than that which is guaranteed in the salary. So we have a little less of a tax rate on investment income.

But there is something else. We want to encourage investment in America because we know, if you're investing in our infrastructure, in our manufacturing facilities, in our businesses, if we have investment, what happens? We create jobs. There is job growth in America when you have investment in America, and we want to make sure this is a great home for investment. If you raise the taxes on investment, you will get less of it. Let's make sure we have a great investment tax rate so money around the world wants to pour into this country and wants to take advantage of one of the best workforces in the world, which is right here in America.

One other point I want to make before I yield back to the gentleman is that there are a lot of people who talk about raising taxes to bring in more revenue. I think it's important that we're very clear: that when people are talking about raising taxes to bring in more revenue in order to pay down the debt, that's not what's happening. People are asking to raise taxes to spend more money. There is no effort to reduce spending in this town. Those who want to increase taxes want to spend more—they don't want to spend less—but if you want to actually bring in more money to the Federal coffers, you should look at the tax history, because every time we're raising tax rates, there is not a correlation in bringing more money into the Federal coffers.

□ 1820

Raising tax rates doesn't mean more money. What does mean more money into the Federal coffers is a growing economy. If you can grow your economy, if you can put your people back to work, more people pay taxes.

If more people pay taxes, more money comes into the Federal coffers, and we have more dollars to pay down our debt. Not only that, there's less people on food stamps and energy assistance because they have a job.

This is some commonsense reform that this group in the House is talking about. If we could just implement it, take the weight of a burdensome Tax Code off the shoulders of our entrepreneurs, our job creators, and our investors, we can see expansive growth, explosive growth.

I look forward to being part of a team who is willing to engage in a great debate to make sure we are again the most competitive and best placed in the country to invest.

Mr. REED. I thank the gentleman from Wisconsin for joining us and the

sentiment and the words that you have expressed. As we go into the election and as we go into November 2012, I think what we are articulating on the House floor tonight as we are having this conversation about tax reform is that there are some differences that the American people are going to be able to choose between.

One of the fundamental differences, when it comes to tax policy, is I see a base philosophy differential between my colleagues on the other side of the aisle from the Democratic Party and those of us on this side of the aisle in the Republican Party, and that base differential and philosophy is what I hear from my Democratic colleagues on the other side of the aisle when they propose such things as let's increase taxes on the top 2 percent or this group or that group. It's a fundamental belief, I would submit, that they believe that that money is better given to them here in Washington, D.C., to then dole out as they in Washington, D.C., feel is appropriate.

The philosophy on this side of the aisle that I am firmly committed to, and I am sure many of my colleagues here tonight are firmly committed to, is that that money is the individuals' money, it is the American citizens' money. They are the ones who earned it. They are the ones who punched the clock around the hour—24/7 or 8 o'clock in the morning until 4 o'clock in the afternoon or midnight till 8 a.m. They are the ones earning that money, and that is their money. The more that we can keep that money that they earned as citizens and individuals in their pocket, they will do the right thing. We believe in the individual.

From the arguments that I have heard from my colleagues on the other side of the aisle, I would say that they differ in that opinion. They truly do believe that Washington should be the judge of where those resources go, because for some odd reason they sit here in Washington and try to come up with one-size-fits-all answers to the problems of the day. It fundamentally is a philosophy that that money is Washington, D.C.'s money and not the individual's.

My colleague from Georgia (Mr. WOODALL) is a strong advocate of the Fair Tax proposal that's been out there and that's being debated. That is one of the things that I have to say about this freshman class is that we have changed the culture of Washington, D.C., and that we are going to allow all alternatives to be on the table and have an open and honest conversation with all of America about reforms that are going forward and then going forward in a way that solves our Nation's problems, and everyone will be given a fair shake to express those ideas.

I'm sure my colleague from Georgia is rising today to offer his insight and his proposal as to an alternative to the income tax structure that we presently exist under, and that would be the Fair Tax. If I'm wrong on that, I apologize to the gentleman from Georgia; but knowing his reputation and his words around this town, I'm sure we are going to hear a little bit about that.

With that, I yield to the gentleman from Georgia.

Mr. WOODALL. I appreciate my friend from New York for yielding.

You are absolutely right. I have some Fair Tax passion. I believe that there is a better way to create a United States Tax Code, and I believe the Fair Tax is that. H.R. 25, for folks who haven't read it. But the truth is I came down here tonight because I knew that we were going to have that debate of ideas that you're talking about. I mean, whether it's your leadership on this Special Order, whether it's the enthusiasm my friend from Wisconsin brings to the floor, we're talking about the challenges that we face using a different language than we've used in this body before. This is a floor that has been taken over by freshmen here tonight. This is an institution that's been taken over by new ideas. I don't mean just new freshman ideas; I mean new ideas from all aspects of this institution.

I hear my friend from Wisconsin talking, and he comes from a competitive district. There is all this talk about these rabid freshmen, crazy Republicans. The people of Wisconsin, they can choose anybody they want. They don't have to choose Republican. They can choose a Democrat. They can choose an independent. They can choose anybody they want, and they choose him.

His message is not: Look what I am going to go to Washington and get for you. His message is: We don't need a subsidy here because we've got the hardest-working workforce in the world. His message is not: How can I give you an unfair advantage over your neighbors? His message is: How can we make the American economy the most competitive economy in the world, because if we do that, the American worker will succeed because we work harder, better, and longer than anybody else on the planet. That is a different take on what happens in Washington, D.C., and it's a different take on what happens in the Tax Code.

I know my friend from New York sits on the powerful Ways and Means Committee, as does my friend from Tennessee, and you have to have a Ways and Means Committee. For folks who don't sit on that committee, they're the ones who write all the Tax Code. The Tax Code is a complicated thing to do.

What this Ways and Means Committee is doing—and it's important to be said because this is an election year, and a lot of crazy things happen in an election year. There are crazy things like people supporting a Buffett rule to solve deficit problems, a rule that if it had been in place this year and collected that same amount of revenue for the next 250 years, it still would not have balanced the budget from last year. That's right.

This great savior of all that's good that ails us in this country, President Obama's Buffett rule, had it been in place this year, and not just this year but the next 250 years, it had raised that revenue, it still would not have balanced the budget from last year, just the budget gap from last year. We have all this nonsense in a political year.

But what we're getting out of the Ways and Means Committee—and I know my two friends from the Ways and Means Committee wouldn't brag on themselves, so I'm going to brag on you for you. We have had more serious hearings about fundamental tax reform in this Ways and Means Committee over the last 16 months than we've had in the last decade. This is a committee that, by virtue of simplifying the American Tax Code, is going to undo the work of the Ways and Means Committee for decades and decades and decades in the past. They're doing it not to exploit the power of their position; they're doing it to help grow the American economy.

As an alternative to the Buffett rule, I have brought down a chart to demonstrate what happens in today's Tax Code. My friends on the Ways and Means Committee know it all too well. But in today's Tax Code, the folks who have the money benefit from all the loopholes and exceptions and exemptions and carve-out. Of course they do. It makes sense. I will tell you, the folks who have the money are the ones who are paying the taxes, so it certainly makes sense that they are the ones benefiting from the carve-outs.

We have a choice of two futures here. We can either implement the President's Buffett rule, which again, by simple mathematics, will have absolutely no effect either on growing the economy or paying down the deficit, or we can simplify today's Tax Code to make it flatter and fairer.

That's what my friends on the Ways and Means Committee have been working on, Chairman DAVE CAMP and the rest of the committee, in ways that I have never seen before, with a sincerity that I have never seen before. You're absolutely right, and I appreciate my friend from New York for saying it.

They've said, Bring all comers. Bring all comers. We're not the smartest people in the room. If the idea comes from Lawrenceville, Georgia, bring it. If it comes from Seneca, New York, bring it. If it comes from Chattanooga, Tennessee, bring it. We want all the ideas, and we'll just let the chips fall where they may. That's what's different in this town.

I say to my colleague, what is different in this town with this Republican class is we don't have to rig the game to get to the outcome. We just bring the debates to the floor. Bring the facts to the floor. Let the facts speak for themselves. And then guess what. Have a vote. If it's a good idea, it wins, and if it's a bad idea, it loses. We see both of those happen on this floor

every day, and the Ways and Means Committee is leading in this tax process.

This would have been a great year for the Ways and Means Committee—putting my political hat on for a moment—a great year for you all to play some sort of game with the Tax Code. I have seen it happen in Congresses past.

□ 1830

Oh, this is going to be good for reelection. We're going to go do X, Y, or Z. It's not going to happen. It's not going to be real. But we're going to play the game. The folks on this committee this year, the freshmen in the body this year, would rather lose in November, having tried each and every day to do the right thing, than win in November, having played the game the way it's been played for so many years.

So serious is the effort in the Ways and Means Committee that it was included in the House-passed budget this year—flatter, fairer rates, eliminating exemptions, loopholes, carve-outs—all of those things that the American people look at and lose faith in this body. You've stood up to them all. You've stood up to them all in the Ways and Means Committee. We've stood up to them in the Budget Committee to say, No more. There's a better way. And we're going to share with the American people.

I appreciate my colleague for taking on the time tonight. And I ask him to commit this chart to memory. I say to all my other colleagues who might be watching back in their offices that on budget.house.gov, you'll find myriad charts to talk about all the things that my friend from Wisconsin discussed and my friend from Kansas discussed and my friend from Florida discussed. It will lay them out in easy-to-see and visualized ways.

But if we want to get a handle on what's happening in America with the discrepancies—call it fairness, call it economic growth, you name your ill—a flatter and fairer tax code is the beginning of that solution, it's not the end. But the Tax Code was not designed to implement social policy. It was designed to collect revenue so that we can run the national defense of this country. And if we get back there, the American economy and the American taxpayer is going to be the beneficiary.

I thank my friend for his leadership tonight.

Mr. REED. I so appreciate the gentleman from Georgia and the expression and sentiments you bring to the floor and the passion that you bring to the floor on this issue and all the issues that you bring to our attention. And you are so right. We are committed to having an open and honest debate with all of America, because the American hardworking taxpayer deserves no less.

We are here to do what needs to be done. We are here to lead. And that's why I appreciate my colleague from Georgia on the Budget Committee, because I know there was some political heat put on that Budget Committee to back away from coming up with a budget that we could stand for in this Chamber. But we took the stand and you took the stand as part of that Budget Committee to say, You know what, we're not going to engage in the politics of old. We're not going to be afraid to lead. Because the problems that face us in America today are generational. They are the same level threats that generations before us faced.

And that most recent example, possibly, that jumps to the top of my mind is World War II, when the real fate of the American Government, the American symbol of freedom and democracy, was at risk with a threat from Europe with fascism and the expressions coming out of that area of the world. And what did America do? That's the history lesson that I bring to this Chamber tonight.

American leadership, our President, our leaders did not look to divide America on that issue. That leadership led by uniting America to come together to face the generational threat and survive so that the America that they had could be passed on to our generation and this generation and grandchildren's generations to come so they have the opportunity to succeed and take care and live that American Dream. It is time for our Nation to come together, not be divided. And I am very confident because I have faith in the American individual that come November, 2012, the American people will make the right call. And between the choices that will be clearly articulated between both sides of this aisle we will see what needs to be done, and the right decisions will be made, and we will overcome this generational crisis that faces us in our national debt and this economy that has bogged down in stagnation, debt, doubt, and despair. And we will overcome it, because failure is not an alternative.

With that, I'd love to yield to a great lady on the Ways and Means Committee, a fellow freshman and a good friend, Mrs. BLACK from Tennessee.

Mrs. BLACK. Thank you for yielding to me. I want to thank you as a fellow member of Ways and Means and a freshman for bringing us together tonight for this Special Order. This is such an important issue, and the American people really need to hear that there is a choice. There's a choice between a system or a plan that is going to take more money out of the pockets of our hardworking taxpayers or one that's going to put more money in those pockets and make a system that is fairer, flatter, and simpler.

As I traveled throughout my district over the last 16 months now, I've continued to hear from my businesses in particular that there's so much uncertainty out there. And I ask them, What is the uncertainty? What is it that's keeping you awake at night that keeps you from growing your business, and as a result of that creating more jobs? Obviously, when people have jobs, they have money in their pocket. And what do they do when they have money in their pocket? They spend that money. And they spend that money to buy other products and services, which means that the economy grows.

And what they tell me is there are really three things. One, they feel like they don't know when a new mandate is going to come down, such as the health care. And that's going to cost them money. They also don't know when we're going to put another regulation on them. And many of the businesses are very burdened by regulations that, frankly, those are not the same regulations that you see when they do take their businesses offshore, which means we are just driving them offshore.

And the third is the one we're here tonight to talk about, and that is tax. We have heard in a number of our hearings in Ways and Means that all the way from the corporate tax down to the individual tax and the pass-through tax that many of our small businesses use that they are willing to give up those deductions and loopholes that are currently in the Tax Code to get something that is fairer, flatter, and simpler.

This Tax Code has not been reformed in 25 years. What it has had is a lot of things that have been added to it. And with everything that's added to it, it only complicates it more. But it does something else. It picks winners and losers. And by having a tax reform that would make things fairer, flatter, and simpler, we wouldn't be picking winners and losers. It is far too complicated.

Most of the American people don't realize that the United States has the highest corporate tax in the world as of April 1, when Japan lowered their corporate tax. I don't know that we want to be very proud of this, but we became the country that has the highest corporate income tax. Talk about driving people offshore.

So in our tax reform we bring the corporate income tax down to a level that is an average for all of the countries that we do trade with and that we are in competition with, and we bring it down to 25 percent. We do something that makes sense. It's a commonsense reform. Likewise, when we take a look at our other businesses that are not the large businesses that are corporations, but the small businesses—and about 60 percent of the small businesses are pass-through. That means they're in the individual tax system.

Am I hearing that we're out of time?

Mr. REED. We are coming to our end of time.

Mrs. BLACK. If I may then just conclude with a couple of words.

Mr. REED. I would be honored to yield to my colleague from Tennessee for her closing.

The SPEAKER pro tempore (Mr. YOUNG of Indiana). The time of the gentleman from New York has expired.

MAKE IT IN AMERICA

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

Mr. GARAMENDI. Mr. Speaker, I want to thank the leader for the opportunity to take this hour to discuss some extremely important issues here in the United States. We've just listened to an hour discussion on taxes with actually very, very little specificity as to whose taxes are being cut and exactly what those tax cuts would mean to the American economy and to the people of America.

Normally, when we take the floor, as we do most every week on the issue of the American economy, we talk about making it in America and rebuilding the great manufacturing industry. We've seen over the last 20 years that the American manufacturing industry has declined by some 40, 45 percent, from just under 20 million Americans in manufacturing to just over 11.5 million. In the recent months, we've seen a resurgence of the American manufacturing sector, but nonetheless it is still very, very small compared to what it once was.

□ 1840

If we're going to rebuild the American economy, we do have to rebuild the American manufacturing sector.

I'm going to come back to this tax debate here very, very quickly; but I think we ought to put it in the context of what taxes mean to the American economy, which taxes can be cut and which could be raised.

The key issues in building the American economy are here on this chart, taxes being one of the second pieces. But the rest of them are also important: international trade issues, for example, how do we deal with China and the China currency issue; how do we deal with the importation of extraordinary amounts of material, equipment and goods while at the same time exporting even less and less; how do we deal with that? The energy issues are exceedingly important if we're going to rebuild the American economy. Labor issues, how do we prepare the American labor market? That is the men and women that work in America.

Oh, by the way, I heard something here from my colleagues on the Republican side that just drives me crazy. When they say that half of Americans don't pay taxes, then they say, oh, we mean income taxes. Let's understand that every American worker up to those who earn $106,000, pay 6-plus percent—almost 7 percent—excuse me, 8 percent—of their total income in taxes. That's the withholding tax. By the way, it was the Democrats who actually reduced the Social Security withholding tax to half of what it was in previous years. So let's understand that every American worker pays taxes.

Now, the income tax issue is another matter, and we'll come to that in a few moments. But Americans who work pay taxes. Let's not forget that in this discussion. In any case, labor is a major issue.

This issue of education is now very much being discussed in America, and I want to really focus on that during this 1-hour discussion. Research is critical to the future of America's economy and, finally, the infrastructure upon which all of this is built. These are the issues that the Democrats have taken up in building and restarting, reigniting the American Dream, reigniting the American Dream so that men and women in this country can get a decent job, earn enough to be in the middle class and raise their families, own a home if they want to own a home, take a vacation when they want to have one, and be able to have health care so they needn't worry about bankruptcy which is, in this Nation, caused more than 60 percent of the time by health care and health care problems.

So trade, taxes, energy, labor, education, research and infrastructure are the key issues in reigniting the American Dream and rebuilding the American economy.

Tax is a major portion of this, and I don't want to forget about taxes. We just heard this 1-hour discussion about it. The question is, who is taxed and who gets the tax benefits? Less than a month ago, our Republican colleagues put on the floor of this House their blueprint for the American economy, their blueprint for how we are going to use government or reduce government, their blueprint on how we are going to raise the tax revenue necessary for the operations of the government.

Very, very interesting because, essentially, what they have done is to take money away from education and give money to the wealthiest of Americans. Those who earn more than $1 million a year would, under the Republican blueprint on taxes, pay less and less. Actually, they would see a tax reduction. Remember, those whose adjusted gross income is over $1 million a year would pay less taxes. They would get a tax break of $394,000 a year, minimum.

Now, if you're a billionaire, the tax cut would be in the millions and millions of dollars. Is that fair? I think not. We just heard Fair Tax on the floor. I must tell you that the Republican proposal, in their blueprint, voted out of the House of Representatives, now the blueprint for the Republican action on this year's and future budgets and appropriations would reduce the taxes for millionaires by $394,000; for billionaires, millions and millions of additional reductions in their taxes. That is not fair.

What we on the Democratic side have proposed is to make certain that the elements that lead to a growing economy and a just society are in place. Let's talk specifically about education. In the previous Congress, the Democrats took up education and said this is a fundamental element in economic growth and social justice. The opportunity to get to the middle class is largely dependent upon the education that a person is able to receive in the K–12 system and in higher education. Specific steps were taken for those in low-income communities whose schools are unacceptable. Specific money was put to those schools through the title I programs so that they could raise up the standards of education and provide those who do not have the family support and those that do not have the economic support to be able to get a decent education in K–12.

Much, much more needs to be done. But that was put in place by the Democrats in the last Congress.

Take a look at the blueprint that passed this House not more than a month ago, the Republican blueprint for the future—cut title I, pull that money away from those low-income communities where the necessity of education must be available to every one of those students. Higher education, another example, in the previous Congress, controlled by the Democrats in this House, the Senate and the President, there was a significant improvement and expansion of the Pell Grants. This is money given to low-income and middle class families to assist them in going to higher education.

Expansion, yes. Community college and part-time students for the first time were given the opportunity to get a Pell Grant so that they can improve themselves in the community college or in higher education 4-year programs, from a little over $4,000 to $5,500 increase as well as an expansion of those who were eligible. This is very important in providing the educational opportunity that students must have if they're going to succeed in a highly competitive world economy.

Secondly, interest rates on student loans, almost every student now attending school, higher education, takes out a loan. The interest rates on those loans were over 6.5 percent.

Now, we did two things as Democrats. We took away from the banks, who were ripping the students off, the student loan program, and put it back into the government, saving billions upon billions of dollars every year; and then reinvested that money back into lowering the interest rates for the students. Not a bad thing, from a 6.5 or 6.8 percent interest rate down to a 3.4 percent interest rate. All of this is designed to make it easier for students who have to take out loans to be able to pay back those debts over time.

We also did a couple of other things for students who had taken out loans, low-income and middle-income families. We changed the way and the timing in which the loans needed to be repaid. We said, you're going to have to

pay no more than 15 percent of that loan each year of your discretionary income, that is, the income over and above food, shelter and clothing, giving students a longer period of time and having to devote less of their money to pay back the student loans. My colleague who will be joining me in a few moments will discuss this in more detail.

In addition to that, we made it possible for the educational system to receive additional money for this fundamental economic development called research. We increased the research for health care, for mental health, for agriculture, and for energy. All of those things are the essence of today's and tomorrow's economy, research being necessary.

Now, what did the Republicans do? In their blueprint, voted on by 100 percent of the Republicans, this was their budget, sometimes called the Ryan Republican budget, every one of those things that we put in place to assist students in getting an education was dramatically and drastically reduced, while at the same time taking money away from students and handing that money to the oil industry and to the millionaires, the multi-millionaires, the billionaires.

Remember, the minimum tax reduction for millionaires is $392,000 a year, while at the same time taking money out of the pockets of students, increasing—not just increasing—but doubling the interest rate on student loans from 3.4 to 6.8 percent, costing every student more than $1,000 a year in additional interest payments on their loans. That's the average.

□ 1850

Now, those that are above average, that number is going to go much higher.

Pell Grants. Reducing the Pell Grants, eliminating from the opportunity to get a Pell Grant more than 1 million students over the next 10 years. Nearly 400,000 students in the United States would immediately see a reduction in their Pell Grants in the year ahead, and 100,000 not being able to get a Pell Grant at all. This is economic fairness? I don't think so. This is wise economic policy? I don't think so.

Giving to the wealthiest 1 percent in this country an enormous tax break and taking it directly out of the pockets of students is bad economic policy, it's bad policy for education, and it will not reignite the American Dream. In fact, it will stifle that American Dream, and we will not stand for that. We Democrats are rising up and saying, no, no, we're not going to do this. We're not going to give to the super-wealthy—the billionaires and millionaires—while taking money away from the students of America.

This is an important issue. This is not only an issue about economic fairness; this is an issue about growing the American economy. We know where we stand. We stand for educating the workforce so that they can compete.

Now, joining me is a gentleman from the great State of Michigan who represents Detroit, who has been on this issue from his very first day here in Congress.

HANSEN CLARKE, I know you want to jump in, so have at it.

Mr. CLARKE of Michigan. I want to thank my colleague, the gentleman from California (Mr. GARAMENDI), for yielding me time.

My message to our colleagues in the House of Representatives is very clear and direct: we've got to continue to cap student loan interest rates at 3.4 percent.

Student-loan borrowers and their families should not have to pay more on their student-loan debt. The President has done all he can do right now to help bring relief to our student-loan borrowers. Now it's time for Congress to act, but Congress has to do more. We need to reform the system. We've got to change the system. That's why I wrote and introduced the Student Loan Forgiveness Act of 2012. It will help cut student-loan debt, free up borrowers' money so they can invest it on their own. That's a real economic stimulus that will create jobs here in this country.

So I want to thank you again, Mr. GARAMENDI, for yielding me time.

Mr. GARAMENDI. Well, thank you very much.

Let's stay on this student loan issue for a while here. This is the reality of student loans. The debt levels, according to the Federal Reserve Bank—and some of this has just been recently updated—student loans comprise a larger portion of the personal debt in America than credit cards and auto loans. Actually, the number recently, just in the last couple of days, has risen to about $1 trillion of outstanding student loans in the United States. The auto is about $700 billion, and then the auto and credit cards about $700 billion. So we're talking about a huge amount of outstanding money. When you double that interest rate, you're hitting right at the gut of every student and those who have graduated. When you combine that with the Republican blueprint of immediately requiring a larger payment on graduation, you're really stifling the economy.

I know you've wanted to talk about this, Mr. CLARKE, about the way in which the Republican proposal would actually slow down the economy by denying—well, go ahead. You and I were discussing this earlier.

Mr. CLARKE of Michigan. Thank you again. And you're absolutely correct. If we keep the student loan burden low on our borrowers—I mean, it's not low; many student-loan borrowers are paying like $1,000 a month on their loans. But the more that our borrowers can keep their money and invest it, start their own businesses—think about it, our students, our graduates are the ones that have the ambition and the discipline to be able to go through school, to graduate. They're likely the ones that would start their own businesses, be entrepreneurs. That's how you build jobs and create financial security for not only our families, but also economic security for our country.

But many of our borrowers right now, they can't take the risk of starting their own business, even starting a family—let alone buying a home—because of student-loan debt. So if we can keep that debt as low as possible, that will help stimulate our economy. It's a great job-growth stimulus.

Mr. GARAMENDI. You're exactly right. I've had my kids graduate from college. Fortunately, they didn't have to take out student loans. We gave them 4 years, and the fifth and sixth year they were on their own.

But the student loans across this Nation, right at $1 trillion now, the doubling of the interest rate, which was in the Republican budget blueprint, will stifle the economy. As those kids graduate, they have to pay off that loan immediately, not just, as we propose, 15 percent of their disposable income, but even a higher percentage. That's money that they cannot use to buy a car. They've got to pay the bank. That's money that cannot be used to start a home or buy a refrigerator or any other economic activity. Unnecessary.

Now, we can't allow that to happen. So what we need to do—and here it is, this is a ticking time bomb for the American economy. This is a ticking time bomb for the American economy. After today, there are just 66 days left before the student loan interest rate doubles to 6.8 percent. Is action being taken? Mr. CLARKE, you have a bill in. The Democrats have proposed a bill that would keep the student interest rates where they are now, 3.4 percent, and pay for that by reducing the subsidy that every American taxpayer gives to the oil industry. Over $12 billion of our tax money—your tax money, the public tax money—now goes to subsidize the wealthiest, most successful, most profitable industry in the world, the oil and gas industry.

So we would propose that the Big 5 that get more than $5 billion a year in your tax money to subsidize their fat profits, which over the last decade have been more than $1 trillion—yes, that's right, more than $1 trillion of profit, and you're adding $5 billion a year of your tax money to their already-substantial profits. We would take back that $5 billion and use it to reduce the interest rate on student loans.

Now, the Republican proposal: let's understand, this is a big issue across the United States. It's erupted on college campuses. There is outrage. There is concern. The Republican budget that came out of this House less than a month ago has hit the stone wall. The public doesn't like it. And so today, just late this afternoon, a proposal came from the Republican caucus to introduce a bill to not double the interest rate. Good. Well, how are you going to pay for it? Interestingly, you know

how they're going to pay for it? They're going to take money away from seniors. In the Affordable Care Act there is a provision that allows seniors to get free check-ups, free preventative check-ups.

So the Republican proposal doesn't go to the millionaires, doesn't go to the billionaires, doesn't ask them for any sacrifice. Instead, it says, oh, yeah, we made a mistake on doubling the interest rates, and we're going to pay for it by taking the money away from seniors and their health care. What in the world are you doing? What are you doing? Why would you do that? Why would you take from the poor and seniors more money and give it—while keeping the millionaires, the billionaires and the oil industry whole? I don't get it, but that's their proposal.

Our proposal is to go to those that have extraordinary success, the oil industry, and say: after a century, after a century of subsidization by the American taxpayer, we're going to reduce that. We're going to take that tax money back and we're going to make sure that the students of America do not see a doubling of their interest payment on their student loans.

I yield to the gentleman from Michigan.

□ 1900

Mr. CLARKE of Michigan. Thank you, Mr. GARAMENDI. And the other point that you're making about student loans and capping these interest rates, how they'll create jobs, that's absolutely right. When our borrowers are freed up to not have to pay these high interest rates, that will create jobs.

Now, some people say, well, the student loan borrower signed the student loan agreement that had the high interest rate on there so they should pay that interest rate, but this is the main point: Those student loans that our government issues to students and to their parents to provide our students with a way to get their education when they can't afford to pay for that education, that's not just to help that student get a degree. Those loans are here to help our country become stronger. Here's why.

The more Americans that we have who are properly trained, who are able to be productive and contribute to our country to their fullest potential, they're able to create more jobs by building the best products, by providing the best services, by developing the best technology that can be sold worldwide. That helps our entire economy. So these loans are to strengthen our entire national economy. It's not just for the borrowers' benefit.

So that's why we don't want these interest rates to be so high. We want to put a cap on them. And in my bill, the Student Loan Forgiveness Act of 2012, I allow virtually every student loan borrower to have a second chance to pay lower rates on their student loan by allowing them to pay down their student loan according to their income. So if they're not making that much money, they don't have to pay much money.

Specifically, my bill would allow borrowers to pay 10 percent of their discretionary income each year, and once they do that for a 10-year period, the remainder of their Federal student loans will be eligible to be forgiven because we want to free up the borrowers' money so they can now invest it, invest it on starting a business, invest it on buying a home, starting a family. All of that will help create jobs.

You see, cutting student loans, keeping the student loan debt low, as low as possible, that's an economic stimulus for all of us. It makes our country stronger. It creates jobs.

Many of us told our kids, and we were also really taught by society, you know, if you work hard, if you study hard, if you go to school, if you even borrow money to get your degree and graduate, you'll live a better life. You'll likely make more money.

Well, because of student loan debt, because it's grown so much, because of the prospect also of interest rates going back up, the American Dream that was supposedly created by the availability of student loan debt has now become a nightmare to many borrowers. And we've got to cut this debt.

This is the real debt, my colleague from California, that we need to cut, because this is the debt that really costs us jobs. We need to cut student loan debt. We can take that initial step right now by keeping student loan interest rates on Stafford loans at 3.4 percent. That's the first step.

Now I'm asking the American people, demand that Congress reform the student loan system. Let's change the system. Let's make it affordable for everyone to be able to get a decent education and to repay that money back.

So again, I thank you for giving me this opportunity to share this time with you and the American people. This is so important.

You know, many times in this body we talk about we've got to cut taxes to stimulate the economy, that we've got to cut debt in order to provide people freedom. Well, what person in this country can be free when they have to personally pay student loan debt that will take them years or even decades, if ever they'll be able to pay that off.

And the reason why I say that is that I know senior citizens now who are still repaying their student loans. And at their age, there's no way they'll be able to pay those loans off. And it doesn't matter if they go bankrupt. Going bankrupt doesn't mean anything. The government will still come after you for all the student loan money because you can't discharge your student loan debt in bankruptcy.

It's a cruel, unfair burden that certain students' loans are imposed on Americans. We need to cut that burden. Cutting that burden is not only fair, but it will create jobs for our country. We want our graduates to be able to have their money to invest, invest on starting their own businesses.

I'm from Detroit. Our city was built up. We built up this country's economy because of entrepreneurs who were able to pursue their dreams. Now the very people that we have trained to pursue their dreams can't do so because of student loan debt. That's outrageous.

Congress, keep student loan interest rates at 3.4 percent. Cap those rates. Do it now.

Mr. GARAMENDI. I thank you, Mr. CLARKE. The clock is ticking—not the Clarke clock, but the clock is ticking. Sixty-six days before the student loan interest rates double.

We had a long conversation here about tax policy from our colleagues on the Republican side. They didn't happen to mention the burden that's being placed on students if we fail, and they didn't talk about their proposal to take the money away from seniors and continue to provide support for the superwealthy and the oil companies.

Joining me on this conversation is a gentleman who was the chairman of the Labor Education Committee, now the ranking member, has been an advocate for students and education for more than 30 years here in the Halls of Congress, a gentleman that was largely responsible for those improvements that I talked about early in this discussion. Congressman GEORGE MILLER and I have the pleasure of representing Contra Costa County. We're neighbors. We've worked together these many, many years. I'm absolutely delighted that you came to join us here tonight. No one knows more about this than you do, Mr. MILLER, so let's discuss this with the American people.

Mr. GEORGE MILLER of California. Thank you very much, JOHN. Thank you for taking this floor time for this debate, and thank you for the effort and the fight that you have led on making it in America, so that, once again, America makes things, once again America has a robust manufacturing economy, whether it's this iteration of manufacturing or the next iteration of manufacturing, that America remains competitive around the world in making it in America for sale around the rest of the world.

Nothing could be more important to sustaining our manufacturing base in this country, to sustaining our ability at innovation and economic growth that takes place as a result of that innovation, than the education of our young men and women throughout this country. And nothing is more important to their well-being and their families—and this is proven out every year as we do studies, that years of college and college completion are very important to the economic security of that individual and that individual and the family that he or she may form later in life. It pays huge benefits for them to go to college, and that's why we've tried to make college affordable.

Many of us are very upset with the costs of college, how the costs have

gone up, have doubled in many ways across the States. But the fact of the matter is, while we're struggling with the issues of cost of college and trying to get the States to do more on behalf of the their public institutions, the fact of the matter is we have to make sure that college remains affordable for young people.

And that's why, in 2007, we made a decision to lower the interest rates on student loans so that it would be more affordable for the students, not only to go to college, but also then in paying back the debt that they incurred because of the subsidized student loans. And we made that effort, and we did it on bipartisan basis at that time. And President Bush signed that legislation into law, and we put some of that money into deficit reduction and into reducing the interest rates.

In 2010, we followed on with legislation proposed by President Obama and our committee and others to make sure that we could increase the Pell Grant so those students most in need, those families most in need would have the Pell Grant as an underpinning of making college more affordable. We continued with the subsidized student loans to make college more affordable.

We went to an income-based repayment system so that a student that may be starting out in a good career but a bad entry-level pay scale as they begin that career will be able to pay back their student loan and also continue on with their life, and as they make more money, they pay more money. And it's very important so that they can choose a profession of their passion, not just the profession that yields the most money, because many of our students, the minute they heard about this program said, I can now be a nurse, I can be a public health assistant, I can be a prosecutor, I can be a public defender, what their passion was in life. They could be a teacher and now know that they could afford to pay back their student loans.

And the interest rate is very important at this time as families and young people try to figure out what their indebtedness is going to be and how they are going to pay for college, especially at this time of the year when young people are getting their acceptance notice from universities and colleges all across the country, and now they sit around the kitchen table with their families and say, How are we going to afford this? What's the debt we are going to end up with? And it's an important procedure for families to go through as they think about this.

But all of a sudden, now, we see that when the President submitted his budget looking forward to July of this year, he asked that we continue to keep the interest rate at 3.4 percent.

□ 1910

That's very important. That's the choice that President Obama made.

The choice that the Republicans made in the Ryan budget was to let it go to 6.8 percent. In fact, there was a unanimous vote on the Republican side for the Ryan budget to let it go to 6.8 percent.

We think that's wrong. We think that's unfortunate for families in the middle of this economic turmoil that we're coming out of in this country. They need these assurances. We think that interest rate should stay at 3.4 percent.

Of course, we want to pay for it. Just as we paid for it for the first 4 years, we want to pay for it again. We believe that that should come out of the unfair tax breaks that are extended to oil companies that cannot be justified when the price of oil is $104 a barrel. They get the tax break when it's $134 a barrel. They get it when it's $150 a barrel. We think that time has come and gone, that the oil companies can continue to pursue the quest for oil and the recovery, and we appreciate that. The fact of the matter is price alone provides them the basis on which to go out and seek out the hydrocarbons necessary for our economy and for the world economy at this time.

So, this is about choices. Do you believe the interest rate should be 3.4 percent or do you believe it should be 6.8 percent? By a unanimous vote, the Republicans said it should be 6.8 percent.

But I have to tell you today, I'm quite excited, this dramatic turn of events where the Republicans today have said that they want to keep the interest rates at 3.4 percent, and we welcome that. We welcome the fact that when they saw the President out in the country talking to young people, talking to parents, knowing that these parents and young people are going through this process of figuring out how to finance their education, that he made a compelling argument that this interest rate should remain for the next year at 3.4 percent, that the Republicans have come and decided that they embrace that provision.

I was excited when I saw their Presidential candidate said he was for this. I was excited this morning when I read in the paper that the Republican leader in the Senate said nobody is against this. Oh, yes, my friends on the other side of the aisle were unanimously against this a week ago. But I think the President sold this idea to the Nation and apparently sold the Republican Party, and we should welcome that because that's in the interest and benefit and we should work together to make sure that this happens on behalf of families and on behalf of young people.

But, of course, there's always a kicker when the Republicans do this:

Our choice is an unjustified tax cut to the largest oil companies in this country and, in some cases, the world, that we should stop providing these tax subsidies to those oil companies. Their choice, unfortunately, is this: to wipe out and to repeal the preventative medicine account in the Affordable Care Act, in the health care reform act, to wipe that out.

So where do we find the Republicans paying for their desire now to join the President and lower the interest rates to 3.4 percent? They wipe out immunization programs for young children. So children now, we're going to send either less healthy children and children with fewer immunizations to school and in our community, or those parents are going to have to pay for it and they can't afford that. That's why we're doing that.

They also chose to knock out screening programs for breast cancer. Once again, just as the Affordable Care Act extends health care to women, stops making women a preexisting condition, that their gender denies them health care automatically under the current insurance systems or makes it so expensive that it's very difficult for them or their families, just as that's within the reach of women, the Republicans take away the preventative care that extends that screening to millions of women across the country.

Then, of course, the screening for birth defects for couples that are concerned or that have been told by their doctor that their child may have birth defects or that the pregnancy may be with birth defects and the choices and the difficulties that they have to make. But that screening is important in terms of early interventions, in terms of turning around the outcomes for these children.

So that's where the Republicans chose to get the pay-for, to go to those most in need, to go to those who have been denied health care for generations because of their gender, because they're women, and we all know in our family, in our friends, in our neighborhood, in the communities we represent, what women encounter with breast cancer and the importance of screening. Somehow they've decided that that's how they will pay for reducing the interest rate from 6.8 percent on July 1 to 3.4 percent.

I urge them to join us and to pay for this in essentially a painless way with respect to these unjustified subsidies for the largest oil companies in the country.

It's very important to the agenda, Mr. GARAMENDI, that you have put forth, that you worked on before you ever came to the Congress, and that is building up the jobs base, the manufacturing base, recognizing the contribution that this economy can make to future energy choices, to future transportation choices all across the board, and do it here in America.

But we're told even in a time of this tragic recession that we do not have enough skilled people to carry that mission out. We've got to build that. We've got to educate these young people, and that's what student loans allow to happen for people who can't simply write a check for the education of their children, who simply can't say, well, I've got a deduction, that's enough, that will take care of it for this year.

Families struggle to try and accomplish what every generation has, that their children will live better, will contribute more to America than we did in our generation. My grandparents wished it for me. My parents wished it for me, and they worked hard to provide it.

But when you say now, oh, but, by the way, we're not going to allow for screening for poor women who might have breast cancer, we're not going to test for birth defects for young children, we're not going to provide immunization for young children, what are they going to do, turn America into a Third World?

We struggle to get the same immunizations into the hands of poor people all around the world because we recognize the public health benefits, but they've chosen this.

So, I'm excited that they've seen the wrong direction that they were headed with the Ryan budget, the Republican budget, to double the interest rates on student loans. But I'm very, very concerned that they decided that they would extract the price from women and children once again, as they have in the past in their budgets.

So I urge that we can get this student loan taken care of before the 66 days that you've put up there, before this time bomb goes off in the very middle-income and low-income families in America.

Thank you again for making this time available for us to discuss this. We hope we'll have good action on behalf of all Americans—women, children, students, and their families. It's quite possible to do. All we have to do is reach across the aisle and work together and make sure that we don't make victims out of part of our society so that others can go to school.

Going to school is important, women's health is important, childhood immunization is important, and so is dealing with birth defects in the best way we possibly can. We owe that to those families and those children.

Thank you very much.

Mr. GARAMENDI. Mr. MILLER, thank you for the dedication that you've made over many, many decades to education, to the well-being of children and the labor and workforce here in the United States. There are very few men and women that have spent the number of years and have been so successful as have you in making it possible for kids to get an education and for adults to get an additional education.

We didn't talk about all of the elements of the educational system. We've really focused tonight on the student loan, the Pell Grants, and the reductions that the Republican blueprint would impose upon the United States as well as the tax policy that has come from that blueprint, which essentially is a tax policy of continuing to reward the superwealthy while, at the same time, taking away from the struggling middle class, the men and women that are working every single day to keep their food on the table, their family in the house, and pay the mortgage. Now, it's one of the most unfair tax policies that I've ever seen in the many years that I've been involved in public policy. It goes well beyond that.

I want to also make just a couple of points, and if you would just stick around a second, I want to come back to the education of those men and women that are already in the workforce, but I want to make a point here.

Before we took up this 1-hour, our Republican colleagues spent the hour talking about tax policy. They overlooked their own tax policy, just went with some very easy rhetoric about we've got to cut taxes and we've got to make sure the job creators do not have an additional burden.

□ 1920

It was and is a fact that it is the Democrats in this House who actually put forward a very significant stimulus for business on tax policy. It was the Democrats who took and reduced the taxes on businesses that invested in America by allowing American businesses, big and small, to write off 100 percent of every capital investment that they made. That lasted for a year until our Republican colleagues took power here, when they reduced that writeoff to 50 percent. Still good. Still good. It's a better than the normal depreciation schedule, but that has stimulated enormous investment by businesses in improving their capital so they could be more productive and increase their output.

We also took very specific steps among the Democrats to reduce the burden on both businesses and employees when we reduced the payroll taxes. We were unable to continue the business side of that when the Republicans took power here, but we were able to continue the reduction in the payroll tax for employees. Very important: stimulus for the economy, allowing men and women who are working to have more that they could then spend and make ends meet. Those are all things that we did. We ended one other very onerous tax break. This was done by the Democrats in this House in the 2010 session. What we did was to eliminate a tax break that American corporations had for offshoring jobs.

That brings me back to the Make It in America model here. In making it in America, you cannot give a tax break to American corporations for offshoring jobs. It was more than a $12 billion-a-year tax reduction for American corporations that sent jobs overseas. You go, what in the world was that all about? Well, it was in the Tax Code. We eliminated that. I will say for the American public out there that we got precious little support—in fact, no support—from the Republican caucus on this floor when that bill came up for a vote. Wrong-headed and very, very destructive.

These are the policies that create a strong economy: education. A well-educated workforce is the most important element in any economic strategy. It was the American strategy in the fifties, sixties, seventies, and eighties. It has fallen off, but Members of Congress like Mr. MILLER have maintained education, not only in the K–12 and the higher education system but in reinvestment in the workforce: making sure that those men and women who are on the production line and those who have been laid off can go back to school, can get an upgraded education, can learn better skills, perhaps as a welder, or as a computer technician, or for all the other thousands of different types of jobs. It's being able to go back to school in the workforce investment programs, as well as in the Pell Grant programs, that Mr. MILLER put forward. It is to allow community college students, part-time community college students, to be able to take out a Pell Grant.

Let's run through them. I've got seven of them up here, but there are five that are critical in any economic development strategy. Mr. MILLER has done the education piece and has led that fight. It's education, research, manufacturing, infrastructure, and making sure that you're paying attention to the international world. So those are the five that are there.

Mr. MILLER, why don't you help me wrap up here, and then we'll be on our way, and we'll thank the American public for listening to this discourse on how education policy fits in to growing the American economy and building up the American middle class and reigniting that dream.

Mr. GEORGE MILLER of California. Education, obviously, is one of the most important ingredients. It's the best investment we make in terms of a return to the Treasury because of the increased productivity and success of the people who complete their education. The important factor here is that, when we think about this, we really have to develop a system where our students are engaged in a modern learning environment, where they have access to the technology, where they have access to resources outside of the traditional classroom, where their instructors, their teachers, have that kind of access so they can integrate their education into what's happening and into what these young people see as happening in the rest of the economy in the world around them.

So we create that learning environment, and we can create that teaching environment by changing the way we've traditionally done things in this country. We've looked at those that are high-performing. We look around the world and say, Where are those nations that are high performing? Where are those students who are doing the best? We look at what's taking place in those countries, and we see this partnership between communities and parents and students and teachers, working out recognizing that that school is a huge economic asset of that community. It may be the most important

thing where parents and the community have that say. So that's what we're trying to develop.

Unfortunately, we haven't been able to get the reform in the rewrite of No Child Left Behind yet in this Congress. It has been a number of years. We weren't able to do it in the last Congress. But I want to thank the Obama administration and the Secretary of Education because, in recognizing the role that the ingredient of education plays in the economic recovery, they've gone with the Race to the Top program and with the waivers program for those States.

What they're really saying is, if you want to take your State and go to the future, if you want to take your district and go to the future, we want to partner with you. What does that mean? That means that those Governors and those local superintendents of schools and those State superintendents of instruction are making a decision that they want to join in an effort to have internationally benchmarked standards and internationally benchmarked curriculum and assessments. It's no longer just filling in a bubble on a multiple choice. But because of the sophistication that we've learned in assessment, that we learned from the workplace, what we learned from employers, these students will be able to demonstrate the depth of their knowledge, their understanding. They will be richer. They will be better able to adapt to the needs of employers. They can go on and get a master's degree, or they can go on and get a college degree, or they can go on and get a doctorate degree.

The fact of the matter is that the world of learning is changing dramatically, and I think that, while we're bogged down here in partisan fights, unfortunately, the administration has struck out on a bold path. I think there are now 40 States that either have applied or are hoping to apply for waivers. There are 47 Governors who have said we should have internationally benchmarked standards in this country so that we know that, when our students are learning, they're learning at the same level the students in Shanghai are learning—or in Germany or in Finland or in Singapore or in Japan—and that's the change that's possible.

But the fact of the matter is that Congress has got to want to go along with that. The Governors are taking the lead. They're taking the lead. The big city mayors are taking the lead. They understand this in terms of your agenda, Congressman GARAMENDI, in making it in America—jobs in their communities. That educated workforce is the most important investment they can make, and for parents, it's that good school. People always talk about remodeling their bathrooms or adding on a bedroom or landscaping the yard to add value to their homes. If you turn that into a high-performing school, you'll add more value than anything else you could possibly do.

The National Real Estate Association will tell you that the first question people ask is, What school will my children go to? What district is this in?

We now have the ability and the capability, and in partnering up with the entire school staff, to dramatically improve the learning environment, the teaching environment, and the outcomes for all of our students. That's the excitement, because this comes along at a time when America now realizes, yes, we thought after 1980, 1990 that we couldn't make anything in America. We now recognize that, and we now see foreign investment coming back to America, and we've got to have the talent ready to absorb that.

So thank you again for this opportunity to integrate education into the Make It in America agenda. Obviously, I think it is the most important point. But as I talk to venture capitalists and to people in the high-tech fields and in the biotech fields in our State and around the country, they'll just tell you over and over again that the workforce they're looking for is a well-educated, adaptable, understanding workforce that can work with people all around the world now because you can sit in one room and work with people everywhere else in the world.

Mr. GARAMENDI. Mr. MILLER, your passion for education was on display in this last discussion. Thank you for that passion, and thank you for the years of service that you have provided to America in leading the fight for the improvement of our education system.

Just a couple of thoughts—not random but specifically on the subject.

Yesterday, I was in Dixon, California, for the opening of a new manufacturing facility. A company, Altech in Birmingham, Alabama, decided that they were going to stay in America for the production of these bucket trucks, which are the kind of trucks that utility companies use that take the worker up to work on the power line, way up on the top of that pole. They decided to stay there, and they're going to hire an additional 100 people to manufacture these bucket trucks in Dixon, California.

In the discussion I had with the manufacturer and the president of the company, I asked him, How are you going to train these workers? And he said, We're going to do it at the community college.

□ 1930

We're going to do it at the community college. The programs that you have put together over the years, with the workforce investment program, meaning that we're investing in the workers, the retraining of the workers electricians, welders, line jobs, well-paying middle class jobs, that's what it's all about.

The most important investment that any society can make is the investment in the education of its people. We need to do more. That education of the workforce, the children, the seniors, the others that are in the field, that investment also entails the individual's participation. The loans that they take out, the Pell Grants that they receive are essential in giving them access, as you so well know. Then when we find a blueprint that passed this House, the Republican blueprint that basically takes away that opportunity, it stifles the American economy.

I share with you your enthusiasm for the newfound awareness of our Republican colleagues, and it only took a week, and it only took three speeches by the President, and they had the ''oh my'' moment. ''We made a mistake, yes.'' But don't double down on that mistake by paying for the reduction in that interest rate by taking away from the vulnerable people of America.

I think not only of the children and their vaccinations, breast cancer and early detection, but also the seniors in their prevention and detection. That's not how to do it. We know better. Your proposal, the proposal of Mr. CLARKE of using the resources that we're now giving to the most wealthy industry in the world, our tax money, literally given to the oil industry, we need to recoup that and use that instead for the very future of this country.

We're finished for this evening. It's been a good night. Thank you so very much for joining us.

Mr. GEORGE MILLER of California. Thank you very much for the opportunity and thank you for your leadership on this.

Mr. GARAMENDI. Thank you for bringing your passion for education.

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

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3523, CYBER INTELLIGENCE SHARING AND PROTECTION ACT; PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES; PROVIDING FOR CONSIDERATION OF H.R. 4628, INTEREST RATE REDUCTION ACT; AND FOR OTHER PURPOSES

Mr. NUGENT, from the Committee on Rules, submitted a privileged report (Rept. No. 112–454) on the resolution (H. Res. 631) providing for consideration of the bill (H.R. 3523) to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes; providing for consideration of motions to suspend the rules; providing for consideration of the bill (H.R. 4628) to extend student loan interest rates for undergraduate Federal Direct Stafford Loans; and for other purposes, which was referred to the House Calendar and ordered to be printed.

ADJOURNMENT

Mr. NUGENT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 34 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, April 26, 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:

5766. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Silicic Acid, Sodium Salt etc; Tolerance Exemption [EPA-HQ-OPP-2011-0934; FRL-9333-6] received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5767. A letter from the Under Secretary, Department of Defense, transmitting a report of a violation of the Antideficiency Act, Army Case Number 11-02; to the Committee on Appropriations.

5768. A letter from the Under Secretary, Department of Defense, transmitting a report of a violation of the Antideficiency Act, Army Case Number 11-03; to the Committee on Appropriations.

5769. A letter from the Under Secretary, Department of Defense, transmitting a report of a violation of the Antideficiency Act, Army Case Number 11-09; to the Committee on Appropriations.

5770. A letter from the Under Secretary, Department of Defense, transmitting a report of a violation of the Antideficiency Act, Joint Improvised Explosive Device Defeat Organization (JIEDDO) case number 09-01; to the Committee on Appropriations.

5771. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Quality Implementation Plans; Kentucky; Attainment Plan for the Kentucky Portion of the Huntington-Ashland 1997 Annual PM2.5 Nonattainment Area [EPA-R04-OAR-2010-0255; FRL-9657-4] received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5772. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Delaware; Amendments to the Handling, Storage, and Disposal of Volatile Organic Compounds Emissions; Automobile and Light-Duty Truck Coating Operations; Paper Coating; Coating of Flat Wood Paneling; Graphic Art Systems; and Industrial Cleaning Solvents [EPA-R03-OAR-2011-0998; FRL-9657-1] received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5773. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Illinois; Small Container Exemption from VOC Coating Rules [EPA-R05-OAR-2012-0073; FRL-9651-5] received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5774. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; South Dakota; Regional Haze State Implementation Plan [EPA-R08-OAR-2011-0870; FRL-9658-9] received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5775. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Implementation Plans; Missouri: Prevention of Significant Deterioration; Greenhouse Gas Tailoring Rule; New Source Review Reform [EPA-R07-OAR-2011-0825; FRL-9657-8] received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5776. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Hazardous Waste Technical Corrections and Clarifications Rule [EPA-RCRA-2008-0678; FRL-9659-7] (RIN: 2050-AG52) received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5777. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants from Coal- and Oil-Fired Electric Utility Steam Generating Units and Standards of Performance for Fossil-Fuel-Fired Electric Utility, Industrial-Commercial-Institutional, and Small Industrial-Commercial-Institutional Steam Generating Units; Correction [EPA-HQ-OAR-2009-0234; EPA-HQ-OAR-2011-0044; FRL-9654-8] (RIN: 2060-AP52 and 2060-AR31) received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5778. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the Arizona State Implementation Plan Pinal County Air Quality Control District [EPA-R09-OAR-2008-0359; FRL-9639-5] received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5779. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Northern Sierra and Sacremento Metropolitan Air Quality Management District [EPA-R09-OAR-2012-0243; FRL-9659-8] received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5780. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Yolo-Solano Air Quality Management District [EPA-R09-OAR-2012-0180; FRL-9652-2] received April 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5781. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report on U.S. support for Taiwan's participation as an observer at the 65th World Health Assembly and in the work of the World Health Organization, as mandated in the 2004 Participation of Taiwan in the World Health Organization Act, Pub. L. 108-235, Sec. 1(c); to the Committee on Foreign Affairs.

5782. A letter from the Staff Director, Federal Election Commission, transmitting the Commission's annual report for FY 2011 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. 107-174; to the Committee on Oversight and Government Reform.

5783. A letter from the General Counsel, Government Accountability Office, transmitting the Office's annual 2011 report of the Notification and Federal Employee Antidiscrimination and Retaliation (No FEAR) Act of 2002; to the Committee on Oversight and Government Reform.

5784. A letter from the Chairman, Nuclear Regulatory Commission, transmitting the Commission's annual report for FY 2011 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. 107-174; to the Committee on Oversight and Government Reform.

5785. A letter from the Director, Congressional Affairs and Public Relations, Trade and Development Agency, transmitting the Agency's Fiscal Year 2010 annual report prepared in accorance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002, Pub. L. 107-174; to the Committee on Oversight and Government Reform.

5786. A letter from the Assistant Attorney General, Department of Justice, transmitting the Fourth Quarter 2011 report of Settlements by the United States with Nonmonetary Relief Exceeding Three Years and Settlements Against the United States Exceeding $2 Million; to the Committee on the Judiciary.

5787. A letter from the Chairman, Federal Maritime Commission, transmitting the Commission's 50th annual report of activities for fiscal year 2011, pursuant to Section 103(e) of the Reorganization Plan No. 7 of 1961 and Section 208 of the Merchant Marine Act of 1936, as amended; to the Committee on Transportation and Infrastructure.

5788. A letter from the Chief, Trade and Commercial Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — Interest on Untimely Paid Vessel Repair Duties [USCBP-2008-0085] (RIN: 1515-AD74) received March 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5789. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Nonconventional Source Fuel Credit, 2011 Section 45K Inflation Adjustment Factor and Section 45K Reference Price [Notice 2012-30] received April 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5790. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Update for Weighted Average Interest Rates, Yield Curves, and Segment Rates [Notice 2012-28] received April 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5791. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Alan Baer Revocable Trust v. United States, 105 AFTR 2d 1544, 2010-1 USTC 60,590 (D. Neb. 2010) [AOD 2012-04] received April 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5792. A letter from the Acting Chair, Social Security Advisory Board, transmitting the Board's report of the 2011 Social Security Technical Panel on Assumptions and Methods; to the Committee on Ways and Means.

5793. A letter from the Board of Trustees, Federal Old-Age And Survivors Insurance And Disability Insurance Trust Funds, transmitting the 2012 Annual Report of the Board of Trustees of the Federal Old-Age and Survivors Insurance and the Federal Disability Insurance Trust Funds, pursuant to 42 U.S.C. 401(c)(2), 1395i(b)(2), and 1395t(b)(2); (H. Doc. No. 112—102); to the Committee on Ways and Means and ordered to be printed.

5794. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting report to Congress on The Proliferation Security Initiative (PSI) Budget

Plan and Review P.L. 110-53, Section 1821(b)(2); jointly to the Committees on Foreign Affairs and Armed Services.

5795. A letter from the Director, Office of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting the Commission's Annual Report on the Federal Work Force for Fiscal Year 2010, pursuant to 42 U.S.C. 2000e-4(e); jointly to the Committees on Oversight and Government Reform and Education and the Workforce.

5796. A letter from the Boards of Trustees, Federal Hospital Insurance and Federal Supplementary Medical Insurance Trust Funds, transmitting the 2012 Annual Report Of The Boards Of Trustees Of The Federal Hospital Insurance And Federal Supplementary Medical Insurance Trust Funds, pursuant to 42 U.S.C. 401(c)(2), 1395i(b)(2), and 1395t(b)(2); (H. Doc. No. 112—101); jointly to the Committees on Ways and Means and Energy and Commerce, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. BACHUS: Committee on Financial Services. H.R. 2308. A bill to improve the consideration by the Securities and Exchange Commission of the costs and benefits of its regulations and orders; with an amendment (Rept. 112–453). Referred to the Committee of the Whole House on the state of the Union.

Mr. NUGENT: Committee on Rules. House Resolution 631. Resolution providing for consideration of the bill (H.R. 3523) to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes; providing for consideration of motions to suspend the rules; providing for consideration of the bill (H.R. 4628) to extend student loan interest rates for undergraduate Federal Direct Stafford Loans; and for other purposes (Rept. 112–454). 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. RANGEL:

H.R. 4621. A bill to authorize negotiations with Brazil to eliminate tariffs and trade barriers to United States ethanol exports; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCNERNEY:

H.R. 4622. A bill to provide for the establishment of a grant program to assist State and local governments to install solar energy systems; to the Committee on Energy and Commerce.

By Mr. PAULSEN (for himself and Mr. CAMPBELL):

H.R. 4623. A bill to amend the Internal Revenue Code of 1986 to expand and make permanent rules related to investment by nonresident aliens in domestic mutual funds; to the Committee on Ways and Means.

By Mr. BACHUS (for himself and Mrs. MCCARTHY of New York):

H.R. 4624. A bill to amend the Investment Advisers Act of 1940 to provide for the registration and oversight of national investment adviser associations; to the Committee on Financial Services.

By Mr. WILSON of South Carolina (for himself, Mr. PETRI, Mr. GOWDY, Mr. SCOTT of South Carolina, Mr. MULVANEY, Mr. BROUN of Georgia, Mr. DUNCAN of South Carolina, and Mr. MILLER of Florida):

H.R. 4625. A bill to amend the Nuclear Waste Policy Act of 1982 to require the President to certify that the Yucca Mountain site remains the designated site for the development of a repository for the disposal of high-level radioactive waste, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BARLETTA:

H.R. 4626. A bill to extend the suspension of duty on certain air pressure distillation columns; to the Committee on Ways and Means.

By Mr. THOMPSON of Pennsylvania:

H.R. 4627. A bill to extend and make a technical correction to the temporary suspension of duty on certain cast stainless steel single-piece exhaust gas manifolds; to the Committee on Ways and Means.

By Mrs. BIGGERT:

H.R. 4628. A bill to extend student loan interest rates for undergraduate Federal Direct Stafford Loans; to the Committee on Education and the Workforce, and in addition to the Committees on Energy and Commerce, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DENHAM:

H.R. 4629. A bill to require the Comptroller General to conduct an annual audit of the General Services Administration; to the Committee on Oversight and Government Reform, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DAVID SCOTT of Georgia:

H.R. 4630. A bill to authorize the Secretary of the Interior to conduct a study of the suitability and feasibility of expanding the boundary of Chattahoochee River National Recreation Area; to the Committee on Natural Resources.

By Mr. WALSH of Illinois (for himself, Mr. LONG, Mr. MICHAUD, and Mr. PAUL):

H.R. 4631. A bill to require quarterly reports on agency conferences and meetings, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. ALTMIRE:

H.R. 4632. A bill to extend the suspension of duty on 2-Chlorotoluene; to the Committee on Ways and Means.

By Mr. ALTMIRE:

H.R. 4633. A bill to extend the suspension of duty on Chloromethylbenzene; to the Committee on Ways and Means.

By Mr. ALTMIRE:

H.R. 4634. A bill to extend the suspension of duty on 2,3-Dichloronitrobenzene; to the Committee on Ways and Means.

By Mr. ALTMIRE:

H.R. 4635. A bill to extend the suspension of duty on Phenylisocyanate; to the Committee on Ways and Means.

By Mr. ALTMIRE:

H.R. 4636. A bill to extend the suspension of duty on certain ethylene-vinyl acetate copolymers; to the Committee on Ways and Means.

By Mr. ALTMIRE:

H.R. 4637. A bill to suspend temporarily the duty on p-Toluidine; to the Committee on Ways and Means.

By Mr. ALTMIRE:

H.R. 4638. A bill to suspend temporarily the duty on p-Nitrotoluene; to the Committee on Ways and Means.

By Mr. ALTMIRE:

H.R. 4639. A bill to extend the suspension of duty on Bayderm Bottom DLV-N; to the Committee on Ways and Means.

By Mr. ALTMIRE:

H.R. 4640. A bill to extend the suspension of duty on 2-Phenylphenol; to the Committee on Ways and Means.

By Mr. ALTMIRE:

H.R. 4641. A bill to extend the suspension of duty on Iminodisuccinate; to the Committee on Ways and Means.

By Mr. ALTMIRE:

H.R. 4642. A bill to reduce temporarily the duty on Mesamoll; to the Committee on Ways and Means.

By Mr. BERG (for himself and Mr. THOMPSON of California):

H.R. 4643. A bill to amend the Internal Revenue Code of 1986 to expand the availability of the cash method of accounting for small businesses, and for other purposes; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4644. A bill to suspend temporarily the duty on certain portable electric grills; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4645. A bill to suspend temporarily the duty on combination smoker, roaster, and grills; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4646. A bill to suspend temporarily the duty on certain grill brushes; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4647. A bill to suspend temporarily the duty on certain decorative tabletop torch vessels; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4648. A bill to suspend temporarily the duty on certain decorative outdoor torches; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4649. A bill to suspend temporarily the duty on certain decorative dual wick torches; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4650. A bill to suspend temporarily the duty on certain fishing reels; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4651. A bill to suspend temporarily the duty on certain decorative outdoor bamboo garden torches; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4652. A bill to suspend temporarily the duty on certain portable infrared gas grill and cooler combinations; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 4653. A bill to suspend temporarily the duty on certain portable gas grills; to the Committee on Ways and Means.

By Mr. BUTTERFIELD:

H.R. 4654. A bill to suspend temporarily the duty on manicure and pedicure sets; to the Committee on Ways and Means.

By Mr. BUTTERFIELD:

H.R. 4655. A bill to suspend temporarily the duty on nail clippers; to the Committee on Ways and Means.

By Mr. BUTTERFIELD:

H.R. 4656. A bill to suspend temporarily the duty on certain eyelash curlers; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 4657. A bill to suspend temporarily the duty on mixtures containing β-cyfluthrin; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 4658. A bill to extend the temporary reduction of duty on Deltamethrin; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 4659. A bill to suspend temporarily the duty on N-(4-Fluorophenyl)-2-hydroxy-N-(1-methylethyl)acetamide; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 4660. A bill to reduce temporarily the duty on Thiencarbazone-methyl; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 4661. A bill to extend the temporary suspension of duty on Spiromesifen; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 4662. A bill to suspend temporarily the duty on Trifloxystrobin; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 4663. A bill to modify and extend the temporary reduction of duty on 2-Acetylbutyrolactone; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 4664. A bill to suspend temporarily the duty on 1,3-Cyclohexanedione; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 4665. A bill to suspend temporarily the duty on Flubendiamide; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 4666. A bill to suspend temporarily the duty on Spirotetramat; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 4667. A bill to extend the temporary suspension of duty on Isoxadifen-Ethyl; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 4668. A bill to extend the temporary suspension of duty on Cyfluthrin; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 4669. A bill to modify and extend the temporary reduction of duty on β-cyfluthrin; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 4670. A bill to reduce temporarily the duty on mixtures contaning Trifloxystrobin and Prothioconazole; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 4671. A bill to suspend temporarily the rate of duty on certain mixtures containing Trifloxystrobin; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 4672. A bill to reduce temporarily the duty on mixtures containing Spirotetramat; to the Committee on Ways and Means.

By Mr. CLEAVER:

H.R. 4673. A bill to suspend temporarily the duty on mixtures containing Trifloxystrobin and Propiconazole; to the Committee on Ways and Means.

By Mr. COHEN:

H.R. 4674. A bill to suspend temporarily the duty on Diuron Technical; to the Committee on Ways and Means.

By Mr. COSTA:

H.R. 4675. A bill to reduce temporarily the duty on 1H-[1,2,4]Triazole; to the Committee on Ways and Means.

By Mr. COSTA:

H.R. 4676. A bill to suspend temporarily the duty on mixtures of Indaziflam; to the Committee on Ways and Means.

By Mr. COSTA:

H.R. 4677. A bill to suspend temporarily the duty on mixtures of Flubendiamide; to the Committee on Ways and Means.

By Mr. COSTA:

H.R. 4678. A bill to suspend temporarily the duty on mixtures containing Fluopyram; to the Committee on Ways and Means.

By Mr. COSTA:

H.R. 4679. A bill to suspend temporarily the duty on mixtures containing Fluopyram and Prothioconazole; to the Committee on Ways and Means.

By Mr. COSTA:

H.R. 4680. A bill to suspend temporarily the duty on mixtures containing Fluopyram and Trifloxystrobin; to the Committee on Ways and Means.

By Mr. COSTA:

H.R. 4681. A bill to suspend temporarily the duty on mixtures containing Fluopyram and Pyrimethanil; to the Committee on Ways and Means.

By Mr. COSTA:

H.R. 4682. A bill to suspend temporarily the duty on Fenhexamid; to the Committee on Ways and Means.

By Mr. COSTA:

H.R. 4683. A bill to suspend temporarily the duty on Fluopicolide; to the Committee on Ways and Means.

By Mr. COSTA:

H.R. 4684. A bill to suspend temporarily the duty on Fluopyram; to the Committee on Ways and Means.

By Mr. COSTA:

H.R. 4685. A bill to suspend temporarily the duty on Indaziflam; to the Committee on Ways and Means.

By Mr. COSTA:

H.R. 4686. A bill to extend the temporary suspension of duty on 4-Chlorobenzaldehyde; to the Committee on Ways and Means.

By Mr. COSTA:

H.R. 4687. A bill to extend the temporary suspension of duty on Phenmedipham; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 4688. A bill to extend the temporary suspension of duty on dry adhesive copolyamide pellets; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 4689. A bill to extend the temporary suspension of duty on Orgasol polyamide powders; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 4690. A bill to suspend temporarily the duty on dicumyl peroxide; to the Committee on Ways and Means.

By Mr. GRAVES of Missouri:

H.R. 4691. A bill to suspend temporarily the duty on Frequency Herbicide; to the Committee on Ways and Means.

By Mr. GRAVES of Missouri:

H.R. 4692. A bill to suspend temporarily the duty on Fastac; to the Committee on Ways and Means.

By Mr. GRAVES of Missouri:

H.R. 4693. A bill to extend the temporary suspension of duty on 2,3-Quinolinedicarboxylic acid; to the Committee on Ways and Means.

By Mr. GRAVES of Missouri:

H.R. 4694. A bill to reduce temporarily the duty on product mixtures containing Spiromesifen; to the Committee on Ways and Means.

By Mr. GRAVES of Missouri:

H.R. 4695. A bill to reduce temporarily the duty on product mixtures containing Clothianidin and Bacillus Firmus strain I-1582; to the Committee on Ways and Means.

By Mr. GRAVES of Missouri:

H.R. 4696. A bill to suspend temporarily the duty on product mixtures containing Clothianidin; to the Committee on Ways and Means.

By Mr. GRAVES of Missouri:

H.R. 4697. A bill to reduce temporarily the duty on product mixtures containing Pyrasulfotole, Bromoxynil Octanoate, and Bromoxynil Heptanoate, including application adjuvants; to the Committee on Ways and Means.

By Mr. GRAVES of Missouri:

H.R. 4698. A bill to extend the suspension of duty on product mixtures containing ethofumesate; to the Committee on Ways and Means.

By Mr. GRAVES of Missouri:

H.R. 4699. A bill to suspend temporarily the duty on cyprosulfamide; to the Committee on Ways and Means.

By Mr. GRAVES of Missouri:

H.R. 4700. A bill to extend the temporary suspension of duty on 1,2,4-Trichlorobenzene; to the Committee on Ways and Means.

By Mr. GENE GREEN of Texas:

H.R. 4701. A bill to extend and modify the temporary suspension of duty on Propiconazole; to the Committee on Ways and Means.

By Mr. GENE GREEN of Texas:

H.R. 4702. A bill to reduce temporarily the rate of duty on mixtures of Paraquat and Emetic; to the Committee on Ways and Means.

By Mr. GENE GREEN of Texas:

H.R. 4703. A bill to extend the temporary suspension of duty on Paclobutrazol; to the Committee on Ways and Means.

By Mr. GENE GREEN of Texas:

H.R. 4704. A bill to extend the temporary suspension of duty on Chloroacetone; to the Committee on Ways and Means.

By Mr. GENE GREEN of Texas:

H.R. 4705. A bill to extend the temporary suspension of duty on Brodifacoum; to the Committee on Ways and Means.

By Mr. GENE GREEN of Texas:

H.R. 4706. A bill to extend and modify the reduction of duty on Mandipropamid; to the Committee on Ways and Means.

By Mr. GENE GREEN of Texas:

H.R. 4707. A bill to suspend temporarily the duty on 1,3-Benzenedicarbonitrile; to the Committee on Ways and Means.

By Mr. GENE GREEN of Texas:

H.R. 4708. A bill to extend and modify the temporary reduction of duty on fludioxonil; to the Committee on Ways and Means.

By Mr. GUTHRIE:

H.R. 4709. A bill to suspend temporarily the duty on Polymer, ε-Caprolactone-diethylene glycol; to the Committee on Ways and Means.

By Mr. GUTHRIE:

H.R. 4710. A bill to suspend temporarily the duty on Carbonic Acid, Dimethyl Ester, Polymer with 1,6-Hexanediol; to the Committee on Ways and Means.

By Mr. GUTHRIE:

H.R. 4711. A bill to extend the temporary suspension of duty on leather basketballs; to the Committee on Ways and Means.

By Mr. GUTHRIE:

H.R. 4712. A bill to extend the temporary suspension of duty on volleyballs; to the Committee on Ways and Means.

By Mr. GUTHRIE:

H.R. 4713. A bill to suspend temporarily the duty on rubber basketballs; to the Committee on Ways and Means.

By Mr. GUTHRIE:

H.R. 4714. A bill to suspend temporarily the duty on basketballs, having an external surface other than leather or rubber; to the Committee on Ways and Means.

By Mr. GUTHRIE:

H.R. 4715. A bill to extend the temporary suspension of duty on ε-Caprolactone-2-ethyl-2-(hydroxymethyl)-1,3-propanediol polymer; to the Committee on Ways and Means.

By Mr. GUTHRIE:

H.R. 4716. A bill to extend the temporary suspension of duty on ε-Caprolactone-neopentylglycol copolymer; to the Committee on Ways and Means.

By Mr. GUTHRIE:

H.R. 4717. A bill to suspend temporarily the duty on 2,2'-Bis(4-cyanatophenyl)propane homopolymer; to the Committee on Ways and Means.

By Mr. HASTINGS of Washington:

H.R. 4718. A bill to extend the temporary suspension of duty on Linuron; to the Committee on Ways and Means.

By Mr. HASTINGS of Washington:

H.R. 4719. A bill to suspend temporarily the duty on Terbacil; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 4720. A bill to establish the American Innovation Bank, to improve science and technology job training, to authorize grants for curriculum development, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. HOLT:

H.R. 4721. A bill to extend and modify the temporary reduction of duty on monocarboxylic fatty acids derived from palm oil; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 4722. A bill to suspend temporarily the duty on mixtures of polyvinyl alcohol and polyvinyl pyrrolidone; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 4723. A bill to suspend temporarily the duty on Tetrakis(hydroxymethyl) phosphonium sulfate (THPS); to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 4724. A bill to suspend temporarily the duty on (1S)-1,5-anhydro-1-[3-[[5-(4-fluorophenyl)-2-thienyl]methyl] -4-methylphenyl]-D-glucitol; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 4725. A bill to extend the suspension of duty on Imazalil; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 4726. A bill to suspend temporarily the duty on NORBLOC 7966; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 4727. A bill to extend the suspension of duty on Cetalox; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 4728. A bill to extend the suspension of duty on Dimethyl malonate; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 4729. A bill to suspend temporarily the duty on mixtures of N-[2-(2-oxoimidazolidine-1-yl)ethyl]-2-methylacrylamide, methacrylic acid, aminoethyl ethylene urea and hydroquinone; to the Committee on Ways and Means.

By Mr. HUIZENGA of Michigan (for himself and Mr. FRANK of Massachusetts):

H.R. 4730. A bill to require the Director of the Bureau of Prisons to be appointed by and with the advice and consent of the Senate; to the Committee on the Judiciary.

By Mr. HUIZENGA of Michigan:

H.R. 4731. A bill to amend the Harmonized Tariff Schedule of the United States to clarify the tariff rates for carpet cleaners and parts thereof imported into the United States; to the Committee on Ways and Means.

By Mr. HUIZENGA of Michigan:

H.R. 4732. A bill to extend and modify the temporary reduction of duty on 4-methoxy-2-methyldiphenylamine; to the Committee on Ways and Means.

By Mr. HUIZENGA of Michigan:

H.R. 4733. A bill to extend the temporary suspension of duty on 4'-methoxy-2,2',4-trimethyl diphenylamine; to the Committee on Ways and Means.

By Mr. HUIZENGA of Michigan:

H.R. 4734. A bill to suspend temporarily the duty on Imazalil; to the Committee on Ways and Means.

By Mr. HUIZENGA of Michigan:

H.R. 4735. A bill to extend and modify the temporary reduction of duty on ACM; to the Committee on Ways and Means.

By Mr. HUIZENGA of Michigan:

H.R. 4736. A bill to reduce temporarily the duty on Glufosinate-Ammonium (GA); to the Committee on Ways and Means.

By Mr. HUIZENGA of Michigan:

H.R. 4737. A bill to extend and modify the temporary reduction of duty on Oxadiazon; to the Committee on Ways and Means.

By Mr. HUIZENGA of Michigan:

H.R. 4738. A bill to suspend temporarily the duty on the chime melody rod assembly used in the production of grandfather clocks, wall clocks, and mantel clocks; to the Committee on Ways and Means.

By Mr. HUIZENGA of Michigan:

H.R. 4739. A bill to suspend temporarily the duty on certain clock movements; to the Committee on Ways and Means.

By Mr. HUNTER (for himself, Mr. WEST, Mrs. DAVIS of California, Mr. RIGELL, Mr. LARSEN of Washington, Mr. RYAN of Ohio, Mr. WITTMAN, Mr. TURNER of Ohio, Mr. HEINRICH, and Mr. CARTER):

H.R. 4740. A bill to amend the Servicemembers Civil Relief Act to ensure that relocation of a servicemember to serve on active duty away from the servicemember's principal residence does not prevent the servicemember from refinancing a mortgage on that principal residence; to the Committee on Veterans' Affairs.

By Mr. JOHNSON of Illinois:

H.R. 4741. A bill to extend and modify the temporary reduction of duty on Avermectin B; to the Committee on Ways and Means.

By Mr. JOHNSON of Illinois:

H.R. 4742. A bill to reduce temporarily the duty on Prosulfuron; to the Committee on Ways and Means.

By Mr. JOHNSON of Illinois:

H.R. 4743. A bill to extend the temporary suspension of duty on Pymetrozine; to the Committee on Ways and Means.

By Mr. JOHNSON of Illinois:

H.R. 4744. A bill to extend the temporary suspension of duty on Cyproconazole; to the Committee on Ways and Means.

By Mr. JOHNSON of Illinois:

H.R. 4745. A bill to extend the temporary suspension of duty on Cypermethrin; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 4746. A bill to extend the suspension of duty on 2-Mercaptoethanol; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 4747. A bill to suspend temporarily the duty on Tetrahydrothiophene; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 4748. A bill to suspend temporarily the duty on p-Dichlorobenzene; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 4749. A bill to suspend temporarily the duty on Di-tert-butyl polysulfides; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 4750. A bill to suspend temporarily the duty on Dimethyl 3,3'-thiodipropionate; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 4751. A bill to suspend temporarily the duty on 2-Hydroxyethyl-n-octyl sulfide; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 4752. A bill to suspend temporarily the rate of duty on Reactive Red 228; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 4753. A bill to suspend temporarily the rate of duty on Acid Yellow 151; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 4754. A bill to suspend temporarily the rate of duty on Reactive Blue 269; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 4755. A bill to extend the temporary suspension of duty on Disperse Yellow 42; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 4756. A bill to suspend temporarily the rate of duty on Reactive Blue 268; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 4757. A bill to suspend temporarily the rate of duty on Acid Blue 171; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 4758. A bill to suspend temporarily the rate of duty on Normal Paraffin M; to the Committee on Ways and Means.

By Mr. LEWIS of Georgia:

H.R. 4759. A bill to establish a comprehensive process to inform American consumers about food and product recalls, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LEWIS of Georgia:

H.R. 4760. A bill to suspend temporarily the duty on polyvinyl formal resin; to the Committee on Ways and Means.

By Mr. LEWIS of Georgia:

H.R. 4761. A bill to suspend temporarily the duty on tris 2-(Hydroxy ethyl)-isocyanurate (THEIC); to the Committee on Ways and Means.

By Mr. NEAL:

H.R. 4762. A bill to suspend temporarily the duty on aircraft grade polyvinyl butyral; to the Committee on Ways and Means.

By Mr. NEAL:

H.R. 4763. A bill to extend the temporary reduction of duty on N-phenyl-p-phenylenediamine; to the Committee on Ways and Means.

By Mr. NEAL:

H.R. 4764. A bill to suspend temporarily the duty on Potassium decafluoro(pentafluorethyl) cyclohexanesulfonate; to the Committee on Ways and Means.

By Mr. NEAL:

H.R. 4765. A bill to suspend temporarily the duty on Pigment Yellow 194; to the Committee on Ways and Means.

By Mr. NEAL:

H.R. 4766. A bill to suspend temporarily the duty on Pigment Yellow 181; to the Committee on Ways and Means.

By Mr. NEAL:

H.R. 4767. A bill to suspend temporarily the duty on Pigment Yellow 191; to the Committee on Ways and Means.

By Mr. NEAL:

H.R. 4768. A bill to extend the temporary suspension of duty on Pigment Red 187; to the Committee on Ways and Means.

By Mr. NEAL:

H.R. 4769. A bill to suspend temporarily the duty on Pigment Yellow 180; to the Committee on Ways and Means.

By Mr. NEAL:

H.R. 4770. A bill to reduce temporarily the duty on Yttrium oxides having a purity of at least 99.9 percent; to the Committee on Ways and Means.

By Mr. NUNES:

H.R. 4771. A bill to suspend temporarily the duty on Fungaflor Technical (Imazalil); to the Committee on Ways and Means.

By Mr. NUNES:

H.R. 4772. A bill to suspend temporarily the duty on Penbotec 400SC; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4773. A bill to extend the suspension of duty on Bifenazate; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4774. A bill to extend the suspension of duty on Paraquat dichloride (1,1'-dimethyl-

4,4'-bipyridinium dichloride); to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4775. A bill to extend the suspension of duty on Propargite; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4776. A bill to extend the suspension of duty on Pentaerythritol tetrakis[3-(dodecylthio)propionate]; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4777. A bill to suspend temporarily the duty on 4,4'-Thiobis[2-(1,1-di-methylethyl)-5-methyl-phenol]; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4778. A bill to extend the suspension of duty on N,N-Hexane-1,6-diylbis(3-(3,5-di-tert-butyl-4-hydroxy-phenyl propionamide)); to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4779. A bill to suspend temporarily the duty on 2,5-Bis(1,1-dimethylpropyl)-1,4-benzenediol; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4780. A bill to suspend temporarily the duty on 2,2'-(2-Methylpropylidene) bis(4,6-dimethylphenol); to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4781. A bill to suspend temporarily the duty on 4,4'-butylidenebis [3-methyl 6 tert butylphenol]; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4782. A bill to suspend temporarily the duty on 2,2'-Methylenebis (4 methyl 6 tert butylphenol); to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4783. A bill to extend the suspension of duty on Ipconazole; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4784. A bill to suspend temporarily the duty on Daminozide; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4785. A bill to suspend temporarily the duty on Paraquat Dichloride and Inerts; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4786. A bill to extend the suspension of duty on Butralin; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4787. A bill to suspend temporarily the duty on Bis(2,3-dibromopropyl ether) of Tetrabromobisphenol A; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4788. A bill to extend the suspension of duty on Phosphoric acid, tris (2-ethylhexyl) ester; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4789. A bill to extend the suspension of duty on Etridiazole; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4790. A bill to extend the suspension of duty on 2,2,6,6-Tetramethyl-4-piperidinone; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4791. A bill to suspend temporarily the duty on 4,4'-methylenebis(2-chloroaniline); to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4792. A bill to suspend temporarily the duty on allyl bromide; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4793. A bill to suspend temporarily the duty on 1,3-Dibromo-5-Dimethylhydantoin; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4794. A bill to suspend temporarily the duty on magnesium hydroxide with a purity greater than or equal to 99.8 percent; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 4795. A bill to suspend temporarily the duty on certain urea resins; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4796. A bill to extend the temporary suspension of duty on electromechanical ice shavers; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4797. A bill to extend the temporary suspension of duty on combination single slot toaster and toaster ovens; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4798. A bill to extend the temporary suspension of duty on electric knives; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4799. A bill to extend the temporary suspension of duty on handheld electric can openers; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4800. A bill to suspend temporarily the rate of duty on certain single serve and full pot coffee makers; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4801. A bill to suspend temporarily the rate of duty on certain portable slow cookers; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4802. A bill to suspend temporarily the rate of duty on certain single serve coffee makers; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4803. A bill to suspend temporarily the rate of duty on certain single serve coffee makers; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4804. A bill to suspend temporarily the rate of duty on certain electric skillets; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4805. A bill to suspend temporarily the rate of duty on certain battery operated jar openers; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4806. A bill to suspend temporarily the rate of duty on certain battery operated ice cream makers; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4807. A bill to suspend temporarily the rate of duty on certain frozen treat makers; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4808. A bill to suspend temporarily the rate of duty on certain programmable slow cookers; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4809. A bill to suspend temporarily the duty on certain electric dispensing blenders; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4810. A bill to extend the temporary suspension of duty on self contained, carafeless automatic drip coffeemaker with electronic clock; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4811. A bill to extend the temporary suspension of duty on self-contained, carafeless automatic drip coffeemaker; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4812. A bill to extend the temporary suspension of duty on open top, electric indoor grills; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4813. A bill to extend the temporary suspension of duty on certain electric juice extractors rated at 800W or higher; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4814. A bill to extend the temporary suspension of duty on certain electric juice extractors; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia:

H.R. 4815. A bill to extend the temporary suspension of duty on sandwich toaster grills; to the Committee on Ways and Means.

By Mr. TIERNEY (for himself, Mr. BISHOP of New York, Mr. COURTNEY, Mr. GEORGE MILLER of California, Mr. HINOJOSA, Mr. LEVIN, Mr. STARK, Mr. KILDEE, Mr. PETERS, Ms. CHU, Ms. SEWELL, Mr. PASCRELL, Mr. HOLT, and Ms. SLAUGHTER):

H.R. 4816. A bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MEEKS (for himself, Mr. CONNOLLY of Virginia, Ms. FOXX, and Mr. COHEN):

H. Res. 632. A resolution commending the Government of Turkey for its efforts to facilitate, host, and care for refugees fleeing the Al-Assad regime's escalating violence in Syria; to the Committee on Foreign Affairs.

By Mr. MEEKS (for himself, Mr. HINOJOSA, and Mrs. BIGGERT):

H. Res. 633. A resolution supporting the goals and ideals of ''Financial Literacy Month''; to the Committee on Oversight and Government Reform.

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. RANGEL:

H.R. 4621.

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

Article 1, Section 8

By Mr. MCNERNEY:

H.R. 4622.

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

Article I, section 8 of the U.S. Constitution.

By Mr. PAULSEN:

H.R. 4623.

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

Article 1, Section 8.

By Mr. BACHUS:

H.R. 4624.

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

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. WILSON of South Carolina:

H.R. 4625.

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

Article I, Section 8, Clause 1. ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United

States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. BARLETTA:

H.R. 4626.

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

Article I, Section 8 of the United States Constitution.

By Mr. THOMPSON of Pennsylvania:

H.R. 4627.

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

Article I, Section 8, Clause I; and including, but not solely limited to Article I, Section 8, Clause 3.

By Mrs. BIGGERT:

H.R. 4628.

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

Article I, section 8 of the Constitution of the United States

By Mr. DENHAM:

H.R. 4629.

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

Article I, Section 9 of the United States Constitution, specifically Clause 7 ''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.''

By Mr. DAVID SCOTT of Georgia:

H.R. 4630.

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

Article I, Section 8, Clause 3.

By Mr. WALSH of Illinois:

H.R. 4631.

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

Clause I of Section 8 of Article I of the Constitution ''The Congress shall have the power to lay and collect taxes, duties, impost and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States''

By Mr. ALTMIRE:

H.R. 4632.

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

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. ALTMIRE:

H.R. 4633.

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

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. ALTMIRE:

H.R. 4634.

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

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. ALTMIRE:

H.R. 4635.

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

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. ALTMIRE:

H.R. 4636.

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

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. ALTMIRE:

H.R. 4637.

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

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. ALTMIRE:

H.R. 4638.

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

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. ALTMIRE:

H.R. 4639.

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

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. ALTMIRE:

H.R. 4640.

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

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. ALTMIRE:

H.R. 4641.

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

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. ALTMIRE:

H.R. 4642.

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

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. BERG:

H.R. 4643.

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

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. BISHOP of Georgia:

H.R. 4644.

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

Article I, sec. 8

By Mr. BISHOP of Georgia:

H.R. 4645.

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

Article I, sec. 8

By Mr. BISHOP of Georgia:

H.R. 4646.

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

Article I, sec. 8

By Mr. BISHOP of Georgia:

H.R. 4647.

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

Article I, sec. 8

By Mr. BISHOP of Georgia:

H.R. 4648.

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

Article I, sec. 8

By Mr. BISHOP of Georgia:

H.R. 4649.

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

Article I, sec. 8

By Mr. BISHOP of Georgia:

H.R. 4650.

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

Article I, sec. 8

By Mr. BISHOP of Georgia:

H.R. 4651.

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

Article I, sec. 8

By Mr. BISHOP of Georgia:

H.R. 4652.

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

Article I, sec. 8

By Mr. BISHOP of Georgia:

H.R. 4653.

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

Article I, sec. 8

By Mr. BUTTERFIELD:

H.R. 4654.

At121 Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 1 of the Constitution, Congress has the power to collect taxes and expend funds to provide for the general welfare of the United States. Under Article I, Section 8, Clause 18 of Section 8 of the Constitution, Congress may make all laws which shall be necessary and proper for carrying into execution its powers and all powers vested by the Constitution in the government of United States.

By Mr. BUTTERFIELD:

H.R. 4655.

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

Under Article I, Section 8, Clause 1 of the Constitution, Congress has the power to collect taxes and expend funds to provide for the general welfare of the United States. Under Article I, Section 8, Clause 18 of Section 8 of the Constitution, Congress may make all laws which shall be necessary and proper for carrying into execution its powers and all powers vested by the Constitution in the government of United States.

By Mr. BUTTERFIELD:

H.R. 4656.

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

Under Article I, Section 8, Clause 1 of the Constitution, Congress has the power to collect taxes and expend funds to provide for the general welfare of the United States. Under Article I, Section 8, Clause 18 of Section 8 of the Constitution, Congress may make all laws which shall be necessary and proper for carrying into execution its powers and all powers vested by the Constitution in the government of United States.

By Mr. CLEAVER:

H.R. 4657.

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

Article 1, Section 8, Clause 1 of the Constitution of the United States, which states that Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. CLEAVER:

H.R. 4658.

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

Article 1, Section 8, Clause 1 of the Constitution of the United States, which states that Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. CLEAVER:

H.R. 4659.

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

Article 1, Section 8, Clause 1 of the Constitution of the United States, which states that Congress shall have Power To lay and

collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. CLEAVER:

H.R. 4660.

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

Article 1, Section 8, Clause 1 of the Constitution of the United States, which states that Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. CLEAVER:

H.R. 4661.

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

Article 1, Section 8, Clause 1 of the Constitution of the United States, which states that Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. CLEAVER:

H.R. 4662.

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

Article 1, Section 8, Clause 1 of the Constitution of the United States, which states that Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. CLEAVER:

H.R. 4663.

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

Article 1, Section 8, Clause 1 of the Constitution of the United States, which states that Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. CLEAVER:

H.R. 4664.

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

Article 1, Section 8, Clause 1 of the Constitution of the United States, which states that Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence, and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. CLEAVER:

H.R. 4665.

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

Article I, Section 8, Clause 1 of the Constitution of the United States, which states that Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. CLEAVER:

H.R. 4666.

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

Article 1, Section 8, Clause 1 of the Constitution of the United States, which states that Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. CLEAVER:

H.R. 4667.

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

Article 1, Section 8, Clause 1 of the Constitution of the United States, which states that Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. CLEAVER:

H.R. 4668.

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

Article 1, Section 8, Clause 1 of the Constitution of the United States, which states that Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. CLEAVER:

H.R. 4669.

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

Article 1, Section 8, Clause 1 of the Constitution of the United States, which states that Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. CLEAVER:

H.R. 4670.

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

Article 1, Section 8, Clause 1 of the Constitution of the United States, which states that Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. CLEAVER:

H.R. 4671.

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

Article 1, Section 8, Clause 1 of the Constitution of the United States, which states that Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. CLEAVER:

H.R. 4672.

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

Article 1, Section 8, Clause 1 of the Constitution of the United States, which states that Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. CLEAVER:

H.R. 4673.

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

Article 1, Section 8, Clause 1 of the Constitution of the United States, which states that Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. COHEN:

H.R. 4674.

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

Article 1, Section 8, Clause 1.

By Mr. COSTA:

H.R. 4675.

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

Article 1, 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; but all Duties, Imposts and Excises shall be uniform throughout the United States

By Mr. COSTA:

H.R. 4676.

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

Article 1, 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; but all Duties, Imposts and Excises shall be uniform throughout the United States

By Mr. COSTA:

H.R. 4677.

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

Article 1, 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; but all Duties, Imposts and Excises shall be uniform throughout the United States

By Mr. COSTA:

H.R. 4678.

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

Article 1, 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; but all Duties, Imposts and Excises shall be uniform throughout the United States

By Mr. COSTA:

H.R. 4679.

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

Article 1, 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; but all Duties, Imposts and Excises shall be uniform throughout the United States

By Mr. COSTA:

H.R. 4680.

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

Article 1, Sec. 8. ''The Congress shall have the Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. COSTA:

H.R. 4681.

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

Article 1, 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; but all Duties, Imposts and Excises shall be uniform throughout the United States

By Mr. COSTA:

H.R. 4682.

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

Article 1, 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; but all Duties, Imposts and Excises shall be uniform throughout the United States

By Mr. COSTA:

H.R. 4683.

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

Article 1, 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; but all Duties, Imposts and Excises shall be uniform throughout the United States

By Mr. COSTA:

H.R. 4684.

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

Article 1, 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; but all Duties, Imposts and Excises shall be uniform throughout the United States

By Mr. COSTA:

H.R. 4685.

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

Article 1, 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; but all Duties, Imposts and Excises shall be uniform throughout the United States

By Mr. COSTA:

H.R. 4686.

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

Article 1, 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; but all Duties, Imposts and Excises shall be uniform throughout the United States

By Mr. COSTA:

H.R. 4687.

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

Article 1, 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; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. GERLACH:

H.R. 4688.

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

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. GERLACH:

H.R. 4689.

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

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. GERLACH:

H.R. 4690.

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

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. GRAVES of Missouri:

H.R. 4691.

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

Article 1, Section 8; ''To regulate commerce with foreign nation''

The tariffs which are reduced or suspended in these bills are not produced in the United States and therefore should not be subjected to tariffs meant to protect US domestic producers. Reducing or suspending trade duties on certain imported products ultimately helps to lower prices of finished goods for US consumers by lowering the cost to produce such goods.

By Mr. GRAVES of Missouri:

H.R. 4692.

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

Article 1, Section 8; ''To regulate commerce with foreign nation''

The tariffs which are reduced or suspended in these bills are not produced in the United States and therefore should not be subjected to tariffs meant to protect US domestic producers. Reducing or suspending trade duties on certain imported products ultimately helps to lower prices of finished goods for US consumers by lowering the cost to produce such goods.

By Mr. GRAVES of Missouri:

H.R. 4693.

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

Article 1, Section 8; ''To regulate commerce with foreign nation''

The tariffs which are reduced or suspended in these bills are not produced in the United States and therefore should not be subjected to tariffs meant to protect US domestic producers. Reducing or suspending trade duties on certain imported products ultimately helps to lower prices of finished goods for US consumers by lowering the cost to produce such goods.

By Mr. GRAVES of Missouri:

H.R. 4694.

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

Article 1, Section 8; ''To regulate commerce with foreign nation''

The tariffs which are reduced or suspended in these bills are not produced in the United States and therefore should not be subjected to tariffs meant to protect US domestic producers. Reducing or suspending trade duties on certain imported products ultimately helps to lower prices of finished goods for US consumers by lowering the cost to produce such goods.

By Mr. GRAVES of Missouri:

H.R. 4695.

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

Article 1, Section 8; ''To regulate commerce with foreign nation''

The tariffs which are reduced or suspended in these bills are not produced in the United States and therefore should not be subjected to tariffs meant to protect US domestic producers. Reducing or suspending trade duties on certain imported products ultimately helps to lower prices of finished goods for US consumers by lowering the cost to produce such goods.

By Mr. GRAVES of Missouri:

H.R. 4696.

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

Article 1, Section 8; ''To regulate commerce with foreign nation''

The tariffs which are reduced or suspended in these bills are not produced in the United States and therefore should not be subjected to tariffs meant to protect US domestic producers. Reducing or suspending trade duties on certain imported products ultimately helps to lower prices of finished goods for US consumers by lowering the cost to produce such goods.

By Mr. GRAVES of Missouri:

H.R. 4697.

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

Article 1, Section 8; ''To regulate commerce with foreign nation''

The tariffs which are reduced or suspended in these bills are not produced in the United States and therefore should not be subjected to tariffs meant to protect US domestic producers. Reducing or suspending trade duties on certain imported products ultimately helps to lower prices of finished goods for US consumers by lowering the cost to produce such goods.

By Mr. GRAVES of Missouri:

H.R. 4698.

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

Article 1, Section 8; ''To regulate commerce with foreign nation''

The tariffs which are reduced or suspended in these bills are not produced in the United States and therefore should not be subjected to tariffs meant to protect US domestic producers. Reducing or suspending trade duties on certain imported products ultimately helps to lower prices of finished goods for US consumers by lowering the cost to produce such goods.

By Mr. GRAVES of Missouri:

H.R. 4699.

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

Article 1, Section 8; ''To regulate commerce with foreign nation''

The tariffs which are reduced or suspended in these bills are not produced in the United States and therefore should not be subjected to tariffs meant to protect US domestic producers. Reducing or suspending trade duties on certain imported products ultimately helps to lower prices of finished goods for US consumers by lowering the cost to produce such goods.

By Mr. GRAVES of Missouri:

H.R. 4700.

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

Article 1, Section 8; ''To regulate commerce with foreign nation''

The tariffs which are reduced or suspended in these bills are not produced in the United States and therefore should not be subjected to tariffs meant to protect US domestic producers. Reducing or suspending trade duties on certain imported products ultimately helps to lower prices of finished goods for US consumers by lowering the cost to produce such goods.

By Mr. GENE GREEN of Texas:

H.R. 4701.

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

Article I, Section 8, Clause 1 of the U.S. Constitution ''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. GENE GREEN of Texas:

H.R. 4702.

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

Article I, Section 8, Clause 1 of the U.S. Constitution—''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. GENE GREEN of Texas:

H.R. 4703.

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

Article I, Section 8, Clause 1 of the U.S. Constitution—''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. GENE GREEN of Texas:

H.R. 4704.

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

Article I, Section 8, Clause 1 of the U.S. Constitution—''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. GENE GREEN of Texas:

H.R. 4705.

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

Article I, Section 8, Clause 1 of the U.S. Constitution—''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. GENE GREEN of Texas:

H.R. 4706.

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

Article I, Section 8, Clause 1 of the U.S. Constitution—''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. GENE GREEN of Texas:

H.R. 4707.

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

Article I, Section 8, Clause 1 of the U.S. Constitution—''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. GENE GREEN of Texas:

H.R. 4708.

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

Article I, Section 8, Clause 1 of the U.S. Constitution—''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. GUTHRIE:

H.R. 4709.

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

Article I, Section 8, Clause 1

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. GUTHRIE:

H.R. 4710.

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

Article I, Section 8, Clause 1

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. GUTHRIE:

H.R. 4711.

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

Article I, Section 8, Clause 1

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. GUTHRIE:

H.R. 4712.

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

Article I, Section 8, Clause 1

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. GUTHRIE:

H.R. 4713.

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

Article I, Section 8, Clause 1

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. GUTHRIE:

H.R. 4714.

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

Article I, Section 8, Clause 1

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. GUTHRIE:

H.R. 4715.

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

Article I, Section 8, Clause 1

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. GUTHRIE:

H.R. 4716.

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

Article I, Section 8, Clause 1

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. GUTHRIE:

H.R. 4717.

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

Article I, Section 8, Clause 1

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. HASTINGS of Washington:

H.R. 4718.

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

Clause 1 of Section 8 of Article I of the U.S. Constitution, which states that ''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. HASTINGS of Washington:

H.R. 4719.

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

Clause 1 of Section 8 of Article I of the U.S. Constitution, which states that ''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. HOLT:

H.R. 4720.

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

Article I of the United States Constitution

By Mr. HOLT:

H.R. 4721.

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

Article I of the Constitution of the United States

By Mr. HOLT:

H.R. 4722.

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

Article I of the Constitution of the United States

By Mr. HOLT:

H.R. 4723.

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

Article I of the Constitution of the United States

By Mr. HOLT:

H.R. 4724.

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

Article I of the Constitution of the United States

By Mr. HOLT:

H.R. 4725.

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

Article I of the Constitution of the United States

By Mr. HOLT:

H.R. 4726.

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

Article I of the Constitution of the United States

By Mr. HOLT:

H.R. 4727.

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

Article I of the Constitution of the United States

By Mr. HOLT:

H.R. 4728.

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

Article I of the Constitution of the United States

By Mr. HOLT:

H.R. 4729.

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

Article I of the Constitution of the United States

By Mr. HUIZENGA of Michigan:

H.R. 4730.

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

Article 2, Section 3 states that the President ''shall take Care that the Laws be faithfully Executed.''

By Mr. HUIZENGA of Michigan:

H.R. 4731.

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

Pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution, which states the Congress shall have the power ''To regulate Commerce with foreign Nations.''

By Mr. HUIZENGA of Michigan:

H.R. 4732.

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

Pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution, which states the Congress shall have the power ''To regulate Commerce with foreign Nations.''

By Mr. HUIZENGA of Michigan:

H.R. 4733.

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

Pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution, which states the Congress shall have the power ''To regulate Commerce with foreign Nations.''

By Mr. HUIZENGA of Michigan:

H.R. 4734.

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

Pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution, which states the Congress shall have the power ''To regulate Commerce with foreign Nations.''

By Mr. HUIZENGA of Michigan:

H.R. 4735.

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

Pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution, which states the Congress shall have the power ''To regulate Commerce with foreign Nations.''

By Mr. HUIZENGA of Michigan:

H.R. 4736.

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

Pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution, which states the Congress shall have the power ''To regulate Commerce with foreign Nations.''

By Mr. HUIZENGA of Michigan:

H.R. 4737.

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

Pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution, which states the Congress shall have the power ''To regulate Commerce with foreign Nations.''

By Mr. HUIZENGA of Michigan:

H.R. 4738.

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

Pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution, which states the Congress shall have the power ''To regulate Commerce with foreign Nations.''

By Mr. HUIZENGA of Michigan:

H.R. 4739.

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

Pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution, which states the Congress shall have the power ''To regulate Commerce with foreign Nations.''

By Mr. HUNTER:

H.R. 4740.

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

This legislation ensures that the military personnel who are homeowners are not discriminated against for their military service when trying to refinance their property. Specific authority is provided by Article I, section 8 of the United States Constitution (clauses 12, 13, and 14), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; and to make rules for the government and regulation of the land and naval forces.

By Mr. JOHNSON of Illinois:

H.R. 4741.

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

Article I, Section 8 states ''The Congress shall have the Power to lay and collect taxes, duties, imposts and excises.''

This bill modifies a duty which is clearly designated as a responsibility of Congress.

By Mr. JOHNSON of Illinois:

H.R. 4742.

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

Article I, Section 8 states ''The Congress shall have the Power to lay and collect taxes, duties, imposts and excises.''

This bill modifies a duty which is clearly designated as a responsibility of Congress.

By Mr. JOHNSON of Illinois:

H.R. 4743.

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

Article I, Section 8 states ''The Congress shall have the Power to lay and collect taxes, duties, imposts and excises.''

This bill modifies a duty which is clearly designated as a responsibility of Congress.

By Mr. JOHNSON of Illinois:

H.R. 4744.

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

Article I, Section 8 states ''The Congress shall have the Power to lay and collect taxes, duties, imposts and excises.''

This bill modifies a duty which is clearly designated as a responsibility of Congress.

By Mr. JOHNSON of Illinois:

H.R. 4745.

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

Article I, Section 8 states ''The Congress shall have the Power to lay and collect taxes, duties, imposts and excises.''

This bill modifies a duty which is clearly designated as a responsibility of Congress.

By Mr. SAM JOHNSON of Texas:

H.R. 4746.

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

Article 1, Section 8. Specifically:

Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. SAM JOHNSON of Texas:

H.R. 4747.

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

Article 1, Section 8. Specifically:

Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. SAM JOHNSON of Texas:

H.R. 4748.

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

Article 1, Section 8. Specifically:

Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. SAM JOHNSON of Texas:

H.R. 4749.

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

Article 1, Section 8. Specifically:

Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. SAM JOHNSON of Texas:

H.R. 4750.

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

Article 1, Section 8. Specifically:

Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. SAM JOHNSON of Texas:

H.R. 4751.

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

Article 1, Section 8. Specifically:

Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. SAM JOHNSON of Texas:

H.R. 4752.

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

Article 1, Section 8. Specifically:

Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. SAM JOHNSON of Texas:

H.R. 4753.

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

Article 1, Section 8. Specifically:

Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. SAM JOHNSON of Texas:
H.R. 4754.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8. Specifically:
Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;
Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;
By Mr. SAM JOHNSON of Texas:
H.R. 4755.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8. Specifically:
Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;
Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;
By Mr. SAM JOHNSON of Texas:
H.R. 4756.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8. Specifically:
Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;
Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;
By Mr. SAM JOHNSON of Texas:
H.R. 4757.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8. Specifically:
Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;
Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;
By Mr. SAM JOHNSON of Texas:
H.R. 4758.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8. Specifically:
Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;
Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;
By Mr. LEWIS of Georgia:
H.R. 4759.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.
By Mr. LEWIS of Georgia:
H.R. 4760.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.
By Mr. LEWIS of Georgia:
H.R. 4761.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.
By Mr. NEAL:
H.R. 4762.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to Clause 1 of Section 8 of Article I of the U.S. Constitution.
By Mr. NEAL:
H.R. 4763.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to Clause 1 of Section 8 of Article I of the U.S. Constitution.
By Mr. NEAL:
H.R. 4764.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to Clause 1 of Section 8 of Article I of the U.S. Constitution.
By Mr. NEAL:
H.R. 4765.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to Clause 1 of Section 8 of Article I of the U.S. Constitution.
By Mr. NEAL:
H.R. 4766.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to Clause 1 of Section 8 of Article I of the U.S. Constitution.
By Mr. NEAL:
H.R. 4767.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to Clause 1 of Section 8 of Article I of the U.S. Constitution.
By Mr. NEAL:
H.R. 4768.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to Clause 1 of Section 8 of Article I of the U.S. Constitution.
By Mr. NEAL:
H.R. 4769.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to Clause 1 of Section 8 of Article I of the U.S. Constitution.
By Mr. NEAL:
H.R. 4770.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to Clause 1 of Section 8 of Article I of the U.S. Constitution.
By Mr. NUNES:
H.R. 4771.
Congress has the power to enact this legislation pursuant to the following:
Clause 3 of section 8 of article I of the Constitution of the United States.
By Mr. NUNES:
H.R. 4772.
Congress has the power to enact this legislation pursuant to the following:
Clause 3 of section 8 of article I of the Constitution of the United States.
By Mr. ROSS of Arkansas:
H.R. 4773.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.
By Mr. ROSS of Arkansas:
H.R. 4774.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.
By Mr. ROSS of Arkansas:
H.R. 4775.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.
By Mr. ROSS of Arkansas:
H.R. 4776.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.
By Mr. ROSS of Arkansas:
H.R. 4777.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.
By Mr. ROSS of Arkansas:
H.R. 4778.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.
By Mr. ROSS of Arkansas:
H.R. 4779.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.
By Mr. ROSS of Arkansas:
H.R. 4780.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.
By Mr. ROSS of Arkansas:
H.R. 4781.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.
By Mr. ROSS of Arkansas:
H.R. 4782.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority on which this bill rests is the power of Congress to lay and

collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. ROSS of Arkansas:

H.R. 4783.

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

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. ROSS of Arkansas:

H.R. 4784.

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

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. ROSS of Arkansas:

H.R. 4785.

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

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. ROSS of Arkansas:

H.R. 4786.

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

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. ROSS of Arkansas:

H.R. 4787.

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

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. ROSS of Arkansas:

H.R. 4788.

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

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. ROSS of Arkansas:

H.R. 4789.

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

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. ROSS of Arkansas:

H.R. 4790.

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

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. ROSS of Arkansas:

H.R. 4791.

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

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. ROSS of Arkansas:

H.R. 4792.

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

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. ROSS of Arkansas:

H.R. 4793.

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

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. ROSS of Arkansas:

H.R. 4794.

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

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. ROSS of Arkansas:

H.R. 4795.

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

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. SCOTT of Virginia:

H.R. 4796.

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

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. SCOTT of Virginia:

H.R. 4797.

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

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. SCOTT of Virginia:

H.R. 4798.

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

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. SCOTT of Virginia:

H.R. 4799.

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

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. SCOTT of Virginia:

H.R. 4800.

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

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. SCOTT of Virginia:

H.R. 4801.

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

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. SCOTT of Virginia:

H.R. 4802.

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

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. SCOTT of Virginia:

H.R. 4803.

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

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. SCOTT of Virginia:

H.R. 4804.

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

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. SCOTT of Virginia:

H.R. 4805.

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

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. SCOTT of Virginia:

H.R. 4806.

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

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. SCOTT of Virginia:

H.R. 4807.

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

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. SCOTT of Virginia:

H.R. 4808.

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

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. SCOTT of Virginia:

H.R. 4809.

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

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. SCOTT of Virginia:

H.R. 4810.

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

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. SCOTT of Virginia: 4

H.R. 4811.

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

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. SCOTT of Virginia:

H.R. 4812.

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

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. SCOTT of Virginia:

H.R. 4813.

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

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. SCOTT of Virginia:

H.R. 4814.

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

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. SCOTT of Virginia:

H.R. 4815.

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

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. TIERNEY:

H.R. 4816.

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

Article I, Section 8, Clause 1, 3 and 18 of the U.S. Constitution.

ADDITIONAL SPONSORS

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

H.R. 190: Mr. MORAN.

H.R. 300: Ms. EDWARDS, Mr. KUCINICH, and Mr. RUSH.

H.R. 303: Mr. WALSH of Illinois.

H.R. 409: Mr. YODER.

H.R. 615: Mr. NUGENT.

H.R. 692: Mr. LABRADOR.

H.R. 708: Mr. SCHRADER.

H.R. 719: Mr. BARROW, Mr. POSEY, Mr. HIGGINS, Ms. SCHWARTZ, and Mr. KLINE.

H.R. 733: Ms. GRANGER.

H.R. 860: Ms. CLARKE of New York, Mr. FINCHER, and Mr. GOSAR.

H.R. 885: Ms. SLAUGHTER, Mr. COLE, and Mr. RYAN of Ohio.

H.R. 905: Mr. GRIJALVA.

H.R. 1047: Mr. HENSARLING and Mr. SOUTHERLAND.

H.R. 1112: Mr. SCHWEIKERT.

H.R. 1145: Mr. COLE.

H.R. 1262: Mr. DOYLE.

H.R. 1265: Mrs. BLACK, Mr. THOMPSON of Pennsylvania, Mr. CLARKE of Michigan, and Mr. YODER.

H.R. 1327: Mr. CARDOZA, Mr. GOODLATTE, and Mr. MCNERNEY.

H.R. 1331: Mr. CASSIDY.

H.R. 1332: Mr. CLAY.

H.R. 1416: Mr. BOSWELL, Mr. ROKITA, Mr. SCHOCK, and Mr. TERRY.

H.R. 1493: Mrs. NAPOLITANO.

H.R. 1543: Mr. CLAY.

H.R. 1639: Mr. CAMPBELL, Mr. DUFFY, Mr. HASTINGS of Florida, and Mr. KINZINGER of Illinois.

H.R. 1653: Mr. MCCLINTOCK.

H.R. 1666: Mr. RAHALL.

H.R. 1675: Mr. KLINE and Mr. GRIJALVA.

H.R. 1704: Mr. KEATING and Mr. SCHIFF.

H.R. 1738: Mr. SCHIFF.

H.R. 1746: Mr. CAPUANO.

H.R. 1802: Mr. REED and Mr. PASTOR of Arizona.

H.R. 1860: Mr. CARSON of Indiana, Mr. TONKO, Mr. JOHNSON of Ohio, and Ms. CLARKE of New York.

H.R. 1862: Mr. DEUTCH.

H.R. 2052: Mr. WELCH.

H.R. 2086: Mr. CARDOZA and Mr. SESSIONS.

H.R. 2104: Mr. PETRI, Mr. WALDEN, Mr. SCHOCK, Mr. FORBES, Ms. SCHAKOWSKY, Mr. LATOURETTE, Mr. QUIGLEY Mr. MEEHAN, Mr. JOHNSON of Georgia, Mr. MCHENRY, Mr. LARSON of Connecticut, Mr. SHUSTER, and Mr. THOMPSON of Pennsylvania.

H.R. 2151: Ms. LEE of California.

H.R. 2221: Mr. LUETKEMEYER and Mr. CARTER.

H.R. 2245: Mr. PETERSON.

H.R. 2288: Mr. SCHOCK.

H.R. 2307: Mr. THOMPSON of Pennsylvania.

H.R. 2308: Mr. BISHOP of Utah.

H.R. 2311: Mr. PETERSON and Mr. YOUNG of Alaska.

H.R. 2376: Ms. CHU.

H.R. 2493: Mr. MEEKS.

H.R. 2499: Mr. CARNAHAN and Mr. MCNERNEY.

H.R. 2502: Mr. PETERSON, Mr. PAUL, and Mr. SCHOCK.

H.R. 2569: Mr. SESSIONS, Mr. MILLER of Florida, and Mr. MCHENRY.

H.R. 2679: Mr. PRICE of North Carolina and Mr. LIPINSKI.

H.R. 2741: Mr. BRALEY of Iowa, Mr. HINOJOSA, and Ms. SLAUGHTER.

H.R. 2787: Mr. TURNER of New York.

H.R. 2952: Mr. SCHOCK.

H.R. 2960: Mr. GOSAR and Mr. BUTTERFIELD.

H.R. 2962: Mrs. ELLMERS.

H.R. 3015: Mr. RANGEL.

H.R. 3032: Mr. ROE of Tennessee.

H.R. 3035: Mr. BARTLETT.

H.R. 3125: Mrs. BONO MACK and Mr. CARDOZA.

H.R. 3148: Mr. AMODEI.

H.R. 3151: Mr. CARNAHAN.

H.R. 3173: Mr. KINZINGER of Illinois and Mr. JOHNSON of Ohio.

H.R. 3187: Mr. MICA and Mr. NUNNELEE.

H.R. 3269: Mr. PRICE of North Carolina, Mr. MCINTYRE, Mr. STUTZMAN, Ms. HANABUSA, Mr. GOSAR, Mr. CRENSHAW, and Ms. RICHARDSON.

H.R. 3307: Mr. DEUTCH and Mr. PASCRELL.

H.R. 3308: Mr. GRAVES of Georgia.

H.R. 3435: Mr. MILLER of North Carolina.

H.R. 3448: Mr. WEBSTER.

H.R. 3511: Mr. BROOKS.

H.R. 3553: Mr. NADLER, Mr. RANGEL, and Mr. HONDA.

H.R. 3591: Mr. RANGEL.

H.R. 3612: Mr. KING of Iowa and Mr. ROONEY.

H.R. 3668: Mr. SCHOCK and Mr. GENE GREEN of Texas.

H.R. 3721: Mr. WEST.

H.R. 3729: Mr. SOUTHERLAND and Mr. BERG.

H.R. 3767: Mr. AUSTIN SCOTT of Georgia.

H.R. 3770: Mr. SCHOCK.

H.R. 3790: Mr. BACA and Mr. LATHAM.

H.R. 3792: Mr. ROE of Tennessee.

H.R. 3810: Mr. SIRES.

H.R. 3816: Mr. PETERSON and Mr. PEARCE.

H.R. 3819: Mr. SCHOCK.

H.R. 3826: Mr. THOMPSON of California, Mr. SCHIFF, Mr. RICHMOND, Mr. ROTHMAN of New Jersey, and Mr. PLATTS.

H.R. 3828: Mrs. NOEM and Mr. WITTMAN.

H.R. 3839: Mrs. LOWEY.

H.R. 3994: Mr. GRAVES of Georgia and Mr. BROUN of Georgia.

H.R. 4030: Mr. SCHILLING.

H.R. 4049: Ms. TSONGAS.

H.R. 4055: Mr. GENE GREEN of Texas.

H.R. 4057: Mr. GENE GREEN of Texas.

H.R. 4077: Mr. OLVER, Mr. COHEN, and Ms. LEE of California.

H.R. 4095: Mr. PETERSON, Mr. SHULER, Mr. MCINTYRE, Mr. BOSWELL, and Mr. THOMPSON of California.

H.R. 4115: Mr. MICHAUD.

H.R. 4122: Mr. BERMAN and Mr. RYAN of Wisconsin.

H.R. 4124: Mr. YODER.

H.R. 4133: Mr. BASS of New Hampshire, Mr. AMODEI, Mr. COBLE, Mr. GRAVES of Georgia, Mrs. EMERSON, Mr. GOSAR, Mr. FARENTHOLD, Mr. CULBERSON, Mrs. MILLER of Michigan, Mr. BENISHEK, Mr. MURPHY of Connecticut, Mr. THOMPSON of California, Mr. DOYLE, Mrs. NOEM, Mr. WEBSTER, and Mr. COFFMAN of Colorado.

H.R. 4134: Mr. POE of Texas and Ms. HANABUSA.

H.R. 4154: Mr. WELCH.

H.R. 4157: Mr. POSEY, Mr. GRAVES of Georgia, Mr. THOMPSON of California, Mr. ROE of Tennessee, Mr. STEARNS, Mr. CHANDLER, Mr. CRAWFORD, Mr. GRIFFITH of Virginia, and Mr. LANDRY.

H.R. 4158: Mr. NEUGEBAUER and Mr. CULBERSON.

H.R. 4165: Mr. CLAY and Mr. BOSWELL.

H.R. 4182: Mr. GRAVES of Georgia.

H.R. 4188: Mr. FLEISCHMANN.

H.R. 4200: Mr. THORNBERRY.

H.R. 4229: Mr. SMITH of Texas, Mr. PIERLUISI, Mr. PASCRELL, Mr. VAN HOLLEN, Mr. BACA, Ms. BONAMICI, and Ms. FUDGE.

H.R. 4232: Mr. SCHWEIKERT and Mr. BENISHEK.

H.R. 4237: Mr. BENISHEK.

H.R. 4256: Mr. OWENS.

H.R. 4259: Mr. MARKEY, Mr. CAPUANO, and Mr. MORAN.

H.R. 4269: Mr. FRANKS of Arizona.

H.R. 4271: Mr. BACA.

H.R. 4273: Mr. COSTELLO, Mr. OWENS, Mr. LATTA, Mr. LONG, Mr. SULLIVAN, and Mr. CANSECO.

H.R. 4277: Mr. DAVIS of Illinois, Mr. AL GREEN of Texas, Mr. HASTINGS of Florida, Mr. DAVID SCOTT of Georgia, and Ms. WILSON of Florida.

H.R. 4282: Mr. SCHOCK.

H.R. 4294: Mr. KLINE.

H.R. 4296: Mr. AUSTIN SCOTT of Georgia, Mr. KING of Iowa, Mr. THOMPSON of Pennsylvania, and Mr. ROSKAM.

H.R. 4313: Mr. FINCHER.

H.R. 4322: Mr. BISHOP of Utah.

H.R. 4332: Mr. DINGELL.

H.R. 4342: Mr. LIPINSKI, Mr. BOSWELL, and Mr. KINZINGER of Illinois.

H.R. 4344: Mr. CARNAHAN.

H.R. 4346: Mr. CONYERS and Ms. CLARKE of New York.

H.R. 4372: Mrs. MYRICK.

H.R. 4387: Mr. TERRY.

H.R. 4388: Mr. AKIN and Mr. POE of Texas.

H.R. 4402: Mr. GOSAR.

H.R. 4454: Mr. FLEMING, Mr. CHABOT, Mr. HARRIS, Mr. WALBERG, Mr. MULVANEY, Mr. GOHMERT, Mr. DUNCAN of South Carolina, and Mr. SOUTHERLAND.

H.R. 4470: Mr. RANGEL, Mr. TOWNS, Ms. VELÁZQUEZ, Mr. JOHNSON of Georgia, and Mr. LEWIS of Georgia.

H.R. 4483: Mr. DAVIS of Illinois.

H.R. 4607: Ms. JENKINS, Mr. CANSECO, Mr. LANKFORD, and Mr. TERRY.

H.R. 4609: Ms. VELÁZQUEZ.

H.J. Res. 103: Mr. REHBERG and Mr. ROSKAM.

H.J. Res. 104: Mr. CANSECO.

H. Con. Res. 115: Mr. NUNNELEE, Mr. HALL, Mr. POMPEO, Mr. LUETKEMEYER, Mr. RIVERA, Mr. LANDRY, Mr. COFFMAN of Colorado, Mr. SOUTHERLAND, Mr. AKIN, Mr. ROSKAM, Mr. OLSON, Mr. CONAWAY, Mr. BRADY of Texas, Mr. WALBERG, Mr. ROHRABACHER, Mr. GARRETT, Mr. SCALISE, Mr. SCHWEIKERT, Mr. SMITH of Texas, and Mr. ISSA.

H. Con. Res. 116: Mrs. CAPPS, Mr. STIVERS, and Mr. RIBBLE.

H. Res. 25: Mr. KING of New York.

H. Res. 59: Mr. BERMAN.

H. Res. 111: Mr. KILDEE, Mrs. CHRISTENSEN, Mr. GRIFFIN of Arkansas, and Mr. COLE.

H. Res. 312: Mr. HINCHEY and Ms. RICHARDSON.

H. Res. 333: Ms. LEE of California, Mr. COLE, and Mr. RANGEL.

H. Res. 460: Mr. BARTON of Texas and Mrs. BIGGERT.

H. Res. 526: Mr. WEST, Mr. DOLD, and Mr. HUNTER.

H. Res. 568: Mr. ROGERS of Michigan, Mr. BENISHEK, Mr. WHITFIELD, Mr. GONZALEZ, Mr. GIBBS, Mr. PITTS, Mr. COOPER, Mr. POE of Texas, Mr. STIVERS, Mr. JACKSON of Illinois, Mr. SHIMKUS, and Mr. WEBSTER.

H. Res. 583: Mr. DIAZ-BALART.

H. Res. 612: Mrs. LOWEY.

H. Res. 616: Mrs. MYRICK, Mr. ROHRABACHER, and Ms. BORDALLO.

H. Res. 618: Ms. SCHWARTZ, Mr. HIGGINS, Mr. FRANKS of Arizona, Mr. JONES, Mr. ROHRABACHER, and Mr. MEEKS.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 3674: Mr. LANGEVIN.

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Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, SECOND SESSION

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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by His Eminence Archbishop Oshagan Choloyan from the Eastern Prelacy of the Armenian Apostolic Church of America in New York City.

The guest Chaplain offered the following prayer:

In the name of the Father, and of the Son, and of the Holy Spirit. Amen.

Almighty God, eternal guide of humankind, we seek the grace of Your wisdom in our lives and in the lives of our leaders. We thank You in the name of the Armenian people for Your divine mercy in providing them a safe refuge in this blessed country, the United States of America, where they were delivered from the depths of despair of genocide and welcomed with new life. We beseech You to spare all of Your children from tyranny and persecution.

Reveal Your infinite Spirit to the Members of this Senate, that they may be inspired toward a greatness of purpose and ennobled in their request for good governance. We offer to You our sacrifices upon the altar of freedom in an act of redemption for all of humankind with hope of harmony, compassion, and tolerance. We stand before You today and ask this in Your Name and for Your glory. Amen.

PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUYE).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 25, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mrs. GILLIBRAND 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. Madam President, the Senate is now considering the motion to proceed to S. 1925, the Violence Against Women Reauthorization Act.

The Republicans will control the first half hour, and the majority will control the second half hour this morning. The Republicans will also control the time from 11:30 to 12:30 today. The majority will control the time from 12:30 to 1:30 p.m.

At 2 p.m. the Senate will resume consideration of the postal reform bill. There will be several rollcall votes—six to eight votes—at that time in order to complete action on the bill.

POSTAL REFORM

I am very gratified about the work that has been done over the last many months, which will culminate today in the passing of this postal bill. It has been extremely difficult. Lots of people have worked on this bill, and it has been a bipartisan effort. It is going to send a message to the House that we can do big things.

It is an important piece of legislation—one of the biggest and most complicated we have dealt with in a long time. As I said, I am gratified, and I congratulate and applaud Senators LIEBERMAN, COLLINS, and others on our side—especially Senator TOM CARPER, who worked hard with the chairman and ranking member and many others who were stalwarts. We saw that yesterday when there was an effort to bring the bill down. That was the first vote we took. Senators stood at their desks in the Chamber on a bipartisan basis and indicated how important this legislation is. It was a very important day for the American people.

VIOLENCE AGAINST WOMEN ACT

We will be on this legislation I announced dealing with violence against women. Each year about 5 million Americans are victims of violence by their spouses or partners. Every single day 3 women are killed at the hands of their abusers, and every day 9 or 10 are beaten very badly. They are hospitalized, and some have permanent injuries from their abusers. We authorize and ensure in this law that the police have the tools to more effectively stop this and prosecute those people who are the abusers.

As I said yesterday, I held hearings many years ago on this subject, and the one issue that was pronounced so clearly is that in many instances the only thing that helps these abusers is to send them to jail. It works better than counseling, better than threats, and people should realize we need law enforcement to have better ways of approaching these calls they get all the time.

I also mentioned yesterday that in Las Vegas one of our prized police officers, a sergeant on the police force for

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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many years, was called to a scene along with one of the junior police officers, and he was killed as soon as he walked in the door. This is an important piece of legislation. It has 61 cosponsors, and we should pass it.

STUDENT LOANS

Madam President, the Senate has a long list of things to do. One of the things we have to do is stop the raising of interest rates on students who borrow money to go to school. We were fortunate to reduce this rate from 6.8 percent to 3.4 percent. We cut it in half. We did this in 2007. We had just obtained a majority in the Senate, and we worked on this very hard. It went to President Bush, he signed the law, and rightfully so.

Everyone should understand this is a bill that was signed by President Bush. We need to go back to what he signed. We cannot have these rates go up. If we don't act by July 1, more than 7 million students will be forced to pay an average of $1,000 more each year for these student loans. College is already unaffordable for too many people. I hope we can get this done.

I am going to stop my comments because I was, of course, impressed by the remarks of the guest Chaplain. Many years ago I went to the Armenian Church, and it was a wonderful experience. I say to my friend from Rhode Island, to whom I will yield in a second, we went to Armenia after that very brutal winter when the Turks had cut off the oil to Armenia. The Armenians cut down a lot of trees, and they survived. Most said they could not. It was a brutal winter. Peace Corps volunteers were there and not one left Armenia, even though they suffered along with the Armenian people.

So I have fond memories of my visit to Armenia. I understand the resiliency of the people of Armenia, and I remember visiting that church.

I yield to my friend, the Senator from Rhode Island.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island.

Mr. REED. I thank the leader for yielding.

WELCOMING THE GUEST CHAPLAIN

Mr. REED. Madam President, I am honored to be here today to welcome His Eminence Archbishop Oshagan Choloyan. Archbishop Choloyan serves as the Prelate of the Eastern Prelacy of the Armenian Apostolic Church of America. He has led the Eastern Prelacy since 1998, and he plays a significant role as the spiritual shepherd for several thousand Armenian Americans from Maine to Florida and west to Texas.

In Rhode Island, we are extremely blessed to have the Archbishop as such a strong spiritual and community leader. We continue to benefit from his wisdom, his compassion, and his generous spirit. It is an honor to have him here today as we not only listen to his moving and thoughtful words, but also as we commemorate the 97th anniversary of the Armenian genocide.

Ninety-seven years ago, on April 24, 1915, the Young Turk leaders of the Ottoman Empire summoned and executed over 200 Armenian community leaders and intellectuals, beginning an 8-year campaign of oppression and massacre. By 1923, nearly 1½ million Armenians were killed, and over a half million survivors were exiled. These atrocities affected the lives of every Armenian living in Asia Minor and, indeed, throughout the world.

The survivors of the Armenian genocide, however, persevered due to their unbreakable spirit, their steadfast resolve, and their deep commitment to their faith and their families. They went on to enrich their countries of emigration, including the United States, with their centuries-old customs, their culture, and their innate decency.

In fact, not only were the Ottomans unable to destroy the Armenian Empire, they strengthened it. And the participation of Armenians worldwide has made this world a much better place. Indeed, my home State is a much better place. That is why today we not only commemorate this grave tragedy but celebrate the traditions, the contributions, and the extraordinary hard work and decency of the Armenian Americans and Armenians throughout the world.

This year I once again join my colleagues in encouraging the United States to officially recognize the Armenian genocide. Denial of this history is not consistent with our country's sensitivity to human rights and our dedication to the highest and noblest principles that should govern the world. We must continue to educate our young people against this type of hatred and oppression so we can seek to prevent such crimes against humanity in the future. It was indeed an honor to be here to listen to the wise words of the Archbishop, to hear his prayer, his reflection, and to go forth knowing that he is a powerful force in our country for tolerance and decency. I thank him for being here today.

With that, I yield the floor.

RESERVATION OF LEADER TIME

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

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2011—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 1925, which the clerk will report.

The assistant legislative clerk read as follows:

Motion to proceed to S. 1925, a bill to reauthorize the Violence Against Women Act of 1994.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 2 p.m. will be equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first 30 minutes and the majority controlling the second 30 minutes.

The Senator from Nevada is recognized.

Mr. HELLER. Madam President, I rise today in support of the Violence Against Women Reauthorization Act.

I am glad the Senate is finally considering this important legislation, and I am proud to be the crucial 60th cosponsor of the bill. I commend Chairman LEAHY for producing a bill that enjoys broad bipartisan support, and I look forward to swift passage of the VAWA reauthorization.

Violence in all its forms is unacceptable, but it is particularly horrifying when it takes place in the home, which should be a sanctuary for all who live there. Yet a recent CDC report found that nearly half of all women living in my home State of Nevada at the time of the survey experienced domestic violence at some point in their lifetime. This statistic is sickening and unacceptable. Women and children often feel powerless to escape abusive or dangerous situations, which too often end in tragedy.

My home State knows this sad reality all too well. Nevada is ranked first in the Nation for women murdered by men in domestic violence. Sadly, our State has appeared in the top three States in this horrific category in the last 7 years. Thankfully, organizations throughout the State of Nevada work tirelessly to help those jeopardized by domestic violence. While these groups have faced significant challenges due to funding cuts in recent years, they are doing their best with what they have to provide assistance to families who need it most.

According to last year's Nevada Census of Domestic Violence Services, nearly 500 Nevadans received crisis assistance through Nevada's domestic violence programs on a single day; 272 found refuge in emergency shelters or temporary housing; 204 received nonresidential assistance. Staff and volunteers fielded an average of six hotline calls every hour. Despite the best efforts of our State's domestic violence programs, 25 cases of unmet requests for services were reported on a single day due to shortage of funds and staff. That means thousands of Nevadans could not access the services they needed last year.

Nevada's struggling economy has limited State resources to help those who are affected by domestic violence. Reauthorization of VAWA will provide greater certainty for organizations that work hard every day to prevent and address domestic violence. I trust this bill will ensure and enable domestic violence programs to plan for the future and serve even more Americans in need. Importantly, this bill will also

further prevention efforts that, hopefully, will result in reducing domestic violence and help our Nation's most vulnerable.

I am also pleased this legislation reauthorizes programs vital to the National Council of Family and Juvenile Court Judges. The National Council has made a strong impact in courts throughout the Nation by teaching judges innovative strategies that equip them to appropriately assist families and young people who face significant hardships. I cannot be more proud of the positive changes the National Council is effecting in courtrooms and communities in Nevada and nationwide, and I am glad this bill will further their efforts.

As a fiscal conservative, I am also glad this bill was written with full awareness of the fiscal crisis our Nation is facing. This legislation repeals duplicative provisions and programs, creating a more efficient system. I encourage my colleagues to use this bill as a model when considering additional reauthorizations this year. We must not forget the need to implement commonsense budgetary practices across the board in order to put our Nation on a path to long-term fiscal responsibility.

While not perfect, I am pleased the Senate is proceeding with this bill and trust it will further the important goal of reducing violence in all its forms. This bipartisan effort is an example of how Members of Congress should be working together to solve the problems facing our Nation and protecting those who have no voice. I look forward to the passage of the VAWA reauthorization measure and believe it will truly make a difference in the lives of countless women in Nevada and throughout the United States.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Kansas.

NATIONAL ENERGY POLICY

Mr. MORAN. Madam President, as certainly every Kansan and all Americans know, our gas prices are on the rise and the U.S. economy continues to struggle. I believe one of the most important things Congress can do now is to facilitate the production of affordable energy in this country. In Kansas, we have the third highest number of highway miles in any State in the country, so higher fuel prices are particularly difficult for Kansans who drive long distances each day for work and school. When business owners pay more for fuel, they have less to invest in their businesses and fewer resources to use to hire new employees.

In our State, higher fuel prices increase operating costs for farmers and ranchers who produce much of our Nation's food supply. One Kansas farmer feeds 155 people. The global food supply is threatened when food producers have to pay high costs to plant, harvest, and transport their production.

Higher gas prices don't just affect the farmer or rancher filling their equipment; they also affect every American as they shop at their grocery store. While producers have to pay higher fuel costs, so do the folks who transport the goods to market. So that increased cost gets passed on to the consumer. We all are paying more.

For the United States to remain competitive in this global economy, Congress must develop a comprehensive national energy policy. No single form of energy can provide all the answers. High fuel prices and an uncertain energy supply will continue until we take serious steps toward increasing the development of our own natural resources.

Our country has some of the most plentiful, affordable, and reliable energy sources available. Our own Congressional Research Service has reported the United States has greater energy resources than China, Saudi Arabia, and Canada combined. Unfortunately, access to those resources continues to be restricted.

Technological advances have made the exploration, extraction, and transportation of oil and gas safer and more efficient. Yet the Obama administration has repeatedly blocked efforts to expand energy production. In the President's State of the Union Address, he claimed oil and gas production has increased under his leadership. While private lands are being further developed, and energy production is being increased on those private lands, energy production on Federal lands has actually decreased. According to the Department of the Interior, oil production on Federal property fell by 14 percent and natural gas production fell by 11 percent last year.

The failure to explore and develop our vast natural resources on Federal lands hit an unfortunate milestone last week. Ten years ago, the Senate failed to open a fractional portion of the Arctic National Wildlife Reserve for responsible resource development. Those opposed to developing that small portion of that vast area claimed the resources available in ANWR would not reach the market for 10 years. Well, here we are, 10 years later, no closer than we were in 2002 to gaining our energy independence.

American businesses involved in the oil and gas industry can bring these resources to market and send a strong signal to the world that the United States is serious about energy security. Yet rather than allowing these companies to deploy their expertise and increase production, there are those who say oil and gas companies deserve even more taxes—a tax increase. Raising taxes on the very businesses tasked with locating, extracting, and distributing the fuel to power our economy would do nothing to lower costs and reduce our dependence on foreign oil. In fact, it would do exactly the opposite.

When the Congressional Research Service analyzed President Obama's fiscal year 2012 budget proposal last year to raise taxes on the oil and gas companies, they concluded those efforts would have the effect of ''decreasing exploration, development and production while increasing prices and increasing the nation's foreign oil dependence.'' The nonpartisan Congressional Research Service says these taxes would reduce domestic supply and hurt consumers.

To increase domestic production, I have sponsored the 3–D Act, which would require the administration to reverse their cancellation of dozens of oil and gas leases, open areas previously restricted to responsible oil and gas development, such as the Arctic National Wildlife Reserve, and streamline the environmental review process that continually ties up worthy projects in costly bureaucracy and litigation.

The administration is also delaying projects that will improve our energy's infrastructure. The President's denial of TransCanada's Keystone XL Pipeline permit delayed an important project that would create thousands of jobs and bring billions to the U.S. economy. This private investment in energy infrastructure is exactly the type of investment the President should be encouraging. Construction projects create jobs and boost local economies.

For example, back home in Kansas, Clay County is a small, lowly populated county. Their utility sales to TransCanada could quadruple their overall sales and add more than $½ million to the local economy every year. This would be a significant boost to the county's economic development.

President Obama's own Jobs Council cited the pipeline construction as a way to boost the economy in their year-end report released January of this year, stating:

> Policies that facilitate safe, thoughtful and timely development of pipeline, transmission and distribution projects are necessary to facilitate the delivery of America's fuel and electricity and maintain the reliability of our nation's energy system.

But TransCanada's project has been stalled as the company works to seek a new route through the State of Nebraska, to our north. But instead of putting the entire project on hold, we would be much better off if we would allow construction to begin in areas not subject to this rerouting so jobs could be created and our Nation could have greater access to more reliable energy. S. 2041, which I have sponsored, would do that.

Renewable energy must also play a role in supplying our energy needs as new technologies allow for the increased commercialization of renewable fuels. Kansas is a leader in wind production and second only to Texas in wind resource potential. Innovation in biofuel production has also increased our ability to develop additional energy from renewable sources available in my home State of Kansas.

Nuclear energy is a necessary component that will help us supply our country's future energy needs and allow our country to be less reliant on energy

from other nations. I will continue to support initiatives to spur growth in the nuclear energy industry, including initiatives to streamline regulatory compliance.

Energy exploration must be accompanied by energy conservation. When Americans drive more efficient vehicles and occupy energy-conserving buildings, they not only consume less energy, they save money. At a time when gas prices continue to climb, we need to be looking for more innovative ways to help consumers save money on energy bills.

Congress must develop a comprehensive national energy policy—a policy based upon the free market principles that say we can find the resources necessary to meet our country's needs. We must develop our domestic sources of oil, natural gas, and coal, encourage the development of renewable energy sources, and promote conservation.

Not only would the development of our Nation's resources reduce our dependence on foreign energy, it would also provide our economy can with a reliable, affordable fuel supply. If future generations of Americans are to experience the quality of life we enjoy today, the time to address our energy needs is now.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mr. CORNYN. Madam President, I know we have not yet concluded the postal reform bill, but I come to the floor to speak on an amendment I intend to offer on the reauthorization of the Violence Against Women Act. The amendment I intend to offer is one that enjoys bipartisan support, and I hope as more Senators learn about the content of this amendment and how it will strengthen the Violence Against Women Act, they will join me and Senator MARK KIRK of Illinois, Senator BENNET of Colorado, as well as Senator VITTER from Louisiana. I believe it will strengthen the Violence Against Women Act we will vote on, presumably later today, but probably tomorrow.

I am also happy to have the support of the Rape Abuse and Incest National Network—RAINN—PROTECT, and the Texas Association Against Sexual Assault, as well as Bexar County District Attorney Susan Reed, whose office is in San Antonio, TX. She has worked with us on this amendment, and we have benefited from her counsel and that of her staff. We have the support as well of San Antonio Police Chief William McManus.

At its core, this amendment would help end the nationwide rape kit backlog while improving law enforcement tools to crack down on violent criminals who target women and children for sexual assault.

To give a little context, in the course of an investigation, law enforcement officials will collect DNA evidence in something called a rape kit. These are generally bodily fluids that can be tested, because of their DNA signature, against a bank of DNA evidence for a match. In fact, this is a very powerful tool for law enforcement because it will literally identify someone from this DNA match in a way nothing else can. This DNA evidence can also, for those who care, as we all do, about making sure the innocent are not held in suspicion or convicted for crimes they didn't commit, be so powerful as to literally exclude, in some instances, suspects of criminal conduct.

The nationwide rape kit backlog is a national scandal—one that many people don't know very much about—and it has serious consequences for sexual assault victims. The truth is we don't know about the full scope of the problem, but one estimate is there are as many as 400,000 untested rape kits currently sitting in labs and on police station shelves across the Nation, each one of them holding within itself the potential to help solve a serious crime and, in the process, take a rapist off the streets and provide a victim with the justice they deserve.

Take, for example, the case of Carol Bart. Carol is from Dallas, TX. In 1984, Ms. Bart was kidnapped and raped at knife point outside her Dallas apartment. Although she submitted herself for rape kit testing immediately following the crime, her kit was not tested until 2008—24 years later. When it was tested 24 years after the rape kit specimens were collected, it yielded a match for a serial sex offender who had attempted to rape another woman only 4 months later after he raped Ms. Bart.

This is one of the most important reasons why this evidence is important, because the fact is people who commit sexual assaults are not one-time offenders. They do it many times, and often they do it until they are caught. But because the rape kit in Ms. Bart's case was not tested for 24 years after the crime, the statute of limitations had run, meaning that her attacker could not be brought to justice for that particular crime.

Statutes of limitations serve a worthwhile purpose under ordinary circumstances. They are designed to make sure charges are brought on a timely basis, while witnesses' memories are fresh and they can identify the perpetrator and the like. But in this instance, what it concealed was an injustice because, in fact, this late testing—24 years after the fact—meant her attacker could not be brought to justice for that particular crime.

Take also the case of Helena Lazaro, who was raped outside of Los Angeles in 1996 when she was just a teenager. Ms. Lazaro's rape kit sat untested for more than 13 years after her assault. When it was finally tested in 2009, it yielded a match to a repeat offender who had raped several women at knifepoint in Indiana and Ohio.

There are countless, I am sorry to say, examples of similar tragedies across the country, only a handful of which are actually reported on the front pages of our major newspapers. And some of these victims, of course, have merely suffered in silence in towns and communities across our country.

One thing is clear: While DNA evidence is powerful evidence, we have not yet adapted our administration of testing nor the capacity to inventory these kits in a way to make sure they are tested on a timely basis, and we have not kept up with that. But that is what this amendment hopes to do.

According to a 2011 report by the National Institute of Justice:

> [c]urrent Federal programs to reduce backlogs in crime laboratories are not designed to address untested evidence stored in law enforcement agencies.

As a matter of fact, one of the problems in requiring an inventory of these untested rape kits is often the National Institute of Justice and law enforcement personnel don't even categorize a rape kit as untested until it actually is in the hands of the laboratory. So many of them sit in evidence lockers, never making their way to the labs, and are not identified as backlogged. So there are two distinct types of rape kit backlogs: the well-known backlog of untested rape kits that have already been submitted for testing and the hidden backlog of kits in law enforcement storage that have not been submitted for testing, as you can see, sometimes over a span of 13 years in one case and 24 years in the next. This amendment would help us learn more about this hidden backlog and ultimately help State and local law enforcement officials to end it.

One of my experiences during the 4 years I was attorney general of Texas was that many local jurisdictions simply did not have the expertise or experience or the knowledge to deal with new technology, whether it is Internet crimes or whether it is this new, powerful DNA tool. It is not so new now, and in urban areas it is not as big of a problem. In New York City, for example, I am sure they are quite sophisticated when dealing with this sort of evidence but less so in smaller towns and communities across the country.

The justice for victims amendment would reserve 7 percent of existing Debbie Smith Act grant funding for the purpose of helping State and local governments to conduct audits of their rape kit backlogs. In my hometown of San Antonio, the police department recently conducted such an audit of their evidence storage facilities using similar grant funding from the State of Texas. They identified more than 5,000—and that is just in San Antonio alone—untested sexual assault kits, of which 2,000 they determined should be submitted promptly for testing. My amendment would use existing appropriations to encourage more audits like this.

The amendment would also add accountability to the audit process by requiring grantees of these funds to upload critical information about the

size, scope, and status of their backlog into a new sexual assault evidence forensic registry. This valuable information would also help the National Institute of Justice better target the approximately $100 million of existing appropriations already available for this type of testing. In the spirit of open government, the amendment would also require the Department of Justice to publish aggregate, non-personally identifying information about the rape kit backlog on an appropriate Internet Web site.

To ensure that these audit grants do not take resources away from actual testing, my amendment would increase the amount of Debbie Smith Act appropriations required to be spent directly on laboratory testing from the 40 percent currently in the underlying Leahy bill, which will be the base bill, to 75 percent. So what it will do is it will actually take more of the funding that Congress intended be used to process rape kits and do actual testing and return it to that core function.

A comprehensive approach to crime prevention and victims' rights also requires updated tools for Federal law enforcement officials to target fugitives and repeat offenders. My amendment addresses this need by including bipartisan language authored by Senator JEFF SESSIONS that would authorize the U.S. Marshals Service to issue administrative subpoenas for the purpose of investigating unregistered sex offenders and would actually be limited to that narrow purpose. This provision would allow the Marshals Service to swiftly obtain time-sensitive tracking information, such as rent records and credit card statements, without having to go through the grand jury process, which may or may not be necessary depending on the circumstances. Such authority is urgently needed given the long and complicated paper trail that fugitive sex offender investigations often entail.

My amendment would also guarantee that we hand down tough punishments—appropriately so—to some of the worst crimes against women and children. For example, it includes enhanced sentencing provisions for aggravated domestic violence resulting in death or life-threatening bodily injury to the victim, aggravated sexual abuse, and child sex trafficking. I think preventing these horrible crimes is at the heart of the purpose of the Violence Against Women Act, and we should take the opportunity to improve the underlying bill by adopting this amendment and send a message to would-be perpetrators and child sex traffickers. If you commit some of the worst crimes imaginable in the United States, you should have the certain knowledge that you will be tracked down and that you will receive tough and appropriate punishment.

Finally, thanks to the great work of Senator MARK KIRK of Illinois, my amendment would further shed light on one of the greatest scourges of our time; that is, child prostitution and the trafficking that goes along with it.

The so-called adult entertainment section of the popular online classified Web site backpage.com is nothing more than a front for pimps and child sex traffickers. A lot has been written in the New York Times on this topic. On this Web site, young children and coerced women are openly advertised for sale in the sex trade. In fact, this Web site has been affirmatively linked to dozens of cases of child sex trafficking. Let me give a few recent examples.

Last month, Ronnie Leon Tramble was sentenced to 15 years in prison for interstate sex trafficking through force, fraud, and coercion. Tramble forced more than five young women and minors into prostitution over a period of at least 5 years throughout the State of Washington. He repeatedly subjected his victims to brutal physical and emotional abuse during this time, while using backpage.com to facilitate their prostitution.

In February of this year, Leighton Martin Curtis was sentenced to 30 years in prison for sex trafficking of a minor and production of child pornography. Curtis pimped a 15-year-old girl throughout Florida, Georgia, and North Carolina. He prostituted the girl to approximately 20 to 35 customers per week for more than a year and used backpage.com to facilitate these crimes.

According to human trafficking experts, a casual review of the backpage.com adult entertainment Web site reveals literally hundreds of children being sold for sex every day. This is absolutely sickening and should be stopped with all the tools available to us. We should no longer stand idle while thousands of children and trafficked women are raped, abused, and sold like chattel in modern-day slavery on the Internet. My amendment would therefore join all 50 State attorneys general in calling on backpage.com to remove the adult entertainment section of its Web site. Again, I would like to thank Senator KIRK for his leadership on this issue. Every case of sex trafficking or forced prostitution is modern-day slavery—nothing more, nothing less—and we should do everything in our power to ensure this practice is eradicated in the United States of America.

I believe the justice for victims amendment would reduce the rape kit backlog, take serial perpetrators off the street, and ultimately reduce the number of victims of sex violence. I ask my colleagues to join me in considering this amendment, which already enjoys bipartisan support, and I hope it will get much broader bipartisan support. I hope my colleagues will join with me in strengthening the reauthorization of the Violence Against Women Act by cosponsoring and supporting this amendment. Our constituents and victims of these heinous crimes deserve nothing less.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Republican leader.

Mr. MCCONNELL. Madam President, before the Senator from Texas leaves the floor, I was going to ask that I be added as a cosponsor to his very worthwhile amendment.

STUDENT LOAN DEBT

Mr. MCCONNELL. Madam President, one of the most heartbreaking yet underreported consequences of the Obama economy is the extent to which college graduates today are stepping out into a world where the possibilities no longer seem endless. Unlike generations past, today's college graduates are more likely to end up either unemployed or back at home with mom and dad, saddled with student loan debt that they are to end up with for the rest of their lives. And they don't tend to have the opportunity to get that job of their dreams.

For a great many of them, the excitement and the promise of President Obama's campaign 4 years ago have long since faded as their hopes collided with an economy that he has done so much to reshape. So it is understandable that the President is so busy these days trying to persuade these students that the struggles they face or will soon face have more to do with a piece of legislation we expect to fix than with his own failed promises. It is understandable that he would want to make them believe the fairy tale that there are villains in Washington who would rather help millionaires and billionaires than struggling college students. But that doesn't make this kind of deception any more acceptable.

Today the President will hold another rally at which he will tell students that unless Congress acts, their interest rates will go up in July. What he won't tell them is that he cared so little about this legislation that created this problem 5 years ago that he didn't even show up to vote for it and that once he became President, he didn't even bother to include a fix for this problem in his own budget.

Look, if the President was more interested in solving this problem than in hearing the sound of his own voice or the applause of college students, all he would have to do is pick up the phone and work it out with Congress. We don't want the interest rates on these loans to double in this economy. We don't want today's graduates to have to suffer any more than they already are as a result of this President's failure to turn the economy around after more than 3 years in office. Really, the only question is how to pay for it. Democrats want to pay for it by raiding Social Security and Medicare and by making it even harder for small businesses to hire. We happen to think that at a time when millions of Americans and countless college students can't even find a decent job, it makes no sense whatsoever to punish the very businesses we are counting on to hire them. It is counterproductive and clearly the wrong direction to take.

So let's be honest. The only reason Democrats have proposed this particular solution to the problem is to get Republicans to oppose it and to make us cast a vote they think will make us look bad to voters they need to win in the next election. Earlier this week they admitted to using the Senate floor as an extension of the Obama campaign. So no one should be surprised that they opted for a political show vote over a solution.

What Republicans are saying is let's end the political games and solve the problem like adults. This is an easy one. The only real challenge in this debate is coaxing the President off the campaign trail and up to the negotiating table to get him to choose results over rallies. We can solve the problems we face if only he will let us do it.

HONORING OUR ARMED FORCES

STAFF SERGEANT GARY L. WOODS, JR.

Mr. McCONNELL. Madam President, with great sadness I wish to report to my colleagues today that our Nation and my home State of Kentucky have lost a brave and valiant soldier who pledged his life to protecting others. SSG Gary L. Woods, Jr., of Shepherdsville, KY, was killed on April 10, 2009, in Mosul, Iraq, in a terrorist suicide bomber attack. He was 24 years old.

For his service to America, Staff Sergeant Woods received several medals, awards, and decorations, including the Bronze Star Medal, the Purple Heart, two Army Commendation Medals, three Army Achievement Medals, two Army Good Conduct Medals, the National Defense Service Medal, three Iraq Campaign Medals with Bronze Service Stars, the Global War on Terrorism Expeditionary Medal, the Global War on Terrorism Service Medal, two Noncommissioned Officers Professional Development Ribbons, the Army Service Ribbon, and three Overseas Service Ribbons.

Staff Sergeant Woods, who went by Lee, was born on June 24, 1984, on a Sunday. ''He had very light brown hair and beautiful blue eyes,'' remembers Lee's mother, Becky Johnson. ''He was my first-born child and my only son.''

Lee grew up in Shepherdsville, where he attended Roby Elementary School, Bullitt Lick Middle School, and Bullitt Central High School, from which he graduated in 2002. In school he participated in Bullitt County's Gifted and Talented Program, and was a member of the academic team in both middle school and high school.

Lee also loved music. He played the trumpet, baritone, and trombone in school and sang in the concert choir. He taught himself how to play piano at age 6. He played the guitar, too, and took a guitar with him on two tours in Iraq to entertain his friends. Lee also played the drums.

''Before returning from his second tour he ordered a set of drums and had them delivered to my house,'' Becky remembers. ''When he came home on family leave, he had to set them up the minute he got there, and played them in my basement for a full week. I would give anything to hear him beat on those drums again!''

Lee also enjoyed drawing pictures, fishing, camping, and woodworking. He was obviously a talented young man. But his mother will always remember music as one of his greatest loves.

During his sophomore year at high school, Lee joined Junior ROTC. It was then that he first had the idea to one day join the service. In January 2003, Lee told his mother that he had joined the Army.

Becky was surprised at first, but when Lee laid out his argument, she could see that he had given the opportunity serious thought and was excited about the future. ''I knew at that instant that my son had become one heck of a man,'' she says. ''He had listened to me all those years after all. I couldn't say anything except, 'I love you and I will always support you 110 percent.' ''

Lee entered active service in February 2003, and did his basic training at Fort Knox, in my home State of Kentucky. He graduated as a tank armor crewman and deployed on his first of three missions to Iraq from August 2003 to March 2004. Lee's second Iraq deployment lasted from March 2005 to February 2006.

After his second deployment, Lee got a reassignment to the First Battalion, 67th Armor Regiment, 4th Infantry Division, based in Fort Carson, CO. He deployed for the third and final time to Iraq in September 2008, and received a promotion to staff sergeant soon afterwards in December.

In January 2009, one of Lee's fellow soldiers and close friends, Darrell Hernandez, was killed, and Lee escorted his friend back home in February. ''Soon after returning from this, he volunteered for a mission that would take his own life and the lives of four other U.S. soldiers,'' Becky remembers.

That mission put Lee in a convoy of five vehicles that on April 10, 2009, exited the gates of Forward Operating Base Marez in Mosul, Iraq. Shortly after leaving the base, a dump truck sped towards the convoy. Lee was driving the fifth and last vehicle.

Lee drove to put his gunner in position to fire on the dump truck. But tragically, that dump truck detonated with 10,000 pounds of explosives, killing Staff Sergeant Gary L. Woods, Jr., and four other American soldiers.

''The FBI says [that the dump truck's] destination was [the forward operating base at] Marez,'' says Lee's mother Becky. ''If in fact the FOB was the target, these five men saved the lives of thousands of soldiers on the FOB.''

On the same day that Lee acted heroically to save his fellow soldiers at the cost of his own life, half a world away Becky Johnson heard the knock at the door that all military families dread.

''Those men in the dress-green uniforms with the highly polished black shoes came to my house,'' she remembers. ''Yes, I noticed their shoes, because that was all I could look at while they asked me if I was Becky Johnson. I told them no as my husband stood behind me shaking his head yes.''

We are thinking of Staff Sergeant Woods's loved ones as I recount his story for my colleagues today, Mr. President, including his mother and stepfather, Becky and Pat Johnson; his father and stepmother, Gary and Debbie Woods; his sister, Britteny Lynn Woods; his two half-brothers, Courtney and Troy Woods; his half-sister, Heather Woods; his step-sister, Mandy Maraman; his two step-brothers, Newman and Corey Johnson; his grandmother, Nancy Ratliff; and many other beloved family members and friends.

Staff Sergeant Woods's loss in the line of duty is tragic. However, as small a comfort as it may be, I am pleased to report that his family may take some solace in the fact that a terrorist connected to the suicide bombing that caused Lee's death was arrested in Edmonton, Canada, and Lee's family can look forward to the prosecution of this terrorist and justice for Lee.

Becky Johnson intends to attend the trial and speak in the sentencing phase. May she and her family have the strength they will surely need to endure this process, and may they find peace in its final outcome.

I ask my Senate colleagues to join me in saying to the family of Staff Sergeant Woods that our Nation is forever grateful to them and recognizes the great cost they have paid. This Nation will never forget the heroism of SSG Gary L. Woods, Jr., or his great service and sacrifice.

Madam President, I yield the floor.

HONORING MEADOW BRIDGE HIGH SCHOOL

Mr. MANCHIN. Madam President, I rise to speak about the importance of teaching our young people to embrace their right—and responsibility—to participate in our democratic election process and to highlight a West Virginia high school that has an outstanding record for going the extra mile to encourage their students to register and vote.

As Americans, there is no greater freedom or responsibility than our right to vote. Our country was born because brave men and women fought tirelessly and endured countless hardships to win their voting rights. In fact, even young people had to fight for this right. It was West Virginia's own Senator Jennings Randolph, who was elected to serve with our beloved Robert C. Byrd, who relentlessly advocated for the 26th amendment to the Constitution so Americans could vote starting at age 18. In 1971, the measure finally passed. What few people know is he worked on that for over 20 years.

Senator Randolph believed, as I do, that every vote counts, and as important, I believe every voter has the right and responsibility to take an active

role in our electoral process. I tell young people all the time they cannot just sit on the sidelines and watch life happen; they have to get in the game and get active. Voting not only gives us the opportunity to have our voices heard but also to have a real impact on setting the priorities for America's future.

As secretary of state from 2000 to 2004, in which position I was proud to serve in my great State of West Virginia, I made it a priority to educate young people all over West Virginia on the electoral process and to encourage them to get involved. At that time very few people knew that if someone was 17 years of age and would turn 18 years of age before the general election, they could still vote in a primary at 17. So we educated them and we went around to every school. To make the goal a reality, we established a program called Sharing History and Reaching Every Student, or the acronym SHARES, a program which was tremendously successful. I am proud to say, during my tenure, we registered 42,000 high school students to vote. Eleven years after the SHARES Program began, it is my privilege to stand on the Senate floor and recognize a school that is truly committed to carrying on this tradition and passing it down to each senior class and generation that has come after them. I am so pleased they have joined me in the gallery today.

Every year for the past 11 years, the staff members at Fayette County's Meadow Bridge High School have registered 100 percent of their senior class. Think about that, 100 percent. It is truly an incredible accomplishment. I am unaware of any other school in our great State or in the entire Nation that has registered every student in their senior class for 11 years. This school and this year the class gathered together in the school's cafeteria so they could register at the same time. This is not only a testament to the tradition established at Meadow Bridge High School but also to the students and their commitment to their community and their civic responsibility.

I congratulate the Meadow Bridge High School students, their faculty and staff, under the leadership of their principal Al Martine, for their commitment to our democracy. I also challenge every high school, not just in West Virginia but in New York and every other State, to follow their example—an unbelievable example. We must work together to engage our young people in national issues and encourage them to participate in the democratic process by getting our young adults involved. They are not children anymore. The world is growing up so fast around them, and we are preparing them to be active and passionate leaders for the future. They cannot stand on the sidelines and we as Americans cannot afford to let them stand on the sidelines. We need them in the game now. They can forge the future.

This is not a Democratic or Republican or Independent issue but one all Americans can and should embrace for the future of our great Nation. We see so many divides in this great Capitol of ours with so many of our colleagues. Everyone comes here for the right reason. The right reason truly is sitting in the gallery today and back home, the children and young adults who are going to make the difference and lead the next generation.

I, for one, do not intend to turn over to this generation the keys to a country in worse shape than when we received them. I do not want to be the first person in our country's history to say we did not do a better job than the previous generation. We are going to work hard. But the unbelievable commitment they made, the knowledge they have about the importance of voting, shows me this next generation will take us to a new level. I am proud that West Virginians all over our State, but most importantly Meadow Bridge High School, are leading that example. I thank them and appreciate the effort they made in setting the example for all.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll.

The ACTING PRESIDENT pro tempore. The Senator from Alaska.

Mr. BEGICH. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BEGICH. I rise to support S. 1925, the Violence Against Women Act. It is not every day that we vote on a law that actually saves lives, but this one does. The Senate needs to send the simple and important message that America will not tolerate violence against its women, children, and families. We must do our part to reduce domestic violence and sexual assault. It is time for us to step up and make sure this happens now.

I look forward to casting my vote for the reauthorization, hopefully very soon. Truly this legislation, as we continue to move forward, is headed in the right direction. There is bipartisan support with 61 Members in this Chamber signed on as cosponsors, and lots of good work on this bill has been done in the Judiciary Committee. All of us have heard from prosecutors, victim service providers, judges, health care professionals, and victims themselves.

Unfortunately, the fight to protect women and families from violence is far from over. The Violence Against Women Act was first passed just 18 years ago. It has not been reauthorized since 2006. The law has made a difference. We are making progress, and we know a great deal more about domestic violence than when the law was first written. Services for victims has improved. More communities provide safe shelters. Local, State, and Federal laws are stronger.

Listen to the national statistics: Since the law was first passed in 1994, the number of women killed by an intimate partner has dropped 30 percent, and annual rates of domestic violence against women have decreased by two-thirds. The VAWA law saves lives and works. Yet there are too many awful stories and inexcusable numbers, especially in my home State.

Alaska continues to have some of the worst statistics in the country. Three out of every four Alaskans have or know someone who has experienced domestic or sexual violence. Child sexual assault in Alaska is almost six times the national average. Out of every 100 adult women in Alaska, nearly 60 have experienced intimate partner violence, sexual violence, or both. The rape rate in Alaska is nearly 2½ times the national average, and it is even worse for Alaska Native women.

In Alaska's rural and native communities, domestic violence and sexual assault is far too common. Our numbers are often far worse than the rest of the country, and clearly we have to continue to do more work in this area. We are insisting that Alaskan tribes retain their current authority to issue civil protective orders, and I am working on a separate bill to expand resources for Alaskan tribes in their fight against violence. So one can see why I am standing here today. We need to do something about this—not someday, not next year, but truly today.

I have been around for 3 years now, and I am not shy about having my say in a good political fight. But in this case, on this issue, truly, I have no patience. It is hard to believe we even have to debate the law that protects people from abuse and sexual violence. It is truly a piece of legislation we should move forward on and vote. We need fewer victims, whoever they are—women, kids, White, Black, American Indian, Alaska Natives, immigrants, lesbian and gay people, even men.

As a former mayor in a city and State with a higher rate of abuse than the rest of the country, I know this issue. I was responsible for the municipal department that prosecuted domestic violence cases. I was also responsible for the police investigating these cases and the agencies providing health services to victims and funding to shelters. With the support of the entire community, we pooled our efforts. Using resources from the State and local government and businesses and nonprofits alike, we improved services for victims of child sexual abuse.

But intervention and better treatment is not enough—far from it. Domestic and sexual violence is a public health epidemic. So what we need is prevention, and this reauthorization effort is just that, the right step in eventually stopping this epidemic.

In Alaska the Violence Against Women Act dollars are used in our biggest cities and our smallest villages.

Funding goes to every corner of the State, including the Emmonak Women's Shelter in remote southwest Alaska, the Aleut community of St. Paul in the North Pacific Ocean, the AWARE Shelter in urban Juneau, and many others throughout Alaska.

We asked the Alaska Network on Domestic Violence and Sexual Assault for their stories and examples of how VAWA is helping real families. Here is just one. It is uncomfortable to hear, but it is why we need to act now.

A shelter in rural Alaska helped a young woman after she suffered a domestic assault by the father of their 3-year-old child. When she had asked the father for money for food, he choked her and threw her to the ground in front of the child. She reported this was the third such instance of violence, and she could not live there anymore. She spent time in a shelter recovering from her injuries and working to find safe housing in her home village. She also attended DV education groups and received a referral for legal services to assist her with her custody order.

Months later the shelter program received a call from this quiet young woman. She and her child were safe and doing well. She read all the books recommended to her by the shelter to understand the cycle of domestic violence. She was looking for suggestions on more reading material to continue her education on the topic. Now it is hoped that the young woman will become a leader in her community so she can help educate others and work to end domestic violence in Alaska.

There are stories of rape and murder from all over the country. Need we hear more? It is time to reauthorize VAWA.

Before I yield the floor, I have one more bit of business. I want to thank the shelter staff, the police, the court system employees, the advocates and everyone else, who work so hard to protect women, children, and families across this country.

To the victims of domestic violence, there is truly hope. We will work with them to break the cycle of violence and to bring an end and a change in this area.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from Montana.

Mr. TESTER. Madam 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.

Mr. TESTER. Madam President, I rise to speak about an issue that affects everybody in my community. Although it is hard to imagine right now, some of the people we serve fear for their own lives, not because of a terrorist attack or a natural disaster; they are afraid that somebody who is supposed to love them or support them will hurt or even kill them. This is an upsetting issue, but one we need to face head on, and I am glad we are addressing it today.

Domestic violence and sexual assault are harsh realities. They know no class, race, or economic limitations. Although we have made good progress curbing domestic and sexual violence over the past decade, we still have a lot of work to do.

The legislation before us takes another step toward our goal of ending domestic and sexual violence. It might not go far enough for some, but it is progress, and I am proud to support it.

Over the years, the Violence Against Women Act has helped reduce the rates of domestic and dating violence, sexual assault, and stalking, but the numbers are still stunning. This bill gives us an opportunity to help victims get out of a dangerous situation. We have an obligation to pass this reauthorization of the Violence Against Women Act.

Unfortunately, Montana is no different from the rest of the Nation. There were almost 5,000 cases of domestic violence or sexual assault in 2011, and 10 percent of them involve Montana's kids.

Federal funding is crucial for Montana shelters, crisis lines, mental health services, and victim advocates. The domestic and sexual violence programs in Montana rely heavily on Violence Against Women Act funding to keep women and children safe and to administer the important programs we have operating in Montana. It will also promote changes in the culture of law enforcement, pushing governments and courts to treat violence against women and children as a serious violation of criminal law and to hold the offenders accountable.

The Violence Against Women Act helped a constituent of mine in Billings rebuild her life after she was the victim of domestic violence. Maria Martin was beaten by her boyfriend. He threatened to kill her and her three daughters. Her cries for help were answered by the police who rescued her from a violent attack, but it is the programs supported by the Violence Against Women Act that helped Maria rebuild her life.

The Violence Against Women Act provides funding to strengthen law enforcement, prosecution, and victim services. Each community has flexibility to use these funds in ways that respond to folks most in need and take into account unique cultural and geographic factors. This is especially important for a rural State such as Montana.

I am proud of my work with the Judiciary Committee to ensure that the set-aside of funding for sexual assault services does not disadvantage service providers in Montana who often offer many services in one place. I wish to thank Chairman LEAHY for his efforts to address this important issue.

For States and cities with specialized programs, this wasn't a big concern. In Montana and other rural States, we have county and regional service coalitions. That means funds must be flexible enough so that we can serve everyone who walks in. If rural areas had to carve out funds for each type of service, people wouldn't get what they need to regain their footing. The next closest facility might be 90 miles away. That is not a referral; it is not help; it is another obstacle for folks who are already facing a life-threatening situation.

Domestic violence crimes also take a heavy toll on those who survive the violence. The vast majority of survivors report lingering effects such as posttraumatic stress disorder, a serious injury directly from the abuse, missing school or work, higher frequencies of headaches, chronic pain, and poor physical and mental health.

And while domestic violence affects every community, every race, and every rung of the economic ladder, the problem is even more severe in Montana's Indian country. In fact, violence against Native women and children is at an epidemic level. As Montana's only member of the Senate Indian Affairs Committee, I have had several hearings on domestic and sexual violence. American Indian women suffer from violent crime at a rate 3½ times greater than the national average. Nearly 40 percent of all Native American women will experience domestic violence. One in three will be sexually assaulted in her lifetime. Murder is the third leading cause of death among Indian women.

In response to our hearing, I was proud to join Chairman AKAKA and many others on the committee in introducing the Stand Against Violence and Empower Native Women Act, or SAVE Native Women Act, which is now included in the bill before us today.

We owe it to the women and children of Montana to intervene—to provide resources to those programs which are on the ground, and to providers who are in the trenches. They offer safe havens, including support and educational services to help survivors of sexual or domestic violence break free of the cycle of violence. They help children who have lived with violence understand and make sense of what has happened so that they are less likely to get entangled in future abusive relationships. They help survivors gain the strength and the know-how to advocate for themselves in the legal system and in their relationships.

By passing this bill now, we will continue to make progress toward empowering communities to protect all citizens, particularly the most vulnerable—women and children. As I stated before, this is not just an opportunity; this is an obligation that we have to improve our communities, and I urge my colleagues to support it.

I thank the Chair, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Madam 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.

Mr. DURBIN. Madam President, I ask unanimous consent to speak as in morning business.

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

STUDENT LOAN INTEREST RATES

Mr. DURBIN. Madam President, next month students all over the United States will begin graduating from college. There is a lot of pride in that experience. Family and friends will gather and celebrate. These young graduates are going to be filled with hope and expectation, and gratitude to those who helped them reach this milestone in their lives. But they are also going to be graduating with debt—in some cases massive amounts of debt.

Ninety-six percent of for-profit college students will graduate with a debt of $33,000. Fifteen percent of them—one out of six—will default on their loans within 2 years. There is now more than $1 trillion in outstanding student loan debt. As I have mentioned on the Senate floor several times, a little over a year ago, for the first time in history, student loan debt in America surpassed credit card debt.

One of the reasons there has been such a huge influx is that college costs continue to rise at unsustainable rates. Tuition fees at 4-year schools have rocketed up 300 percent from 1990 through 2011. Over the same period, broad inflation was just 75 percent. Even health care costs rose at half the rate of the cost of higher education.

The average for-profit college costs $30,900 a year in tuition and fees. Private nonprofit institutions are not too far behind. The average tuition and fees run about $26,600. Schools with larger endowments charge even more—upwards of $50,000 to $57,000 in total fees. They use their endowment to give students large financial aid packages, which is admirable, but it has consequences. The elevated sticker price for these schools provides for-profit colleges the cover to raise their prices to similar levels.

Let me remind you, for-profit schools, for-profit colleges in America get up to and more than 90 percent of their revenue directly from the Federal Government. They are 10 percent away from being Federal agencies.

Students graduating this year have one advantage: If they took out Federal subsidized loans, their interest rate is low. In 2007, Congress set interest rates on subsidized Federal student loans for the last several years. Current graduates have low, affordable interest rates on their Federal loans, ranging from 6.8 percent to 3.4 percent, depending on the year they took out the loan.

Graduates next year may not be so lucky. The interest rate goes up to 6.8 percent for all unless Congress acts. That is because these interest rates are set to double for 740 million students across the country on July 1 and will only be changed if Congress acts. That is going to affect 365,000-plus borrowers in my State of Illinois. Each borrower in Illinois will save $1,000-plus over the lifetime of their loan if current interest rates of 3.4 percent continue. Across the State, borrowers will save a total of $387,000.

Every week in my office we hear from students who would be directly affected by interest rate increases. One of them is George Jacobs, a constituent of mine and a graduate of the International Academy of Design and Technology in Chicago, a for-profit college owned by the Career Education Corporation.

Every day of his life, George Jacobs regrets that he ever attended this school. He is 29 years old. His current private student loan balance has ballooned to $107,000. The original loan was $60,000. But with a variable interest rate, George has been paying anywhere from 7 percent to 13.9 percent. Combine that with his Federal loan balance, and his total outstanding student loan debt is $142,000. George is not even 30 years old, and he already has the debt the size of some people's mortgages on their homes. Unlike a lot of his peers who attend for-profit colleges, George has a job in his field of study. His annual salary is $45,000, but since his lender will not let him consolidate his loans, his monthly payment is $1,364. Half of his income goes to pay his loan.

Unfortunately, because of high interest rates, very little of his payment reduces the principal. He does not know when he will possibly pay off this loan. When asked if he has tried to work out a plan with his lender, he says: They won't talk to me. They just don't care.

George was the first in his immediate family to attend college. He did not ask people for advice on financial matters. He trusted the school. George was subjected to high-pressure sales that some for-profit colleges use.

Reflecting on that experience now, George believes the school took advantage of him. He believes the school's primary focus is to identify people they can make money off of. George owes about $29,000 in Federal loans. With low interest rates, his monthly payment is $230 a month on the Federal loans—an amount he says is not a real problem.

He is married, and although he and his wife own a car, he does not think they will ever qualify for a mortgage. He is 29 years old.

George is not the only one affected by the private student loans. His parents are in their fifties. To help George, they cosigned his private student loans. They cannot refinance the mortgage on their home because of George's outstanding debt.

There was a story in the Washington Post about 2 weeks ago of a woman—a grandmother—who now has her Social Security check garnished because she was kind enough to cosign her granddaughter's college loan. Her granddaughter has defaulted. Her grandmother is watching her Social Security check reduced.

Making college affordable should not be partisan. It affects everybody. Just this week, during a news conference in Pennsylvania, Gov. Mitt Romney acknowledged the tough job market new graduates face and expressed support for keeping interest rates low. He said:

> I fully support the effort to extend the low interest rate on student loans . . . . temporary relief on interest rates for students . . . in part because of the extraordinarily poor conditions in the job market.

Higher education is not a luxury anymore. It is part of the American dream that many of us bought into and invested in. An educated workforce will make us a stronger nation. By 2018, 63 percent of jobs will require postsecondary education. Keeping debt levels low and manageable for college graduates is essential.

George Jacobs, like so many other students I have spoken about on this floor, is going to spend the rest of his young adult life paying for student loans. There has always been a lot of talk around here about mortgage crises—and rightly so—but think about the 17- and 18- and 19-year-old students signing away their income for the next 30 years before they can even dream of owning a home.

When we get back from the break in about 10 days, we are going to consider legislation on making sure student loan interest rates are manageable. There is more to this issue. We have to deal with the reality the President raised in his State of the Union Address. This spiraling cost of higher education is unsustainable and unfair—fundamentally unfair.

We say to the young people: Get educated for your future.

They follow our advice and walk into the student loan trap. Unfortunately, many for-profit schools are the worst offenders. These schools have enrollment that has grown 225 percent over the past 10 years. According to the Chronicle of Higher Education, the enrollment of for-profit colleges in my State has grown 556 percent over the last 10 years. They enrolled 1.2 million students in 2009. In the 2008–2009 academic year, the GAO found for-profit colleges took in $24 billion in title IV aid; 4-year for-profit schools an average of $27,900 a year before aid, as compared to $16,900 for public 4-year universities.

The chief executives at most of the for-profit schools—parent companies—make many times more than their counterparts in nonprofit schools. Remember, 90 percent-plus of their revenue comes directly from the Federal Government. These are not great entrepreneurs; these are folks who have

managed to tap into one of the most generous Federal subsidies in the law.

Five years ago, we gave them a break. In the bankruptcy bill, we said private for-profit schools will be the only private loans in America that are not dischargeable in bankruptcy, which means you carry them to the grave. So the for-profit schools give these private loans to students, and their parents sign up for them. When it is all said and done, they end up saddled with this impossible debt for a lifetime. That is not even to go to the question about whether they are receiving any kind of valuable education in the process.

For-profits, incidentally, spent 21 percent-plus of their expenses on instruction—21 percent on instruction. It was 29.5 percent at public institutions, 32.7 percent at private nonprofit institutions.

USA Today reported that for-profits educate fewer than 10 percent of students, take in 25 percent of all Federal aid to education, and account for 44 percent of defaults among borrowers. Remember those numbers: 10, 25, and 44. They are taking in 10 percent of the students, taking in 25 percent of all the Federal aid to education, and 44 percent of the defaults on student loans are attributable to these for-profit schools.

According to the Project on Student Debt, 96 percent of for-profit college students graduate with some debt, compared to 72 percent of private nonprofit grads, 62 percent of public school grads. The Project on Student Debt also reported that borrowers who graduated from for-profit 4-year programs have an average debt of $33,000, compared to $27,600 at private nonprofits, $20,000 at public schools.

Last year, the Department of Education released a report showing that for-profit schools have a student loan default rate overall of 15 percent, compared with 7.2 percent at public schools, 4.6 percent at private nonprofit schools. If I were to stand before you and talk about any other business in America, heavily subsidized by the Federal Government—beyond 90 percent of all the revenues they take in—that is luring students and their families into unmanageable debt, I would hope both sides of the aisle would stand and say that is unacceptable. How can we subsidize an operation that is causing such hardship on students and their families—a hardship they are going to carry for a lifetime.

George Jacobs, at age 29, is writing off the possibility of ever owning a home because he signed up at one of those for-profit schools in my State.

The Senate HELP Committee also discovered that out of $640 million in post-9/11 GI benefits, a bill we were all proud to vote for, out of the $640 million that flowed to for-profit schools in the last academic year, $439 million went to the largest 15 publicly traded companies. For-profit colleges are receiving $1 out of every $2 in military tuition assistance, according to the Department of Defense, and more than 60 percent of education benefits available to military spouses go to for-profit schools.

This is significant. We capped Federal aid to for-profit schools at 90 percent of their revenue, but we created an exception for the GI bill. So some of them are up to 95 percent Federal subsidy and still we have these terrible results and terrible indebtedness.

Students at for-profit colleges have lower success rates than similar students in public and nonprofit colleges, including graduation rates, employment outcomes, debt levels, and loan default rates. Yet the Department of Defense is paying more to for-profit schools for the GI bill than public and nonprofit institutions.

I wish to have printed in the RECORD, along with my remarks, an article that appeared in the Wall Street Journal on Wednesday, April 18. It tells the story of Jodi Romine, who between the ages of 18 and 22 took out $74,000 in students loans. She attended Kent State University, a public university in Ohio. It seemed like a good investment at the time. But now it is going to delay her career, her marriage, and her decision to have children.

Ms. Romine's $900-a-month loan payments eats up 60 percent of the paycheck she earns as a bank teller in South Carolina, the best job she could get after graduating from college.

Her fiancé spends 40 percent of his paycheck on student loans. They each work more than 60 hours a week and volunteer where they can to help the local high school's football and basketball teams. Ms. Romine works a second job as a waitress, making all her loan payments on time. She cannot buy a house. They cannot visit their families in Ohio as often as they would like or spend money to even go out.

Plans to marry or have children are on hold, says Ms. Romine, ''I am just looking for some way to manage my finances.'' This is an indication of a debt crisis that is coming. It is different, I would agree, than the mortgage debt crisis we faced. Smaller in magnitude, perhaps, but no less insidious and no less of a problem for us when it comes to the growth of our economy.

I have a couple bills pending. One of them goes to a very basic question: Should any college, public, private, profit, nonprofit, be allowed to lure a student into a private student loan when they are still eligible for government loans? In other words, should that not be one of the causes for a discharge in bankruptcy? It is fraud. It is fraud to say to that student: You have to take out this private student loan, even though the school knows that student is still eligible for low-interest rate accommodating Federal loans. They are luring them into a debt that is unnecessary and a debt which is crushing, in some circumstances.

At the very minimum, that should be considered fraud in a bankruptcy court, and that debt should be dischargeable in bankruptcy because of the failure of the school to disclose that the student still has eligibility for a Federal loan.

Secondly, I know I am probably crying in the wilderness, but I still find it inconceivable that the only private sector business loan in America that is not dischargeable in bankruptcy goes to these heavily subsidized for-profit schools. First, we lured them with Federal money—90 percent-plus—and then we turn around and say: And we will protect you. When the student who is likely to default ends up defaulting, we will make sure they still have the debt, carrying it to the grave. What were we thinking to give this one business this kind of fantastic Federal subsidy and this kind of amazing support in the Bankruptcy Code?

I ask unanimous consent to have printed in the RECORD, along with that article from the Wall Street Journal, a recent article from Barron's of April 16.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Apr. 17, 2012]

TO PAY OFF LOANS, GRADS PUT OFF MARRIAGE, CHILDREN

(By Sue Shellenbarger)

Between the ages of 18 and 22, Jodi Romine took out $74,000 in student loans to help finance her business-management degree at Kent State University in Ohio. What seemed like a good investment will delay her career, her marriage and decision to have children.

Ms. Romine's $900-a-month loan payments eat up 60% of the paycheck she earns as a bank teller in Beaufort, S.C., the best job she could get after graduating in 2008. Her fiancé Dean Hawkins, 31, spends 40% of his paycheck on student loans. They each work more than 60 hours a week. He teaches as well as coaches high-school baseball and football teams, studies in a full-time master's degree program, and moonlights weekends as a server at a restaurant. Ms. Romine, now 26, also works a second job, as a waitress. She is making all her loan payments on time.

They can't buy a house, visit their families in Ohio as often as they would like or spend money on dates. Plans to marry or have children are on hold, says Ms. Romine. ''I'm just looking for some way to manage my finances.''

High school's Class of 2012 is getting ready for college, with students in their late teens and early 20s facing one of the biggest financial decisions they will ever make.

Total U.S. student-loan debt outstanding topped $1 trillion last year, according to the federal Consumer Financial Protection Bureau, and it continues to rise as current students borrow more and past students fall behind on payments. Moody's Investors Service says borrowers with private student loans are defaulting or falling behind on payments at twice prerecession rates.

Most students get little help from colleges in choosing loans or calculating payments. Most pre-loan counseling for government loans is done online, and many students pay only fleeting attention to documents from private lenders. Many borrowers ''are very confused, and don't have a good sense of what they've taken on,'' says Deanne Loonin, an attorney for the National Consumer Law Center in Boston and head of its Student Loan Borrower Assistance Project.

More than half of student borrowers fail to max out government loans before taking out

riskier private loans, according to research by the nonprofit Project on Student Debt. In 2006, Barnard College, in New York, started one-on-one counseling for students applying for private loans. Students borrowing from private lenders dropped 74% the next year, says Nanette DiLauro, director of financial aid. In 2007, Mount Holyoke College started a similar program, and half the students who received counseling changed their borrowing plans, says Gail W. Holt, a financial-services official at the Massachusetts school. San Diego State University started counseling and tracking student borrowers in 2010 and has seen private loans decline.

The implications last a lifetime. A recent survey by the National Association of Consumer Bankruptcy Attorneys says members are seeing a big increase in people whose student loans are forcing them to delay major purchases or starting families.

Looking back, Ms. Romine wishes she had taken only ''a bare minimum'' of student loans. She paid some of her costs during college by working part time as a waitress. Now, she wishes she had worked even more. Given a second chance, ''I would never have touched a private loan—ever,'' she says.

Ms. Romine hopes to solve the problem by advancing her career. At the bank where she works, a former supervisor says she is a hard working, highly capable employee. ''Jodi is doing the best she can,'' says Michael Matthews, a Beaufort, S.C., bankruptcy attorney who is familiar with Ms. Romine's situation. ''But she will be behind the eight-ball for years.''

Private student loans often carry uncapped, variable interest rates and aren't required to include flexible repayment options. In contrast, government loans offer fixed interest rates and flexible options, such as income-based repayment and deferral for hardship or public service.

Steep increases in college costs are to blame for the student-loan debt burden, and most student loans are now made by the government, says Richard Hunt, president of the Consumer Bankers Association, a private lenders' industry group.

Many private lenders encourage students to plan ahead on how to finance college, so ''your eyes are open on what it's going to cost you and how you will manage that,'' says a spokeswoman for Sallie Mae, a Reston, Va., student-loan concern. Federal rules implemented in 2009 require lenders to make a series of disclosures to borrowers, so that ''you are made aware multiple times before the loan is disbursed'' of various lending options, the spokeswoman says.

Both private and government loans, however, lack ''the most fundamental protections we take for granted with every other type of loan,'' says Alan Collinge, founder of StudentLoanJustice.org, an advocacy group. When borrowers default, collection agencies can hound them for life, because unlike other kinds of debt, there is no statute of limitations on collections. And while other kinds of debt can be discharged in bankruptcy, student loans must still be paid barring ''undue hardship,'' a legal test that most courts have interpreted very narrowly.

Deferring payments to avoid default is costly, too. Danielle Jokela of Chicago earned a two-year degree and worked for a while to build savings before deciding to pursue a dream by enrolling at age 25 at a private, for-profit college in Chicago to study interior design. The college's staff helped her fill out applications for $79,000 in government and private loans. ''I had no clue'' about likely future earnings or the size of future payments, which ballooned by her 2008 graduation to more than $100,000 after interest and fees.

She couldn't find a job as an interior designer and twice had to ask lenders to defer payments for a few months. After interest plus forbearance fees that were added to the loans, she still owes $98,000, even after making payments for most of five years, says Ms. Jokela, 32, who is working as an independent contractor doing administrative tasks for a construction company.

By the time she pays off the loans 25 years from now, she will have paid $211,000. In an attempt to build savings, she and her husband, Mike, 32, a customer-service specialist, are selling their condo. Renting an apartment will save $600 a month. Ms. Jokela has given up on her hopes of getting an M.B.A., starting her own interior-design firm or having children. ''How could I consider having children if I can barely support myself?'' she says.

[From Barron's, Apr. 16, 2012]

WHAT A DRAG!

(By Jonathan R. Laing)

AT $1 TRILLION AND CLIMBING, THE GROWING STUDENT-LOAN DEBT COULD BE A BURDEN ON ECONOMIC GROWTH FOR DECADES TO COME.

You don't need a Ph.D. in math to know that student-loan debt is compounding at an alarming rate. In the last six weeks alone, two new government reports have detailed the growing student debt burden, which has no doubt contributed to the weak economic recovery and could remain a drag on growth for decades to come. First came a report early last month from the Federal Reserve Bank of New York stating that the $870 billion in loans carried by some 37 million present and former students exceeded the money owed by all Americans for auto loans, as of the Sept. 30 end of the government's 2011 fiscal year. It's also greater than credit-card debt. The report went on to note that delinquencies, officially reported at about 10% of outstanding loans, were actually more than twice that number when things like loan-payment deferrals for current full-time students were properly accounted for.

But that was just prelude for a speech in late March, when an official of the new federal watchdog agency, the Consumer Financial Protection Bureau, asserted that total student debt outstanding actually topped $1 trillion. The Fed, it seems, failed to account for much of the interest that had been capitalized, or added to outstanding loan balances on delinquent and defaulted loans.

The cause of the binge is the unfortunate concatenation of steeply rising tuitions in the face of stagnating family incomes, a precipitous decline in states' funding of public universities and two-year colleges, and the burgeoning of avaricious for-profit colleges and universities—which rely on federally guaranteed student loans for practically all of their revenue, in exchange for dubious course offerings.

Ever-rising tuitions are the biggest part of the problem. As the chart nearby shows, tuition and fees at four-year schools rocketed up by 300% from 1990 through 2011. Over the same period, broad inflation was just 75% and health-care costs rose 150%.

However you apportion blame, it boils down to this: Two-thirds of the college seniors who graduated in 2010 had student loans averaging $25,250, according to estimates in a survey by the Institute for College Access & Success, an independent watchdog group. For students at for-profit schools, average per-student debt is even greater for training in such fields as cosmetology, massage therapy, and criminal justice, as well as more traditional academic subjects.

Whether you have kids in school or they've long since graduated, this is a big deal. Graduates lugging huge debt loads with few job opportunities to pay them off are reluctant to buy cars, purchase homes, or start families. Family formations, a key bulwark to home prices, have been in a seemingly inexplicable funk over the past five years or so.

Prospects are even more harrowing for defaulters on student debt. They are virtually excluded from the credit economy, unable to get mortgages, take out auto loans, or even obtain credit cards. ''We are creating a zombie generation of young people, larded with debt, and, in many cases dropouts without any diploma,'' says Mark Zandi, the chief economist at Moody's Analytics.

Debt taken on by students pursuing professional degrees in graduate schools is even more daunting. Federal Reserve Chairman Ben Bernanke turned some heads in an aside during congressional testimony last month when he said that his son, who is in medical school, would probably accumulate total debt of $400,000 before completing his studies. Law students, even at non-elite law schools, often run up debt of as much as $150,000 over the course of earning their degrees. This even though top-paying law jobs at major corporate law firms are shrinking, consigning many graduates to lives of relative penury. Many are resorting to lawsuits against their schools, charging, with some justification, that the schools gilded the employment opportunities that awaited graduates.

It's not just students who are being crushed by student-debt loads. Kenneth Lin, of the credit-rating Website Credit Karma, found something astounding when he examined credit reports on literally millions of households nationwide. Student debt borrowing by the 34-to-49 age cohort has soared by more than 40% over the past three years, faster than for any other age group. He attributes this in large part to bad economic times that prompted many to seek more training to enhance their career prospects. This is also the age group that the for-profit schools mercilessly mine with late-night television ads, online advertising, and aggressive cold-calling to entice with their wares.

Also, some folks in their 30s are obviously having trouble paying off student loans taken out earlier in their lives because of high unemployment rates and disappointing career outcomes. According to the aforementioned Fed report, the 30-to-39 age group owes more than any other age decile, with a per-borrower debt load of $28,500. They're followed by borrowers between the ages of 40 and 49, who had outstanding balances of $26,000. This is what happens to folks when loans go delinquent or fall into default (nine missed payments in a row), as back interest is added to principal and collection costs mount.

Parents, too, are getting caught up in the student-loan debt explosion. Loans to parents to help finance their kids' post-secondary education have jumped 75% since the 2005–06 school year, to an estimated $100 billion in federally backed loans; this according to data compiled by Mark Kantrowitz, the publisher of the authoritative student-aid Website FinAid.org. That's certainly a painful burden to bear for baby boomers, who are fast approaching retirement bereft of much of the home equity they'd been counting on to finance their golden years.

To be sure, student loans aren't the debt bomb that many doomsayers claim, poised to destroy the U.S. financial system as the residential-mortgage-market collapse nearly did. Moody's Mark Zandi ticks off a number of reasons why:

Student loans are just one-tenth the size of the home-mortgage market. Subprime mortgages, including alt-A, option ARMs (adjustable-rate mortgages), and other funky constructs, were bundled into $2.5 trillion worth of securitizations at their peak, ensuring that the damage wrought by their collapse

spread far and wide, destroying the value of U.S. families' biggest asset. The impact of these mortgage securitizations was only amplified by huge bets made by financial institutions like insurer American International Group (ticker: AIG) on the home-mortgage market in the form of credit-default swaps and the like.

Finally, and most important, the bulk of the student debt outstanding, some $870 billion of the total, is guaranteed by the federal government—and ultimately taxpayers. ''Thus, the damage can be contained, at least until the next recession,'' Zandi asserts. ''We should worry more about more subtle things like how indebtedness is causing the U.S. to fall behind some . . . emerging nations in the proportion of our population with college degrees than about any direct financial system fallout.''

The eventual bill to taxpayers on defaulted student loans won't be overwhelming. That's because Uncle Sam has enough collection powers to make a juice-loan collector envious and most debtors cry, well, ''Uncle!'' Among other things, the government can garnish the wages and glom onto income-tax refunds or Social Security payments of defaulters. And student debts are treated like criminal judgments, alimony and the like when it comes to bankruptcy. They can be discharged only under the rarest of circumstances, no matter how fraught the deadbeats' financial circumstances have become.

A recent story by Bloomberg's John Hechinger describes the hard-nosed tactics used by collection agencies hired by the Department of Education to go after the defaulters on $67 billion in loans. The collectors, operating out of boiler rooms, badger their marks with all manner of threats in return for bonuses, gift cards, and trips to foreign resorts if they pry at least nine months of payments above a certain minimum out of the defaulters. No mention is made of more lenient payment plans.

Such strategies apparently work, tawdry though they may be. The government claims it collects around 85 cents on the dollar of loan defaults. By contrast, credit-card companies are lucky to collect 10 cents on the dollar from borrowers in default.

Changes in repayment plans instituted in 2009 allow some student-loan borrowers in extreme hardship to pay monthly on the basis of what they can afford rather than what they owe. Under this ''income-based repayment plan,'' after 25 years of payments based on the borrower's discretionary income, the remainder of the loan will be forgiven. Thanks to the Obama administration, that number will soon be just 20 years.

Students going into public-service jobs like teaching can receive a get-out-of-debtors'-prison card after 10 years of income-based payments.

But these programs aren't likely to add much to the taxpayer tab on student-loan defaults, since the participation in the programs has been light (550,000 out of 37 million student borrowers), and the money collected is better than nothing.

Nor are the major players in the private, nongovernment-backed student-loan market, such as SLM, formerly known as Sallie Mae (SLM), Discover Financial Services (DFS), Wells Fargo (WFC) and PNC Financial Services (PNC), likely to suffer much from delinquencies or defaults. Their student-loan balances, at around $130 billion, are relatively manageable. They also were able to slip into 2005 legislation a provision prohibiting student-loan borrowers from discharging that debt in bankruptcy, mimicking the government's leverage over defaulters.

The private student-loan industry has also tightened up its underwriting standards since the financial crisis, demanding higher FICO, or credit, scores from borrowers and parents to co-sign most education loans. However, Fitch recently warned that private student-loan asset-backed securities, especially bundled before the recent recession with less stringent standards, are expected to continue to suffer from ''high defaults and ratings pressure.'' Little surprise then that JPMorgan Chase (JPM) announced last week that it would stop underwriting student loans as of July 1, except to customers of the bank.

Despite all this, some observers blame the government for the debt spiral—by making subsidized loans overly available to students. Without easy federal Pell grants (up to $5,550 a year for full-time students at four-year colleges) and federal undergraduate loans, now capped at an aggregate of $57,500, there would have been no spiral in college costs.

But this smacks of blaming the victims—students encumbered by debt and taxpayers ultimately subsidizing and guaranteeing the loans.

The perps clearly seem to be the so-called nonprofit universities and colleges that have been gunning tuition and fees ever higher since 1980, vastly in excess of consumer inflation, health care, and nearly any other cost index one can imagine.

Just take a look at the chart nearby, helpfully provided by the College Board in its latest 2011 ''Trends in College Pricing.'' Inflation-adjusted, private four-year college tuition and fees have jumped 181% on a smooth but relentlessly higher glide path. Public four-year college tuitions have risen by an even larger 268%, although it's clearly a case of catch-up. In-state tuition this year averages only $8,244, compared with the privates' $28,500 average tab. Student-debt outstanding, meanwhile, is growing far faster, climbing ninefold since 1997.

The College Board and private colleges and universities obdurately defend themselves, saying the ''sticker price'' in no way represents the actual price paid by families after taking into account federal and state grant aid, federal-tax breaks to families paying for college, and, of course, scholarship money provided by the schools themselves. In fact on a ''net-price'' basis, private four-year tuition costs, at $12,970, were slightly lower than in the academic year five years ago, the report brags.

That assertion is true as far as it goes. But the lower net price is not the result of the munificence of schools' scholarship programs, but is almost solely due to large increases made under President Obama in the size of Pell grants and educational tax credits. Throw in room and board—''not really part of the cost of attending college,'' the report says dismissively—and college costs are indeed higher this year. Room and board—$8,887 on average for in-state students at public schools in the current school year and $10,089 at private colleges—have long been a means for colleges to make stealth price increases.

Ivy League schools with total sticker prices including room and board of $50,000 to $57,000 in the current academic year use their large endowments to give out large dollops of student aid. In fact, Yale and Harvard are said to offer scholarship money or assistance to families with incomes up to $180,000. As a result, students graduating from elite schools like Princeton, Yale, and Williams College are able to graduate with total debt under $10,000, making them among the lowest-debt college and universities in the country.

But the Ivies can't be absolved of all blame in the current debt mess. They began the sticker-price arms race in the early 1980s, reasoning correctly, it turns out, that they could boost prices with impunity because of the scarcity value, social cachet and quality of the education they offer. They've led the charge ever since, even getting caught by the U.S. Justice Department for colluding on tuition increases and grant offers to applicants in the early '90s. They signed a consent decree neither admitting to nor denying the charges.

Don't think that state governments—which have been methodically cutting appropriations to higher public education for the last decade—aren't aware of the still-yawning gap between the sticker prices of state and private schools, which means that tuitions are likely to continue to rise at breakneck speed.

Too, elevated sticker prices by the privates have given cover to for-profit schools, including University of Phoenix, owned by Apollo Group (APOL), Bridgepoint Education (BPI), ITT Educational Services (ESI), Washington Post's (WPO) Kaplan University, and Career Education (CECO), a capacious umbrella under which to nestle. The schools live off of Pell grants, federally backed student loans, and, increasingly, the GI bill for veterans. Thus, they derive as much as 90% or more of their revenue from such government money, so they concentrate their recruiting efforts on the less affluent in order to qualify for such government largess. (For a look at ITT Educational's practices, see ''Clever Is as Clever Does.'')

The industry's course content is often risible, and graduation rates horrible. Students naively hoping for a big jump in earnings power end up saddled with debt averaging about $33,000, with little to show for their efforts. Students at for-profits make up about 10% of the post-secondary-school population. Yet according to congressional researchers on the Senate Health, Education, Labor, and Pensions Committee, which has been investigating the for-profit industry, they account for between 40% and 50% of all student-loan defaults.

The student-debt crisis is emblematic of issues bedeviling the U.S. as a whole, such as income inequality and declining social mobility. For as scholarship money is increasingly diverted from the needy to achievers with high grade-point averages and test scores, boosting institutional rankings, the perhaps less-privileged applicant is thrust into the position of having to take on gobs of debt, indirectly subsidizing the education of more affluent classmates. The race to the career top is likely over long before graduation.

Student debt also helps sustain many school hierarchies that are virtually bereft of cost controls—the high-salaried tenured professorates, million-dollar-a-year presidents and provosts, huge administrative bureaucracies, and lavish physical plants.

The debt game will continue until students and their families revolt or run out of additional borrowing capacity. Don't expect the educational establishment to rein in its spending. Things have been too cushy for too long.

Mr. DURBIN. They identified those who were offering these private student loans. The major players in the private nongovernment-backed student loan market: SLM let me translate—formerly known as Sallie Mae, Discover Financial Services, Wells Fargo, and PNC Financial Services. Even with the defaults, if there are defaults on these loans, these loans are protected because they continue forever.

I do not know if my colleagues will join me in this, but all I ask them to do is go home and please talk to some of

the families in their States, and they will find this student loan crisis is not just something manufactured by politicians; it is real, and we are complicit in it. When we allow low-performing and worthless schools to receive Federal aid to education, students and their families are lured into believing these are real schools.

Go to the Internet and put in the words ''college'' or ''university,'' click the mouse and watch what happens. You will be inundated with ads from for-profit schools. Some of them will tell you: Go to school online. One of them ran a television ad here in Washington—I think they have taken it off the air now—that showed this lovely young girl who was in her bedroom in her pajamas with her laptop computer on the bed. The purpose of the ad was: You can graduate from college at home in your pajamas. It is a ruse. It is a farce. It is a fraud.

Many times these schools offer nothing but debt for these students. The students who drop out get the worst of the circumstances. They do not even get the worthless diploma from the for-profit schools; all they get is the debt. That is not fair. If we have a responsibility—and I think we do—to families across America, for goodness' sake, on a bipartisan basis, we should step up and deal with the student debt crisis and the for-profit schools that are exploiting it.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I ask unanimous consent to speak for up to 15 minutes as in morning business.

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

Mr. ALEXANDER. Would the Chair please let me know when there is 2 minutes left.

The ACTING PRESIDENT pro tempore. I will.

Mr. ALEXANDER. Madam President, I am glad I had a chance to hear my distinguished friend from Illinois speak about student loans and college costs. All of us would like to make it easier for Americans to be able to afford college. At another time, I will speak about some of the other options available. The average tuition at 4-year public colleges in America is $8,200. The average tuition for a community college is $3,000.

I know at the University of Tennessee, where tuition is about $7,400, at a very good campus in Knoxville, virtually all the freshmen show up with a $4,000 Hope Scholarship, which is a State scholarship. Of course, if they are lower income students, they are also eligible for Pell grants and other federal aid.

So we will continue to work, on a bipartisan basis, to make college an opportunity available to students. If there are abuses in the for-profit sector or other sectors of higher education, we should work on those together.

Mr. INHOFE. Would the Senator yield for a unanimous consent request?

Mr. ALEXANDER. Of course.

Mr. INHOFE. I do not want to change the Senator's line of thought. It was beautiful and I want to hear every word. Madam President, I ask unanimous consent that after the conclusion of the remarks of the Senator from Tennessee, that there will be 10 minutes given to the Senator from Wyoming, Mr. BARRASSO, and that I have the remainder of the Republican time.

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

(The remarks of Mr. ALEXANDER pertaining to the introduction of S. 2366 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

A SECOND OPINION

Mr. BARRASSO. Madam President, week after week, I have come to the floor to give a doctor's second opinion about the health care law. I tell my colleague from Tennessee that I should have him join me on a weekly basis in these second opinions, because he has clearly stated a number of things in this health care law that are hurting people. He talked about his experience as a Governor and the impact of Medicaid mandates and how that impacted his ability to provide for education within a State.

Just now, with the bill he will introduce, I associate myself with his remarks, because he showed that one of the tricks that was used in passing the health care law is overcharging. This is the Obama health care law overcharging young people on student loans. The Democrats all voted for it and the Republicans all voted against it. It is overcharging students for student loans to pay for the President's health care law.

Again, I appreciate the comments by my colleague, the Senator from Tennessee, and his incredible leadership on this, which he continues to provide every day in the Senate.

I come to the floor today to again give a second opinion about another component of the health care law and one of the tricks that the administration has tried to use in terms of making the health care law, in their opinion, more appealing, which essentially the Government Accountability Office this week called foul.

The President was caught and called out by the GAO, when they uncovered another gimmick in the President's health care law. It is a gimmick that tries to cover up how the President's law devastates seniors' ability to get the care they need from the doctor they want at a cost they can afford.

The Obama administration's latest trick targets seniors on a program called Medicare Advantage. It is a program that one out of four seniors—people on Medicare—relies on for their health care coverage. As someone who has taken care of lots of Medicare patients over the years, I can tell you that one in four—about 12 million seniors—is on this Medicare Advantage Program. The reason it is an advantage for them is that it helps with preventive medicine, with coordinating their care. They like it because of eyeglasses and eye care and because of hearing aids.

Each one of those 12 million seniors knows they are on Medicare Advantage because it is a choice they make to go onto the program. Well, as people all around the country remember, the White House and Democrats, in the effort to pass the health care law, cut $500 billion from Medicare—not to strengthen Medicare or save Medicare for our seniors, no—to start a whole new government program for other people. Out of that $500 billion that the President and his administration and Democrats in Congress cut from Medicare, about $145 billion of that money came from this Medicare Advantage Program—a program people like. These cuts would have gone into place this year—actually, October of this year. That is the time of year when seniors are supposed to register for their Medicare Advantage plans for the next year. So we are talking about October of 2012, the month before the Presidential election, and cuts coming then would make those millions of American seniors who have chosen Medicare Advantage very unhappy with this administration and the Democrats in Congress who shoved this down the throats of the American people.

In spite of the American people saying, no, don't pass this health care law, according to the President and the Democrats, too bad, we know what is better for you. Democrats believe that a one-size-fits-all is best, that a government-centered program is better than a patient-centered program.

The President and his folks saw this political problem developing. It is a real political problem for the President. And what did the administration do? Well, they put in place a massive $8.3 billion—that is billion with a ''b''—so-called pilot program. What that will do is temporarily reverse most of these Medicare Advantage cuts—not for too long, just to get the President and the Democrats past the election of 2012.

According to the GAO, 90 percent of the Medicare Advantage enrollees will be covered by these contracts eligible for this so-called bonus in 2012 and 2013. But this is a sham program. It is seven times larger than any similar demonstration program Medicare has ever attempted, and Medicare has been in place now for 50 years. Take a look at this. This is the largest ever—seven times larger than any demonstration program they have ever attempted. Even the GAO, which is supposed to be—and is—nonpartisan, called out the President and the Secretary of Health and Human Services.

This program wasn't actually designed to improve the Medicare Advantage Program. That is why this is a

sham. The reality is this so-called bonus program is a political stunt aimed at the 2012 Presidential election. The administration simply did not want to face America's seniors with the truth—the truth that his health care law gutted the popular Medicare Advantage Program, reducing choices and raising premiums.

The Wall Street Journal editorial board reported yesterday that ''the demonstration program turns into a pumpkin in 2013.''

They go on to say:

> The real game here is purely political—to give a program that is popular with seniors a temporary reprieve past Election Day. Then if Mr. Obama is reelected, he will go ahead and gut Medicare Advantage.

That has been his intention all along—to gut Medicare Advantage.

Investor's Business Daily yesterday described it as ''playing politics with Medicare.'' They go on to report:

> The entire project is so transparently political that the normally reserved GAO urged the Health and Human Services Department to cancel it altogether.

Isn't this the administration that claimed that accountability was their goal, that this was going to be the most accountable administration in history? Then why is the government's own accountability office calling the President and the Democrats on the carpet and saying: Cancel this program altogether.

An op-ed that appeared in Forbes Magazine called it the ''Obama Campaign's $8 Billion Taxpayer-Funded Medicare Slush Fund.'' The author notes:

> This development opens up a new expansion of executive-branch power: the ability to spend billions of dollars on politically-favored constituents, without the consent of Congress.

Madam President, we wouldn't have known about the Obama administration's $8 billion coverup if it weren't for my colleague, Senator ORRIN HATCH, who insisted on the GAO investigation. I believe the American people owe a debt of thanks to Senator HATCH. Thanks to his leadership, we now know what the administration is doing to try to trick American seniors and make it harder for them to get the care they need after the Presidential election.

Once again, this administration claims to be for transparency, claims to pride itself on accountability, but is not leveling with the American people. So today I am calling on the President to direct his Secretary of Health and Human Services to cancel this waste of taxpayer dollars that are being used to cover up the damage his health care law is doing to the seniors of this country who are on Medicare Advantage. It is time they cancel the program and come clean about their plan for seniors on Medicare Advantage. This latest gimmick is just another reason we must repeal the President's health care law and replace it with patient-centered reform.

So I will continue to come to the floor every week because we can never forget NANCY PELOSI's quote that ''first you have to pass it before you get to find out what's in it.'' Week after week, we are finding out more things in this health care law. And now, under the direction and suspicion of Senator HATCH, we have the Government Accountability Office coming out and saying they found something new again this week—an effort by this administration to hide from the American people the real impact of the health care law and hide it before the election so the American people will not—the President hopes—go to the polls and vote the way, in my mind, they would have voted had they seen the clear reality of all of the impacts of this health care law.

I thank the Chair, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

DOMESTIC ENERGY PRODUCTION

Mr. INHOFE. First of all, Madam President, let me say we are very fortunate to have the Senator from Wyoming, with his background, come and give us his second opinion. The ratings are very high on his second opinion, and I am very glad of that.

I am also very pleased we had the Senator from Tennessee talking about the big issue of today. There is no one—having been the Secretary of Education in a previous administration—who is more qualified to talk about student loans than the Senator from Tennessee. So I am very appreciative.

Ironically, we have talked about two subjects, and I am here to talk about one totally unrelated that I think is equally critical—and I have to be critical—of this administration. I am going to state something that hasn't been stated before. I am going to release something that hasn't been released before, and I think it is very significant that people really listen.

You know, this President has had a war on fossil fuels—and when we talk about fossil fuels, we are talking about oil, gas, and coal—ever since before he was in office. He is very clever because what he has attempted to do is to kill oil, gas, and coal when we had the huge supply of it here and yet do it in a way that the American people won't be aware over it. How many people in America, I ask the Chair, know what hydraulic fracturing is? I daresay more people know about it today than knew about it a short while ago.

So today I wish to address for the first time ever the questionable actions recently taken by the Obama administration's Environmental Protection Agency to stop domestic energy production, particularly doing so by using hydraulic fracturing.

Today I wish to draw attention to a little-known video from 2010 which shows a top EPA official, region 6 Administrator Al Armendairiz, using the vivid metaphor of crucifixion to explain EPA's enforcement tactics over oil and gas producers.

This is a long quote, and I am going to ask everyone to bear with me because it is all a quote by Armendairiz. He is, as I said, the Administrator of region 6, and he is instructing at this time people who are working for them in what their behavior should be. So this is an actual quote I am going to use. It is a long quote. Bear with me.

> I was in a meeting once and I gave an analogy to my staff about my philosophy of enforcement, and I think it was probably a little crude and maybe not appropriate for the meeting but I'll go ahead and tell you what I said. It was kind of like how the Romans used to conquer little villages in the Mediterranean. They would go into a little Turkish town somewhere, they'd find the first five guys they saw and they would crucify them. And then you know that town was really easy to manage for the next few years. And so you make examples out of people who are in this case not compliant with the law. Find people who are not compliant with the law, and you hit them as hard as you can and you make examples out of them, and there is a great deterrent effect there. And, companies that are smart see that, they don't want to play that game, and they decide at that point that it's time to clean up. And, that won't happen unless you have somebody out there making examples of people. So you go out, you look at the industry, you find the people violating the law, you go aggressively after them. And we do have some pretty effective enforcement tools. Compliance can get very high, very, very quickly. That's what these companies respond to, is both their public image but also financial pressure. So you put some financial pressure on a company, you get other people in that industry to clean up very quickly. So, that's our general philosophy.

Again, that is a quote from the EPA Administrator of region 6. He actually said: You know, it is kind of like the Romans, when they used to conquer little villages in the Mediterranean. They would go into a little Turkish town and find the first five guys they saw and crucify them. That is how you get their attention.

I remember a few years ago a lumber company in my State of Oklahoma called me up and said: I am not sure what to do. The EPA is putting us out of business.

I said: What do you mean, putting you out of business?

This was a lumber company in Tulsa, OK—Mill Creek Lumber. The man who was calling me was the president.

He said: We have been disposing of our used crankcase oil in the same legal, licensed depository for 10 years now, and they have traced some of this oil to a Superfund site, and they say they are now going to fine me $5,000 a day for that violation. Now, that is what the letter said.

I said: Send the letter to me. That is a typical threat by the EPA to try to make you voluntarily go out of business.

So he sent it to me, and sure enough that is what it said. Any concerned reader would look at that and say: They are going to put us out of business. He said they could stay in business maybe another 30 days and that would be the end.

Well, that was a threat. That is what they do to intimidate people. It is not

quite to the level of a crucifixion, but nonetheless times have changed and things have gotten worse over the past few years. So, yes, they have the enforcement tools, and they are able to scare people, intimidate people. And these are the very people who are working and hiring people and doing what is necessary to run this machine we call America.

So according to Administrator Armendairiz, EPA's general philosophy is to crucify and make examples of domestic energy producers so that other companies will fall in line with EPA's regulatory whims. His comments give us a rare glimpse into the Obama administration's true agenda. No matter how much President Obama may pretend to be a friend of oil, gas, and coal, his green team constantly betrays the truth that the Obama administration is fully engaged in an all-out war on hydraulic fracturing, thinking people won't know that if you kill hydraulic fracturing, you kill oil and gas production in America.

Not long after Armendairiz made his stunning admission, the EPA, apparently, began to zero in on the first crucifixion victims. The Agency targeted U.S. natural gas producers in Pennsylvania, in Texas, and in Wyoming, and in all three of these cases, before these investigations were complete, EPA made headline-grabbing statements either insinuating or proclaiming that hydraulic fracturing was the cause of water contamination. But in each of these three cases, the EPA's comments were contrived, and despite their best efforts they have been unable to find any science to back up their accusations.

Of course, this administration has a propensity for making embarrassing announcements on days when they hope no one will notice. During the past 2-week recess, while Congress was out of town, the EPA released several late-Friday-night statements reversing their earlier assertions in these cases. Still, the problem is people are walking around believing these things are true.

The Agency hopes they can admit they were wrong quietly, but we are not going to let that happen. We are not going to let them get away with it. The American people deserve to know exactly why the EPA is pushing ahead with such intensity to capture alarmist headlines, and then, when no one is looking and when their investigation shows they were wrong, quietly backing away from it.

The EPA, in Texas, Wyoming, and Pennsylvania, not only reversed their assertions but did so with a stunning lack of transparency, strategically attempting to make these announcements as quietly as possible, at times they know Congress won't be looking. Let me quickly highlight a few of these examples. In Parker County, TX, the Agency's major announcement—the withdrawal of their administrative order—was announced at a time they knew Congress was adjourning for Easter recess. In Dimock, PA, the EPA made two announcements, and the same thing happened there. In Pavillion, WY, the EPA announced their reversal as Congress was wrapping up that week.

So the same thing was happening. The EPA's general philosophy is to crucify domestic energy producers. Let's look at the three of their crucifixions.

Parker County, TX. I think this could be the most outrageous of all the examples we will be talking about today. I will not have time to hit them all, but I will go back and make the complete statement I was going to make. Unfortunately, there isn't time to finish it now.

But what happened in Parker County, TX, took place in region 6, where my State of Oklahoma is located. Despite Texas State regulators actively investigating the issue, EPA region 6 issued a December 7, 2010, Emergency Administration Order, which determined—I use the word ''determined'' because that is the word they used—determined that State and local authorities had not taken sufficient action and ordered a company called Range Resources to provide clean drinking water to affected residents and begin taking steps to resolve the problem.

Along with this order, the EPA went on a publicity barrage in an attempt to publicize its premature and unjustified conclusions. The day of the order, EPA issued a press release in which it mentioned hydraulic fracturing—not once, not twice but four times—in trying to tie that to problems with groundwater contamination.

The Agency claimed they also had ''determined''—again, they used that word—that natural gas drilling near the homes by Range Resources in Parker County, TX, had caused the contamination of at least two residential drinking water wells.

Regional administrator Al Armendariz was quoted in a press story posted online, prior to him even notifying the State of Texas, that EPA was making their order—and the e-mails have been obtained from the day the order was released—showing him gleefully sharing information with rabid antifracking advocates—and this is a quote by this EPA regional administrator: ''We're about to make a lot of news . . . time to Tivo channel 8.'' He was rejoicing.

In subsequent interviews, Armendariz made comments specifically intending to incite fear and sway public opinion against hydraulic fracturing, citing multiple times a danger of fire or explosion. When State regulators were made aware of EPA's action, they made it clear they felt the Agency was proceeding prematurely, to which Armendariz forwarded their reply calling it ''stunning.''

What was ''stunning,'' to quote Armendariz, were revelations about the way in which the EPA acted in this particular case, which led me to send a letter, at that time, to the EPA inspector general requesting him to preserve all records of communication in connection with the emergency order issued by the EPA region 6 administrator.

Subsequent to the EPA's December 7, 2010, administrative order, on January 18, 2011, EPA followed through on Regional Administrator Armendariz's promise to ''make examples of people'' and filed a complaint in Federal district court, requesting penalties against Range Resources of $16,500 a day for each violation they alleged took place—for each violation. I don't know how many violations there are. I think there are three or four.

Again, this goes back to the same thing that happened in my State of Oklahoma with the EPA trying to put a lumber company out of business by EPA, except this is a larger company so there are larger fines.

So $16,500 a day in order to align with Armendariz's pursuit of fines which ''can get very high very, very quickly.''

If these actions alone didn't create an appearance of impropriety and call into serious question the ability of Regional Administrator Armendariz to conduct unbiased investigations and fairly enforce the law, just 7 months prior to the region's actions in Parker County, Regional Administrator Armendariz laid the groundwork of how he planned to reign over his region.

In a townhall meeting in Dish, TX, he ''gave an analogy'' of his ''philosophy of enforcement.'' Again, we have already talked about that analogy.

This is a quote I highlighted at the beginning of my speech:

> It was kind of like the Romans used to conquer little villages in the Mediterranean. They'd go into a little Turkish town somewhere, they'd find the first five guys they saw and they would crucify them. And then you know that town was really easy to manage.

Let me go back and be clear about this. This is President Obama's appointed regional administrator for the States of Arkansas, Louisiana, New Mexico, Texas, and Oklahoma comparing his philosophy of enforcement over the oil and gas industries to Roman crucifixions, where they would ''just grab the first five guys they saw'' in order to set the policy and to scare everybody else and crucify them.

Fast forward to late Friday afternoon, March 30 of this year, just a few hours after Congress left town for the Easter recess. The Wall Street Journal reported that:

> EPA told a federal judge it withdrew an administrative order that alleged Range Resources had polluted water wells in a rural Texas county west of Fort Worth. Under an agreement filed by U.S. district court in Dallas, the EPA will also drop the lawsuit it filed in January 2011 against Range, and Range will end its appeal of the administrative order.

Listen to this. A few weeks prior to EPA's withdrawal, a judge also concluded that one of the residents involved in the investigation worked

with environmental activists to create a ''deceptive video'' that was ''calculated to alarm the public into believing the water was burning''—water that was the result of the hydraulic fracturing—when it appears the resident attached a hose to the water well's gas vent, not the water, and of course lit it on fire.

I was on a TV show the other night by someone whom I will not mention their name—she happens to be one of my three favorite liberals—and she mentioned: ''This water is so bad it is burning.'' That judge showed what it was and of course made them cease from doing that.

Remember, this is only one of the three recent high-profile instances of backtracking on behalf of the Agency, after they have already scared everybody into thinking it is a serious problem.

Next we go into Wyoming—Pavillion, WY. Last December, EPA publicized and released nonpeer-reviewed draft findings which pointed to hydraulic fracturing as the cause of groundwater contamination. Again, the culprit is always hydraulic fracturing because we all know we can't get any large oil and gas out of tight formations without hydraulic fracturing.

Here again, the EPA stepped in over the actions of the State and made a press announcement designed to capture headlines where definitive evidence linking the act of hydraulic fracturing to water contamination simply didn't exist.

The announcement came in December, despite as late as November of 2011 EPA regional administrator James Martin saying the results of the last round of testing in Pavillion were not significantly different from the first two rounds of testing which showed no link between the hydraulic fracturing and contamination. That is three rounds of testing which showed no contamination from hydraulic fracturing. Yet only a few weeks later EPA announced the opposite.

In another reversal by the EPA in the past few weeks, the EPA stepped back and quietly agreed to take more water samples and postpone a peer review of the findings, something the State of Wyoming had been requesting for quite some time.

Again, the damage was done. They didn't do anything wrong. There was no water groundwater contamination at all. This is hydraulic fracturing.

As I have mentioned so many times before, I know a little bit about this because the first hydraulic fracturing took place in my State of Oklahoma in 1949. There has never been a documented case of groundwater contamination as a result of it. Yet this administration is doing everything they can to destroy hydraulic fracturing.

Dimock, PA, is the third site of the EPA's recent backtracking of its publicized attempts to link hydraulic fracturing to groundwater contamination. In this instance, the Pennsylvania Department of Environmental Protection had taken substantial action to and including working out an agreement with an oil and gas company ensuring residents clean drinking water.

In line with the State's Department of Environmental Protection, on December 2, 2011, the EPA declared that water in Dimock was safe to drink. Just over a month later, EPA reversed that position.

So they go back and forth. What do people remember? They remember this process of hydraulic fracturing is the culprit and is creating serious environmental problems.

What is maybe more egregious was—to quote Pennsylvania DEP secretary Michael Krancer—EPA's ''rudimentary'' understanding of the facts and history of the region's water: Independent geologists and water consultants such as Brian Oram have been puzzled by the Agency's rationale for their involvement in Dimock because the substances of greatest concern by EPA are naturally occurring and commonly found in this area of Pennsylvania. Yet EPA has chosen this area to attack because of the presence of hydraulic fracturing.

In other words, this has been going on for years, long before hydraulic fracturing.

By the way, I have to say they used to attack oil and gas, but it was always out West in the Western States. The chair knows something about that. This is different now because we have these huge reserves that are in places such as New York and Pennsylvania. All that time there has not been hydraulic fracturing, but as soon as hydraulic fracturing came in, they said this is the result of hydraulic fracturing when it has been there all the time.

Of course, this is part of the strategy to try to convince Americans we don't have the vast supply of natural resources we clearly have.

I was redeemed by this. I have seen saying all along that of all the untruths this President has been saying, the one he says more than any other is that we only have 2 percent of the reserves of gas and oil and we use 25 percent. It is not true. I don't want to use the ''L'' word. I don't want to get everybody mad, but it is just not true.

The U.S. Geological Survey revealed just a few days ago that President Obama's favorite talking point, that we only have 2 percent of the world's proven oil, is less than honest. The 2 percent the President quotes is proven reserves, but he ignores our recoverable reserves. This is coming from the USGS. Our recoverable reserves are some of the largest in the world.

According to information gleaned from the USGS report, America has 26 percent of the world's recoverable conventional oil reserves. That doesn't begin to include our enormous oil shale, tight oil and heavy oil deposits. That is just a fraction of it. But that is 26 percent of the world's recoverable oil.

Our problem is our politicians will not allow us—and particularly the Obama administration—to drill on public lands and to be able to capture that.

We also hold almost 30 percent of the world's technically recoverable conventional natural gas.

In other words, to put it in a way that I think is more understandable: Just from our own resources and at our own consumption level, we could run this country for 90 years on natural gas at our current level of consumption and for 60 years on oil. That is what we have. That is the answer to the problem. It is called supply and demand. There is not a person listening now who would not remember back in the elementary school days that the supply and demand is real.

But we all know he remains fully committed to his cap-and-trade, global warming, green energy agenda—a plan that is to severely restrict domestic development of natural gas, oil, and coal, to drive up the price of fossil fuels so their favorite forms of green energy can compete. It is, quite simply, a war on affordable energy—and, at that time, they weren't afraid to admit it.

Now they are backtracking a little bit—such as using hydraulic fracturing and not saying they are opposed to oil and gas.

Do you remember Steven Chu, the Secretary of Energy, President Obama's man? He told the Wall Street Journal that ''[s]omehow we have to figure out a way to boost the price of gasoline to levels in Europe.''

We all know the infamous quote from President Obama. He said that, under his cap-and-trade plan, ''electricity prices would necessarily skyrocket.''

The President himself has been on record supporting an increase in gas prices. Although, according to him, he would ''have preferred a gradual adjustment'' increasing the average family's pain at the pump. But this isn't a plan that gets you reelected. So the gas prices have skyrocketed, and with the utter failure of Solyndra, President Obama's dream of green energy economy is in shambles. We can be sure we won't be talking about this plan to raise energy costs until after the election.

I would have to say the President's own Deputy Energy Secretary Dan Poneman last month made a statement, and I appreciate it, because he said we have a very strong belief that the laws of supply and demand are real.

They have been saying that the laws of supply and demand are not real. Gary Becker—I quoted this the other day. He is a Nobel Prize-winning economist, professor at the University of Chicago. He has said ''supply and demand are the cause of the vast majority of large fluctuations in oil prices, and it is hard to believe that speculation has played a major role in causing a large swing in oil prices.''

The President tried to say it is not supply and demand. We do not need to

develop our own resources to bring down the price of gas at the pumps. It is speculation. Here is a Nobel Prize winner saying that just flat is not true.

The President's budget proposal this year alone—I want to get back to how he has made this attempt to tax oil and gas out of business. The President's budget proposal this year alone amounts to a $38.6 billion tax increase on oil and gas companies, which would hit my own State of Oklahoma where 70,000 people are employed in oil and gas development especially hard. His proposal specifically would either modify or outright cancel section 199—that is the manufacturers' tax deduction that is something all other manufacturers would be able to enjoy—for the intangible drilling costs, IDCs: percentage depreciation, tertiary injections. All of these were in his budget—not just this year, not just last year, but every year since his budget 4 years ago—to try to tax the oil and gas companies out of business.

His actions have not slowed his rhetoric. In fact, President Obama has become so desperate to run from his antifossil fuel record that he ran all the way to Cushing, OK. That is my State. We have a major intersection of the pipeline down there. This President, in his attack on fossil fuels, stopped the XL Pipeline that goes from Canada down through my State of Oklahoma. He came all the way to Oklahoma to say: I am in support of the pipeline that goes south out of Oklahoma into Texas.

Wait a minute, that is because he cannot stop it. He could only stop the other one because it crossed the line from Canada to the United States. So he came all the way to Oklahoma to say he was not going to stop something that he could not stop anyway.

President Obama is trying to take credit for the increase in oil and gas. I have to get this out because I think so many people do not understand this. The increase that is taking place in production is all on private lands. It is not increasing on public lands. It is decreasing on public lands, but on private lands he has no control. In the report by the nonpartisan Congressional Research Service, since 2007, quoting now from the CRS:

> About 96 percent of the [oil production] increase took place on non-federal lands.

According to the Obama Energy Information Administration, total fossil fuel sales of production from Federal lands are down since 2008—they are down, not up—and during a time of a natural gas boom throughout the country. In other words we have gone through the biggest boom on private land, but he will not allow us to do it on public land, and that is where these tremendous reserves are. Gas sales from production on Federal lands are down 17 percent since 2008.

Finally, according to PFC Energy, which is a global consulting firm specializing in the oil and gas industry, 93 percent of shale oil and gas wells in the United States are located on private and State lands, hardly the Federal Government triumph that the President falsely attempts to take credit for when you put all the pieces together.

President Obama's election strategy is clear: Say great things about oil and gas, say great things about coal and the virtues of domestic energy production, but under the surface try hard to manufacture something wrong with hydraulic fracturing. Remember, not 1 cubic foot of natural gas can be retrieved in tight shale formations without using hydraulic fracturing.

As I said before, that was started in my State of Oklahoma. We are going to make sure we are the truth squad that tells the truth about how we can bring down the price of gas at the pump. It gets right back to supply and demand.

I am going to come back at a later date and give the long version of what I have just given in the last 45 minutes, but I see my friend from Tennessee is here. So I yield the floor.

The PRESIDING OFFICER (Mr. CARDIN). The Senator from Tennessee is recognized.

DEFICIT SPENDING

Mr. CORKER. Mr. President, I thank the Senator from Oklahoma. I actually learned a lot sitting here listening. I know energy production is very important to his State and, obviously, to our Nation. I know he has a wealth of knowledge regarding this issue. I candidly enjoyed hearing his remarks, and I look forward to hearing the balance of them at another time.

I am going to be very brief. I came down here because I am distressed about where we find ourselves. I want to thank the ranking member and the chair of the Homeland Security Subcommittee who is dealing with postal reform. I thank them for working through the committee process and actually bringing a bill to the floor in that manner, something we do not do enough of around here. I thank them for allowing us to have amendments, free-for-all, as it relates to matters pertinent to this bill. I thank them for their work. Personally, I would like to see a lot more reforms take place in the postal bill.

There is no question we are kicking the can down the road, and we are going to revisit this in another couple of years. Because of the way the bill is designed, I don't think there is any question that is going to happen.

But I want to speak to the fact that the world, our Nation, and all of our citizens watched us last August as this country almost came to a halt as we voted on a proposal to reduce the amount of deficit spending that is taking place in our Nation at a time when the debt ceiling was being increased. There was a lot of drama around that. Both sides of the aisle came together and established a discretionary cap on the amount of money that we would spend in 2012 and 2013.

Again, the whole world and certainly most citizens in our Nation were glued to the television or reading newspaper accounts about what was happening. In a bipartisan way, at a time when our Nation has tremendous deficits, we basically committed to pare down spending.

What is happening with this bill, and the same thing happened with the highway bill that was just passed, is that people on both sides of the aisle are saying: You know, the Postal Service is very popular. Therefore, what we are going to do is not worry about the budget caps we have put in place.

It is hard for me to believe. I know there is a lot of accounting around the postal reform bill that is difficult for people to comprehend. But what is happening with this bill, both the ranking and chair continue to talk about the fact that some money came from the Postal Service into the general fund and now is just being repaid. By the way, I agree with that. But the problem is it still increases our deficit by $11 billion, and it absolutely violates the agreement we put in place last August 2.

The responsible way for us to deal with this is say we understand this is money that should go back to the Postal Service, but to live within the agreement we put in place we need to take $11 billion from someplace else.

What I fear is getting ready to happen today—and I know there was a budget point of order placed against this bill. I supported that budget point of order. The ranking and chair—whom, again, I respect tremendously—said let's go through this process and see if there are some amendments that actually pare down the cost. That is not happening. So what I fear is going to happen this afternoon is that in an overwhelmingly bipartisan way, Congress is going to say one more time to the American people: You absolutely cannot trust us to deal with your money because we are Western politicians—Western democracies are having the same problems in Europe—and basically the way we get reelected is we spend your money on things that you like without asking for any repayment of any kind.

That is what has happened in this Nation for decades. That is what we are seeing play out right now in Europe. We are able to watch the movie of what is going to happen to this great Nation. We have politicians in this Chamber who have agreed to what we are going to spend this year and already, because we have two popular bills, in a bipartisan way people are saying: It doesn't matter what we agreed to. We do not care that the biggest generational theft that has ever occurred in this Nation is continuing. We are basically taking money from our children to keep us in elective office by not making tough choices.

I am afraid that is what is going to happen this afternoon on this bill. I am just coming down one more time to appeal to people on both sides of the aisle who are participating in this to say:

Look, we made an agreement. We made this agreement just last August 2, where we said how much money we would spend, and we are violating it again on this bill. What I would say is, if the Postal Service is so popular, let's take money from some other place that we do not consider to be the priority this is.

We do not do that. Instead, what we are doing is exactly what has happened in Europe, what has happened here for a long time where we have this deal, this arrangement between politicians of this body and citizens where we continue to give them what they want, but we will not set priorities. We will not ask them to pay for it. And what is happening is our country is on a downward spiral.

These young pages who are sitting in front of me are going to be paying for it. It is absolute generational theft. This afternoon we are going to take another step in that direction. I appeal to everyone: Look, if we want to pass this postal reform bill, let's cut $11 billion some other place. That is what the States that we represent have to do. That is what the cities that we come from have to do.

But we will not do that here. I am not talking about one side of the aisle or the other. What I think is going to happen this afternoon is that people on both sides of the aisle are going to break trust with the American people, violate an agreement that we just put in place, and basically send a signal to the world that they absolutely cannot trust the Senate to live within its means. We would rather do things to get ourselves reelected now than save this Nation for the longer term.

I yield the floor.

The PRESIDING OFFICER (Mr. FRANKEN). The Senator from New Mexico is recognized.

Mr. UDALL of New Mexico. Mr. President, I rise today to express my support for the Violence Against Women Reauthorization Act. Specifically, I want to talk about how crucial the tribal provisions in this bill are for Native American women. For the past 18 years, this historic legislation has helped protect women from domestic violence, from sexual assault, from stalking. It has strengthened the prosecution of these crimes and has provided critical support to the victims of these crimes.

It has been a bipartisan effort. Democrats, Republicans, and law enforcement officers, prosecutors, judges, health professionals—all have supported this Federal effort to protect women. Why? Because it has worked.

Since its passage in 1994, domestic violence has decreased by over 50 percent. The victims of these crimes have been more willing to come forward knowing that they are not alone, knowing that they will get the support they need, knowing that crimes against women will not be tolerated.

Unfortunately, not all women have seen the benefits of the Violence Against Women Act. That is why the tribal provisions in the reauthorization are so important. Native women are 2½ times more likely than other U.S. women to be raped. One in three will be sexually assaulted in their lifetimes. It is estimated three out of five Native women will experience domestic violence in their lifetimes. Those numbers are tragic. Those numbers tell a story of great human suffering, of women in desperate situations, desperate for support, and too often we have failed to provide that support.

But the frequency of violence against Native women is only part of the tragedy. To make matters worse, many of these crimes go unprosecuted and unpunished. Here is the problem: The tribes have no authority to prosecute non-Indians for domestic violence crimes against their Native American spouses or partners within the boundaries of their own tribal lands. And yet over 50 percent of Native women are married to non-Indians; 76 percent of the overall population living on tribal lands is non-Indian. Instead, under existing law, these crimes fall exclusively under Federal jurisdiction. But Federal prosecutors have limited resources. They may be located hours away from tribal communities. As a result, non-Indian perpetrators often go unpunished. The cycle of violence continues and often escalates at the expense of Native American victims.

On some tribal lands the homicide rate for Native women is up to 10 times the national average. But this starts with small crimes, small acts of violence that may not rise to the attention of the Federal prosecutor. In 2006 and 2007, U.S. attorneys prosecuted only 45 misdemeanor crimes on tribal lands.

For perspective, the Salt River Reservation in Arizona—which is a relatively small reservation—reported more than 450 domestic violence cases in 2006 alone. Those numbers are appalling. Native women should not be abandoned to a jurisdictional loophole. In effect, we have a prosecution-free zone.

The tribal provisions in the Violence Against Women Reauthorization Act provide a remedy. The bill allows tribal courts to prosecute non-Indians in a narrow set of cases that meet the following specific conditions: The crime must have occurred in Indian Country; it must be a domestic violence or dating violence offense or a violation of a protection order; and the non-Indian defendant must reside in Indian Country, be employed in Indian Country, or be the spouse or intimate partner of a member of the prosecuting tribe.

This bill does not—and I emphasize does not—extend tribal jurisdiction to include general crimes of violence by non-Indians or crimes between two non-Indians or crimes between persons with no ties to the tribe. Nothing in this provision diminishes or alters the jurisdiction of any Federal or State court.

I know some of my colleagues question if a tribal court can provide the same protections to defendants that are guaranteed in a Federal or State court. The bill addresses this concern. It provides comprehensive protections to all criminal defendants who are prosecuted in tribal courts whether or not the defendant is a Native American. Defendants would essentially have the same rights in tribal court as in State court. These include, among many others, right to counsel, to a speedy trial, to due process, the right against unreasonable search and seizure, double jeopardy, and self-incrimination. In fact, a tribe that does not provide these protections cannot prosecute non-Indians under this provision.

Some have also questioned whether Congress has the authority to expand tribal criminal jurisdiction to cover non-Indians. This issue was carefully considered in drafting the tribal jurisdiction provision. The Indian Affairs and Judiciary Committees worked closely with the Department of Justice to ensure that the legislation is constitutional.

In fact, last week 50 prominent law professors sent a letter to the Senate and House Judiciary Committees expressing their ''full confidence in the constitutionality of the legislation, and its necessity to protect the safety of Native women.''

Their letter provides a detailed analysis of the jurisdictional provision. It concludes that ''the expansion of tribal jurisdiction by Congress, as proposed in Section 904 of S. 1925, is constitutional.''

Mr. President, I ask unanimous consent to have printed in the RECORD the letter to which I have referred.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONSTITUTIONALITY OF TRIBAL GOVERNMENT PROVISIONS IN VAWA REAUTHORIZATION

APRIL 21, 2012.

Sen. PATRICK LEAHY,
Chairman, Senate Judiciary Committee, Russell Senate Office Building, Washington, DC.
Sen. CHARLES GRASSLEY,
Ranking Member, Senate Judiciary Committee, Hart Senate Office Building, Washington, DC.
Rep. LAMAR SMITH,
Chairman, House Judiciary Committee, Rayburn House Office Building, Washington, DC.
Rep. JOHN CONYERS, JR.,
Ranking Member, House Judiciary Committee, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMEN AND RANKING MEMBERS: The signers of this letter are all law professors, and we have reviewed Title IX of S. 1925, the Violence Against Women Reauthorization Act of 2012. We write in support of this legislation generally and of Section 904, which deals with tribal criminal jurisdiction over perpetrators of domestic violence, specifically. Our understanding is that some opponents of these provisions have raised questions regarding their constitutionality. We write to express our full confidence in the constitutionality of the legislation, and in its necessity to protect the safety of Native women.

Violence against Native women has reached epidemic proportions, and federal

laws force tribes to rely exclusively on far away federal—and in some cases, state—government officials to investigate and prosecute misdemeanor crimes of domestic violence committed by non-Indians against Native women. As a result, many cases go uninvestigated and criminals walk free to continue their violence with no repercussions. Section 904 of S. 1925 provides a constitutionally sound mechanism for addressing this problem.

CONSTITUTIONAL CONCERNS

Congress has the power to recognize the inherent sovereignty of Indian tribal governments to prosecute non-Indian perpetrators of domestic violence on reservations. While it is true that the Supreme Court held in Oliphant v. Suquamish Indian Tribe, 435 U.S. 191 (1978), that tribal governments did not have criminal jurisdiction over non-Indians, that decision was rooted in common law, not the Constitution, as the later Supreme Court decision in United States v. Lara, 541 U.S. 193 (2004), clearly indicates.

Since the Court's decision in Oliphant was not based on an interpretation of the Constitution, Congress maintains the authority to overrule the decision through legislation. The Court in Oliphant said as much when it stated that tribal governments do not have the authority to prosecute non-Indian criminals ''except in a manner acceptable to Congress.'' 435 U.S. at 204. More proof of Congress's authority to expand tribal government jurisdiction lies in the more recent 2004 Supreme Court decision in United States v. Lara, where the Supreme Court upheld a Congressional recognition of the inherent authority of tribal governments to prosecute nonmember Indians.

In Lara, the Court analyzed the constitutionality of the so-called ''Duro fix'' legislation. Congress passed the Duro fix in 1991 after the Supreme Court decided Duro v. Reina, 495 U.S. 676 (1990), which held that a tribal court does not have criminal jurisdiction over a nonmember Indian, under the same reasoning as Oliphant. In response to this decision, Congress passed an amendment to the Indian Civil Rights Act recognizing the power of tribes to exercise criminal jurisdiction within their reservations over all Indians, including nonmembers. The ''Duro fix'' was upheld by the Supreme Court in Lara. The first part of the Court's analysis determined that in passing the Duro fix, Congress had recognized the inherent powers of tribal governments, not delegated federal powers. 541 U.S. at 193. The Court then held that Congress did indeed have the authority to expand tribal criminal jurisdiction. Id. at 200.

In Lara, the Court plainly held, based on several considerations, that ''Congress does possess the constitutional power to lift the restrictions on the tribes' criminal jurisdiction.'' Id. The Court relied on Congress's plenary power and a discussion of the pre-constitutional (historical) relationship with tribes, focusing on foreign policy and military relations. The Court in Lara held that ''the Constitution's 'plenary' grants of power'' authorize Congress ''to enact legislation that both restricts and, in turn, relaxes those restrictions on tribal sovereign authority.'' Id. at 202. The Court noted that Congress has consistently possessed the authority to determine the status and powers of tribal governments and that this authority was rooted in the Constitution. So the decision in Lara shows clearly that the expansion of tribal jurisdiction by Congress, as proposed in Section 904 of S. 1925, is constitutional.

The Lara majority also recognized that the Duro fix was limited legislation allowing for an impact only on tribes' ability to control crimes on their own lands, and would not undermine or alter the power of the states. The same is true of Section 904, which does nothing to diminish state or federal powers to prosecute.

DUE PROCESS CONCERNS

It is important to note that Section 904 of S. 1925 does not constitute a full restoration of all tribal criminal jurisdiction—only that which qualifies as ''special domestic violence criminal jurisdiction.'' So there must be an established intimate-partner relationship to trigger the jurisdiction. Moreover, no defendant in tribal court will be denied Constitutional rights that would be afforded in state or federal courts. Section 904 provides ample safeguards to ensure that non-Indian defendants in domestic violence cases receive all rights guaranteed by the United States Constitution.

A. NARROW RESTORATION

The scope of the restored jurisdiction is quite narrow. First, the legislation only applies to crimes of domestic violence and dating violence when the victim is an Indian and the crime occurs in Indian country. Thus, it applies to a narrow category of persons who have established a marriage or intimate relationship of significant duration with a tribal member. Second, for a non-Indian to be subject to tribal court jurisdiction, the prosecuting tribe must be able to prove that a defendant:

(1) Resides in the Indian country of the participating tribe;

(2) Is employed in the Indian country of the participating tribe; or

(3) Is a spouse or intimate partner of a member of the participating tribe.

In other words, a defendant who has no ties to the tribal community would not be subject to criminal prosecution in tribal court. Federal courts have jurisdiction to review such tribal jurisdiction determinations after exhaustion of tribal remedies. Section 904 is specifically tailored to address the victimization of Indian women by persons who have either married a citizen of the tribe or are dating a citizen of the tribe. This section is designed to ensure that persons who live or work with tribal members are not ''above the law'' when it comes to violent crime against their domestic partners.

B. CIVIL RIGHTS

The Indian Civil Rights Act (ICRA) already requires tribal governments to provide all rights accorded to defendants in state and federal court, including core rights such as the Fourth Amendment right to be secure from unreasonable searches and seizures, and the Fifth Amendment privilege against self-incrimination. 25 U.S.C. 1301–1303. There is no question that federal courts have authority to review tribal court decisions which result in incarceration, and they have the authority to review whether a defendant has been accorded the rights required by ICRA. See Santa Clara Pueblo v. Martinez, 436 U.S. 49 (1978).

Section 904 of the Violence Against Women Reauthorization Act re-emphasizes and reinforces the protections afforded under ICRA. It requires that tribal courts provide ''all other rights'' that Congress finds necessary in order to affirm the inherent power of a participating tribe. Tribal governments are already providing the due-process provisions in cases involving non-Indians in civil cases. Empirical studies have demonstrated that tribal courts have been even-handed and fair in dispensing justice when non-Indian defendants appear in court in civil matters. Section 904 provides ample protection for any non-Indian subject to the special domestic violence prosecution. The special domestic violence jurisdiction is conditioned on a requirement that tribes maintain certain minimal guarantees of fairness.

The Violence Against Women Reauthorization Act affirms the right of habeas corpus to challenge detention by an Indian tribe, and goes even further by requiring a federal court to grant a stay preventing further detention by the tribe if there is a substantial likelihood that the habeas petition will be granted. The legislation does not raise the maximum sentence that can be imposed by a tribal court, which is one year (unless the tribal government has qualified to issue sentences of up to three years per offense under the Tribal Law and Order Act).

Thus, the legislation provides ample safeguards. Nothing in the legislation suggests that a defendant in tribal court will be subject to proceedings which are not consistent with the United States Constitution. Indeed, the legislation creates an even playing field for all perpetrators of domestic violence in Indian country. No person who commits an act of violence against an intimate partner will be above the law.

C. POLITICAL PARTICIPATION

While some have criticized tribal jurisdiction over nonmembers based on the inability of nonmembers to participate in tribal political processes through the ballot box, we note that such political participation has never been considered a necessary precondition to the exercise of criminal jurisdiction under the concept of due process of law. A few examples illustrate that point. First, Indians were subjected to federal jurisdiction under the Federal Major Crimes Act of 1885, now codified as amended at 18 U.S.C. 1153, almost 40 years before most of them were made citizens or given the vote by the Citizenship Act of 1924. Second, due process certainly does not prevent either the federal government or the states from prosecuting either documented or undocumented aliens for crimes committed within the United States, despite the fact that neither can vote on the laws to which they are subjected. Third, likewise, due process of law does not preclude criminal prosecution of corporations despite the fact that corporate or other business organizations, which are considered separate legal persons from their shareholders or other owners, also cannot vote on the laws to which such business organizations are subjected. In short, there simply is no widely applicable due-process doctrine that makes political participation a necessary precondition for the exercise of criminal jurisdiction.

CONCLUSION

In conclusion, the signers of this letter urge Congress to enact the VAWA Reauthorization and fully include the tribal jurisdictional provisions necessary for protecting the safety of Native women. Public safety in Indian country is a primary responsibility of Congress, the solution is narrowly tailored to address significant concerns relating to domestic violence in Indian country, and the legislation is unquestionably constitutional and within the power of Congress.

Sincerely,

Kevin Washburn, Dean and Professor of Law, University of New Mexico School of Law; Erwin Chemerinsky, Dean and Distinguished Professor of Law, University of California Irvine School of Law; Stacy Leeds, Dean and Professor of Law, University of Arkansas School of Law; Carole E. Goldberg, Vice Chancellor, Jonathan D. Varat Distinguished Professor of Law, UCLA School of Law; Robert N. Clinton, Foundation Professor of Law, Sandra Day O'Connor College of Law, Arizona State University; Matthew L.M. Fletcher, Professor of Law, Michigan State University College of Law; Frank Pommersheim, Professor of Law, University

of South Dakota School of Law; Rebecca Tsosie, Professor of Law, Sandra Day O'Connor College of Law, Arizona State University; Richard Monette, Associate Professor of Law, University of Wisconsin School of Law; John LaVelle, Professor of Law, University of New Mexico School of Law.

G. William Rice, Associate Professor of Law, University of Tulsa College of Law; Judith Royster, Professor of Law, University of Tulsa College of Law; Angelique Townsend EagleWoman, (Wambdi A. WasteWin), Associate Professor of Law, University of Idaho College of Law; Gloria Valencia-Weber, Professor of Law, University of New Mexico School of Law; Robert T. Anderson, Professor of Law, University of Washington School of Law; Bethany Berger, Professor of Law, University of Connecticut School of Law; Michael C. Blumm, Professor of Law, Lewis and Clark Law School; Debra L. Donahue, Professor of Law, University of Wyoming College of Law; Allison M. Dussias, Professor of Law, New England Law School; Ann Laquer Estin, Aliber Family Chair in Law, University of Iowa College of Law.

Marie A. Fallinger, Professor of Law, Hamline University School of Law; Placido Gomez, Professor of Law, Phoenix School of Law; Lorie Graham, Professor of Law, Suffolk University Law School; James M. Grijalva, Friedman Professor of Law, University of North Dakota School of Law; Douglas R. Heidenreich, Professor of Law, William Mitchell College of Law; Taiawagi Helton, Professor of Law, The University of Oklahoma College of Law; Ann Juliano, Professor of Law, Villanova University School of Law; Vicki J. Limas, Professor of Law, The University of Tulsa College of Law; Aliza Organick, Professor of Law & Co-Director, Clinical Law Program, Washburn University School of Law; Ezra Rosser, Associate Professor of Law, American University Washington College of Law.

Melissa L. Tatum, Professor of Law, University of Arizona James E. Rogers College of Law; Gerald Torres, Bryant Smith Chair, University of Texas at Austin Visiting Professor of Law Yale Law School; Bryan H. Wildenthal, Professor of Law, Thomas Jefferson School of Law; Sarah Deer, Associate Professor, William Mitchell College of Law; Patty Ferguson-Bohnee, Associate Clinical Professor of Law, ASU Sandra Day O'Connor College of Law; Julia L. Ernst, Assistant Professor of Law, University of North Dakota School of Law; Mary Jo B. Hunter, Clinical Professor, Hamline University School of Law; Kristen Matoy Carlson, Assistant Professor, Wayne State University Law School; Tonya Kowalski, Associate Professor of Law, Washburn University School of Law.

Suzianne D. Painter-Thorne, Associate Professor of Law, Mercer University School of Law; Tim W. Pleasant, Professor of Law, Concord Law School of Kaplan University; Justin B. Richland, JD, PhD, Associate Professor of Anthropology, University of Chicago; Keith Richotte, Assistant Professor of Law, University of North Dakota School of Law; Colette Routel, Associate Professor, William Mitchell College of Law; Steve Russell, Associate Professor Emeritus, Indiana University, Bloomington; Marren Sanders, Assistant Professor of Law, Phoenix School of Law; Maylinn Smith, Associate Professor, University of Montana School of Law; Ann E. Tweedy, Assistant Professor, Hamline University School of Law; Cristina M. Finch, Adjunct Professor, George Mason University School of Law; John E. Jacobson, Adjunct Professor, William Mitchell College of Law.

Mr. UDALL of New Mexico. Mr. President, I respect my colleagues' concerns about the tribal provisions of this bill, and I am willing to work with any Senator who may have concerns about these provisions. Native American law can be daunting, but I want to stress how much effort, research, and consultation went into drafting the tribal provisions in the Violence Against Women Act. Title 9 is taken almost entirely from S. 1763, the Stand Against Violence and Empower Native Women Act, the SAVE Native Women Act. This bill was passed on a Department of Justice proposal submitted to Congress last July. That proposal was the product of extensive multiyear consultations with tribal leaders about public safety generally and violence against women specifically. It builds on the foundation laid by the Tribal Law and Order Act of 2010.

The SAVE Native Women Act was cleared by the Indian Affairs Committee in a unanimous voice vote. The Presiding Officer serves on that committee and knows that this is a committee—the Senate Indian Affairs Committee—that works in a bipartisan way. This passed by a unanimous voice vote through the Senate Indian Affairs Committee.

Shortly thereafter, its core provisions were again vetted and incorporated in the Judiciary Committee's Violence Against Women Act Reauthorization as title 9. In short, the Safety for Indian Women title has been vetted extensively and enjoys wide and bipartisan support. The tribal provisions in this bill are fundamentally about fairness and clarity and affording Native women the protections they deserve.

As a former Federal prosecutor and attorney general of a State with a large Native American population, I know firsthand how difficult the jurisdictional maze can be for tribal communities. One result of this maze is unchecked crime. Personnel and funding run thin, distance is a major prohibitive factor, and the violence goes unpunished. Title 9 will create a local solution for a local problem by allowing tribes to prosecute the crime occurring in their own communities. They will be equipped to stop the escalation of domestic violence. Tribes have already proven to be effective in combating crimes of domestic violence committed by Native Americans.

Let me reiterate this very important point: Without an act of Congress, tribes cannot prosecute a non-Indian even if he lives on the reservation, even if he is married to a tribal member. Without this act of Congress, tribes will continue to lack authority to protect the women who are members of their own tribes. With this bill, we can close a dark and desperate loophole in criminal jurisdiction.

Beyond extending the jurisdiction of tribes within specific constraints, the bill will also promote other efforts to protect Native women from an epidemic of domestic violence by increasing grants for tribal programs to address violence and for research on violence against Native women and also by allowing Federal prosecutors to seek tougher sentences for perpetrators who strangle or suffocate their spouses or partners.

All of these provisions are about justice. Right now Native women don't get the justice they deserve, but these are strong women. They rightly demand to be heard. They have identified a desperate need and support logical and effective solutions. That is why Native women and tribal leaders across the Nation support the Violence Against Women Reauthorization Act and the proposed tribal provisions. Let us work with these women to create as many tools as possible for confronting domestic violence.

There are far too many stories of desperation that illustrate why the provisions protecting Native women are in this bill, and I want to share one story now. This is the story of a young Native American woman married to a non-Indian. He began abusing her 2 days after their wedding. They lived on her reservation. In great danger, she filed for an order of protection as well as a divorce within the first year of marriage. The brutality only increased. It ended with the woman's abuser going to her place of work—which was located on the reservation—and attempting to kill her with a gun. A coworker, trying to protect her, took the bullet. Before that awful day, this young woman had nowhere to turn for help. She said:

> After a year of abuse and more than 100 incidents of being slapped, kicked, punched and living in horrific terror, I left for good. During the year of marriage I lived in constant fear of attack. I called many times for help, but no one could help me.

The tribal police did not have jurisdiction over the daily abuse because the abuser was a non-Indian. The Federal Government had jurisdiction but chose not to exercise it because the abuse was only misdemeanor level prior to the attempted murder. The State did not have jurisdiction because the abuse was on tribal land and the victim was Native American.

Her abuser, at one point after an incident of abuse, actually called the county sheriff himself to prove that he was untouchable. The deputy sheriff came to the home on tribal land but left saying he did not have jurisdiction. This is just one of the daily, even hourly, stories of abuse, stories that should outrage us all. These stories could end through local intervention and local authority that will only be made possible through an act of Congress. We have the opportunity to support such an act in the tribal provisions of VAWA.

I encourage my colleagues to fully support the tribal provisions in this very important bill.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. UDALL of New Mexico.) Without objection, it is so ordered.

SURFACE TRANSPORTATION ACT

Mrs. SHAHEEN. Mr. President, 42 days ago—that is more than 1,000 hours—42 days ago, 74 Senators from this Chamber voted to pass a badly needed, long-term transportation bill. At that time, I joined many of my colleagues from both sides of the aisle to call on the House to consider the Senate's bill or a similar bipartisan bill that would provide highway and transit programs with level funding for at least 2 years.

While the House has not yet passed a long-term bill, I am pleased that they voted to go to conference with the Senate. That means we are one step closer to finally having legislation in place that would support nearly 2 million jobs—about 6,600 of those in New Hampshire—and a bill that would maintain current funding levels, which would avoid an increase in both the deficit and gas taxes. I urge the House and the Speaker to immediately appoint conferees so we can continue moving forward and finally pass a long-term transportation bill. We cannot wait any longer. Mr. President, 937 days have passed since our last Federal Transportation bill expired. If you are counting, that is 2 years, 6 months, and 27 days.

If the House does not join the Senate and support a reasonable bipartisan transportation bill that is paid for, States and towns will not have the certainty they need from Washington to plan their projects and improve their transportation infrastructure.

According to numerous studies, deteriorating infrastructure—the highways, the railroads, the transit systems, the bridges that knit our economy together—cost businesses more than $100 billion a year in lost productivity. That is because we are not making the investments we need to make. And this is no time to further stall programs that encourage economic growth and create the climate for businesses to succeed.

In New Hampshire, we very directly experience the consequences of this uncertainty. The main artery that runs north and south in New Hampshire, Interstate 93, is congested. Currently, we have a project underway that would reduce that congestion on our State's most important highway. It would create jobs. It would spur economic development.

Although this project has been underway for several years, the pace of the project has slowed dramatically because we do not have a transportation bill in place. Businesses and developers along the I–93 corridor cannot hire workers or invest for the future while the project remains uncertain.

We need to act now to unleash the economic growth this project and transportation investments across the country will make possible. We know that projects such as Interstate 93 produce good jobs. New Hampshire's Department of Transportation said that work on just one section of the highway—just one section, between exits 2 and 3—created 369 construction jobs. And all around the country we have projects like Interstate 93 that are waiting on Congress to complete this effort.

For every billion dollars we spend in infrastructure investment, it creates 27,000 jobs. It should not be so hard to get this done. If BARBARA BOXER and JIM INHOFE can agree on legislation, then the House ought to be able to agree on legislation. Cities and businesses need the certainty as we get to the new construction season. And the longer the House waits to appoint conferees, the harder it will be for Congress to pass a long-term bill.

I urge the House to swiftly appoint representatives to negotiate with the Senate so that we can come together and make the Federal investments necessary to get transportation projects moving and get people back to work.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

21ST CENTURY POSTAL SERVICE ACT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1789, which the clerk will report.

The bill clerk read as follows:

A bill (S. 1789) to improve, sustain, and transform the United States Postal Service.

Pending:

Reid (for Lieberman) modified amendment No. 2000, in the nature of a substitute.

The PRESIDING OFFICER. The Senator from Connecticut.

AMENDMENT NO. 2071, AS MODIFIED

Mr. LIEBERMAN. Mr. President, on behalf of Senator WARNER, I ask unanimous consent to call up the Warner amendment No. 2071, with a modification that is at the desk, and I ask that it to be considered in the original order of the previous agreement.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the amendment, as modified.

The bill clerk read as follows:

The Senator from Connecticut [Mr. LIEBERMAN], for Senator WARNER, proposes an amendment numbered 2071, as modified.

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

Mr. CARDIN. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require reporting regarding retirement processing and modernization)

At the appropriate place, insert the following:

SEC. ____. RETIREMENT REPORTING.

(a) TIMELINESS AND PENDING APPLICATIONS.—Not later than 60 days after the date of enactment of this Act, and every month thereafter, the Director of the Office of Personnel Management shall submit to Congress, the Comptroller General of the United States, and issue publicly (including on the website of the Office of Personnel Management) a report that—

(1) evaluates the timeliness, completeness, and accuracy of information submitted by the Postal Service relating to employees of the Postal Service who are retiring, as compared with such information submitted by agencies (as defined under section 551 of title 5, United States Code); and

(2) includes—

(A) the total number of applications for retirement benefits for employees of the Postal Service that are pending action by the Office of Personnel Management; and

(B) the number of months each such application has been pending.

(b) ELECTRONIC DATA TIMETABLE.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Office of Personnel Management shall submit to Congress and the Comptroller General of the United States a timetable for completion of each component of a retirement systems modernization project of the Office of Personnel Management, including all data elements required for accurate completion of adjudication and the date by which electronic transmission of all personnel data to the Office of Personnel Management by the Postal Service shall commence.

(2) TIMETABLE CONSIDERATIONS.—In providing a timetable for the commencing of the electronic transmission of all personnel data by the Postal Service under paragraph (1), the Office of Personnel Management shall consider the milestones established by other payroll processors participating in the retirement systems modernization project of the Office of Personnel Management.

Mr. LIEBERMAN. Mr. President, I thank all our colleagues. We have made good bipartisan progress on a bipartisan bill that I think will go a long way toward solving the current crisis situation in our U.S. Postal Service.

We have several amendments remaining, approximately nine rollcall votes—hopefully fewer as this goes on—and a number of other amendments that we hope will be considered by a voice vote and perhaps even, in the wisdom of the sponsor, withdrawn. At least I look at the occupant of the chair, and I know he is a man who is very wise, and I thank him.

Mr. President, in the normal order, Senator MANCHIN of West Virginia is next up.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

AMENDMENT NO. 2079

Mr. MANCHIN. Mr. President, on behalf of my cosponsors, Senator ROCKEFELLER, Senator MIKULSKI, and Senator MERKLEY, I call up amendment No. 2079.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from West Virginia [Mr. MANCHIN], for himself, Mr. ROCKEFELLER, Ms. MIKULSKI, and Mr. MERKLEY, proposes an amendment numbered 2079.

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

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

The amendment is as follows:

(Purpose: To extend the moratorium on the closing and consolidation of postal facilities or post offices, station, or branches)

At the appropriate place, insert the following:

SEC. ___. MORATORIUM ON CLOSING AND CONSOLIDATING POSTAL FACILITIES OR POST OFFICES, STATIONS, OR BRANCHES.

(a) DEFINITION.—In this section, the term ''postal facility'' has the same meaning as in section 404(f) of title 39, United States Code, as added by this Act.

(b) MORATORIUM.—Notwithstanding section 404 of title 39, United States Code, as amended by this Act, or any other provision of law, the Postal Service may not close or consolidate a postal facility or post office, station, or branch, except as required for the immediate protection of health and safety, before the later of—

(1) the date on which the Postal Service establishes the retail service standards under section 203 of this Act; and

(2) the date that is 2 years after the date of enactment of this Act.

(c) CONFORMING PROVISION.—Section 205(b) of this Act shall have no force or effect.

The PRESIDING OFFICER. The Senator from West Virginia is recognized for 1 minute.

Mr. MANCHIN. Mr. President and all of my colleagues here, this amendment is the only one that will give us a chance to save, truly, the American Postal Service. It is the only one. It is a 2-year prohibition against closing any of our post offices and postal services.

A lot of good things have been done and a lot of amendments have been made already that nibble around the edges. This is the only amendment that basically says: For a 2-year period, you have to sit down and restructure this. Now, $200 million is what they are talking about. I can go in many different directions with this, but that is 1 day in Afghanistan.

This is what the little State of West Virginia will lose: 150 post offices.

They are saying: Well, we have a 1-year moratorium. We can restructure this and show where the savings should be.

I have a lot of different ideas on where the savings can be, but I can tell you right now that we can start with former Postmaster General Potter, who earned $501,000. That is more than the President of the United States. There are a lot of savings at the top end of this. But we could save these.

If you take these lifelines away—and this is all that people have. They get their medicine and they get everything they do and depend on their lifelines with these post offices. They have nothing else. Their towns have just about gone away except for that connection. And I am asking basically for my colleagues to consider keeping these lifelines. Let us work and give us the 2-year period we need.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, respectfully to my dear friend from West Virginia, I am going to oppose this amendment, and let me put it in this context. The U.S. Postal Service is in trouble. It is losing about $23 million or $24 million on the average every day, more than $13 billion in the last 2 years. It is not going to survive if the status quo prevails. It needs to change. This bill provides for change but in a way that we think is balanced and reasonable. My friend from West Virginia has introduced an amendment that would prohibit all change for the next 2 years and therefore I think open the way for a kind of death spiral for the U.S. Postal Service.

There are many protections in our bill before a post office could be closed, even more or just as many before a mail-processing facility could be closed. We added more protections yesterday with the McCaskill-Merkley and the Tester-Levin amendments, but they allow change because without change this Postal Service of ours will die.

The PRESIDING OFFICER. All time has expired.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Utah (Mr. HATCH), and the Senator from Illinois (Mr. KIRK).

Mr. DURBIN. I announce that the Senator from California (Ms. FEINSTEIN) is necessarily absent.

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

The result was announced—yeas 43, nays 53, as follows:

[Rollcall Vote No. 77 Leg.]

YEAS—43

Akaka	Inouye	Pryor
Barrasso	Johnson (SD)	Reed
Baucus	Kerry	Reid
Begich	Kohl	Rockefeller
Blumenthal	Landrieu	Sanders
Boxer	Lautenberg	Schumer
Brown (OH)	Leahy	Shaheen
Cardin	Levin	Stabenow
Casey	Manchin	Tester
Durbin	McCaskill	Udall (NM)
Enzi	Menendez	Whitehouse
Gillibrand	Merkley	Wicker
Hagan	Mikulski	Wyden
Harkin	Nelson (NE)	
Heller	Nelson (FL)	

NAYS—53

Alexander	Crapo	Moran
Ayotte	DeMint	Murkowski
Bennet	Franken	Murray
Bingaman	Graham	Paul
Blunt	Grassley	Portman
Boozman	Hoeven	Risch
Brown (MA)	Hutchison	Roberts
Burr	Inhofe	Rubio
Cantwell	Isakson	Sessions
Carper	Johanns	Shelby
Coats	Johnson (WI)	Snowe
Coburn	Klobuchar	Thune
Cochran	Kyl	Toomey
Collins	Lee	Udall (CO)
Conrad	Lieberman	Vitter
Coons	Lugar	Warner
Corker	McCain	Webb
Cornyn	McConnell	

NOT VOTING—4

Chambliss	Hatch
Feinstein	Kirk

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

Mr. LIEBERMAN. Mr. President, I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LIEBERMAN. Mr. President, next on the list is Senator PAUL's amendment No. 2026.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, at a time when America's infrastructure is crumbling, at a time when the Postal Service is losing $4 billion a year, does it make sense to send $2 billion to Egypt? Does it make sense to borrow money from China to send it to Egypt? At a time when American citizens are being prosecuted in Egypt, at a time when American citizens are having international warrants sworn out on their arrests by Egypt, does it make sense to send $2 billion to Egypt?

Last week I met with a young prodemocracy worker from Egypt. She is afraid to return home. She is afraid she will never see her children again. She is afraid of the cage they will put her in to prosecute her for political crimes. She fears that the Egyptian freedom movement will die in its infancy.

So I ask—for as long as prodemocracy workers are being prosecuted, American and Egyptian—I ask unanimous consent to call up amendment No. 2023 and that it be voted on.

The PRESIDING OFFICER. Is there objection?

The Senator from Connecticut.

Mr. LIEBERMAN. I object on the same grounds we discussed earlier in this debate. It is irrelevant to the subject matter of the Postal Service.

Mr. PAUL. Mr. President, I ask unanimous consent to not offer my amendment No. 2026, and I yield back.

The PRESIDING OFFICER. The Senator has that right.

Mr. LIEBERMAN. I thank my friend from Kentucky.

AMENDMENT NO. 2076

Mr. BINGAMAN. Mr. President, I call up amendment No. 2076.

The PRESIDING OFFICER. The clerk will report.

The assistant bill clerk read as follows:

The Senator from New Mexico [Mr. BINGAMAN] proposes an amendment numbered 2076.

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

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

The amendment is as follows:

(Purpose: To require that State liaisons for States without a district office are located within their respective States)

On page 48, line 2, after ''State.'' insert the following: ''An employee designated under this subsection to represent the needs of Postal Service customers in a State shall be located in that State.''.

Mr. BINGAMAN. Mr. President, this amendment is cosponsored by my colleague, Senator UDALL, and would require State liaisons for States that do not have district offices in them to be located within the States they represent. This is a commonsense amendment. There are 10 States that will not have district offices in them. As currently contemplated, they are operated out of district offices in adjacent States.

The substitute amendment would require the Postal Service to designate at least one employee to be a State liaison, and this amendment I am offering says that person must be located within the State they represent.

I ask all my colleagues to support this. I don't see any basis for objection to it.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, this is an excellent and thoughtful amendment introduced by the Senator from New Mexico, and I am glad to support it. I urge that it be accepted by voice vote.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to the amendment.

The amendment (No. 2076) was agreed to.

AMENDMENT NO. 2027

Mr. LIEBERMAN. Mr. President, next is the amendment offered by Senator PAUL, amendment No. 2027.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, I ask unanimous to call up amendment No. 2027.

The PRESIDING OFFICER. The clerk will report.

The assistant bill clerk read as follows:

The Senator from Kentucky [Mr. PAUL] proposes an amendment numbered 2027.

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

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

The amendment is as follows:

(Purpose: To require the closing of post offices in the Capitol Complex)

At the end of title II, insert the following:

SEC. ___. CAPITOL COMPLEX POST OFFICES.

(a) HOUSE OF REPRESENTATIVES.—

(1) IN GENERAL.—The Postal Service shall not maintain or operate more than 1 post office in the United States Capitol Complex, as defined in section 310(a)(3)(B) of the Legislative Branch Appropriations Act, 1990 (2 U.S.C. 130e(a)(3)(B)), which shall be located in a House Office Building.

(2) CLOSING OF CAPITOL POST OFFICES.—The Postal Service shall close any post office in the United States Capitol Complex, as defined in section 310(a)(3)(B) of the Legislative Branch Appropriations Act, 1990 (2 U.S.C. 130e(a)(3)(B)), not permitted under this subsection, without regard to the requirements under section 404(d) of title 39, United States Code.

(b) SENATE.—

(1) IN GENERAL.—The Sergeant at Arms and Doorkeeper of the Senate may not enter into, modify, or renew a contract with the Postal Service to maintain or operate more than 1 post office in a Senate Office Building.

(2) EXISTING CONTRACTS.—Nothing in paragraph (1) may be construed to affect a contract entered into by the Sergeant at Arms and Doorkeeper of the Senate and the Postal Service before the date of enactment of this Act.

The PRESIDING OFFICER. The Senator is recognized for 1 minute.

Mr. PAUL. Mr. President, at a time when we are asking post offices and people around our country to suffer the loss of their local post office, I think the very least we can do is show we are willing to give up some of the post offices around here. We have seven post offices in the Capitol. We have a post office in almost every building. I am asking that we have one on the House side and one on the Senate side. If we are asking people to suffer the loss of their post offices in their States, I think the very least we can do is do without a few post offices here, and I hope my colleagues will support this amendment.

The PRESIDING OFFICER (Mr. BLUMENTHAL). The Senator from Maine.

Ms. COLLINS. Mr. President, this is a commonsense amendment. It would limit the number of post offices in the Capitol Complex to one on each side—one in the House and one in the Senate. It does not affect the processing of mail out of the Capitol, and I believe we should accept the amendment.

I urge that we accept the amendment by a voice vote.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 2027) was agreed to.

Mr. LIEBERMAN. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LIEBERMAN. Mr. President, next on the list is Senator CARDIN's amendment No. 2040, which I understand he will withdraw.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I am going to withdraw the amendment. Let me point out that this amendment was offered in an effort to make sure we can continue overnight delivery in most of our country by keeping open processing centers that are necessary. The underlying substitute that Senator LIEBERMAN, Senator COLLINS, Senator CARPER, and Senator BROWN brought forward accomplishes that goal. I don't believe this amendment is necessary. For that reason, I will not offer the amendment.

Mr. LIEBERMAN. Mr. President, I thank my friend from Maryland for moving expeditiously. I hope it will continue.

Next is Senator PAUL's amendment No. 2028.

The PRESIDING OFFICER. The Senator from Kentucky.

AMENDMENT NO. 2028

Mr. PAUL. Mr. President, I ask unanimous consent to call up amendment No. 2028.

The assistant bill clerk read as follows:

The Senator from Kentucky [Mr. PAUL] proposes an amendment numbered 2028.

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

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

The amendment is as follows:

(Purpose: To establish a pilot program to test alternative methods for the delivery of postal services)

At the appropriate place, insert the following:

SEC. ___. PILOT PROGRAM TO TEST ALTERNATIVE METHODS FOR THE DELIVERY OF POSTAL SERVICES.

(a) DEFINITION.—In this section, the term ''review board'' means a postal performance review board established under subsection (c)(2).

(b) PILOT PROGRAM.—

(1) IN GENERAL.—The United States Postal Service may conduct a pilot program to test the feasibility and desirability of alternative methods for the delivery of postal services. Subject to the provisions of this section, the pilot program shall not be limited by any lack of specific authority under title 39, United States Code, to take any action contemplated under the pilot program.

(2) WAIVERS.—

(A) IN GENERAL.—The Postal Service may waive any provision of law, rule, or regulation inconsistent with any action contemplated under the pilot program.

(B) CONTENT.—A waiver granted by the Postal Service under subparagraph (A) may include a waiver of requirements relating to—

(i) days of mail delivery;

(ii) the use of cluster-boxes;

(iii) alternative uses of mailboxes; and

(iv) potential customer charges for daily at-home delivery.

(C) REGULATIONS AND CONSULTATION.—The Postal Service shall issue any waiver under subparagraph (A)—

(i) in accordance with regulations under subsection (h); and

(ii) with respect to a waiver involving a provision of title 18, United States Code, in consultation with the Attorney General.

(c) REQUIREMENTS.—

(1) IN GENERAL.—

(A) APPLICATION.—Under the pilot program, alternative methods for the delivery of postal services may be tested only in a community that submits an appropriate application (together with a written plan)—

(i) in such time, form, and manner as the Postal Service by regulation requires; and

(ii) that is approved by the Postal Service.

(B) CONTENTS.—Any application under this paragraph shall include—

(i) a description of the postal services that would be affected;

(ii) the alternative providers selected and the postal services each would furnish (or the manner in which those decisions would be made);

(iii) the anticipated costs and benefits to the Postal Service and users of the mail;

(iv) the anticipated duration of the participation of the community in the pilot program;

(v) a specific description of any actions contemplated for which there is a lack of specific authority or for which a waiver under subsection (b)(2) would be necessary; and

(vi) any other information as the Postal Service may require.

(2) REVIEW BOARDS.—

(A) IN GENERAL.—Under the pilot program, a postmaster within a community may, in accordance with regulations prescribed by the Postal Service, establish a postal performance review board.

(B) FUNCTIONS.—A review board shall—

(i) submit any application under paragraph (1) on behalf of the community that the review board represents; and

(ii) carry out the plan on the basis of which any application with respect to that community is approved.

(C) MEMBERSHIP.—A review board shall consist of—

(i) the postmaster for the community (or, if there is more than 1, the postmaster designated in accordance with regulations under subsection (h));

(ii) at least 1 individual who shall represent the interests of business concerns; and

(iii) at least 1 individual who shall represent the interests of users of the class of mail for which the most expeditious handling and transportation is afforded by the Postal Service.

(iv) CHAIRPERSON.—The postmaster for the community (or postmaster so designated) shall serve as chairperson of the review board.

(3) ALTERNATIVE PROVIDERS.—To be eligible to be selected as an alternative provider of postal services, a provider shall be a commercial enterprise, nonprofit organization, labor organization, or other person that—

(A) possesses the personnel, equipment, and other capabilities necessary to furnish the postal services concerned;

(B) satisfies any security and other requirements as may be necessary to safeguard the mail, users of the mail, and the general public;

(C) submits a bid to the appropriate review board in such time, form, and manner (together with such accompanying information) as the review board may require; and

(D) meets such other requirements as the review board may require, consistent with any applicable regulations under subsection (h).

(4) USE OF POSTAL FACILITIES AND EQUIPMENT.—A postmaster may, at the discretion of the postmaster, allow alternative providers to use facilities and equipment of the Postal Service. Any such use proposed by a person in a bid submitted under paragraph (3)(C) shall, for purposes of the competitive bidding process, be taken into account using the fair market value of such use.

(5) APPLICATIONS FROM COMMUNITIES WITH POTENTIAL CLOSURES.—When reviewing and granting applications, the Postal Service shall give priority to applications from communities identified for potential post office closures.

(d) LIMITATION ON APPLICATIONS.—

(1) IN GENERAL.—Except as provided under paragraph (2), no more than 250 applications may be approved for participation in the pilot program under this section at any 1 time.

(2) INCREASED LIMITATION.—If more than 250 applications for participation in the pilot program are filed during the 90-day period beginning on the date of enactment of this Act, no more than 500 applications may be approved for participation in the pilot program under this section at any 1 time.

(e) TERMINATION OF COMMUNITY PARTICIPATION.—Subject to such conditions as the Postal Service may by regulation prescribe and the terms of any written agreement or contract entered into in conformance with such regulations, the participation of a community in the pilot program may be terminated by the Postal Service or by the review board for that community if the Postal Service or the review board determines that the continued participation of the community is not in the best interests of the public or the Government of the United States.

(f) EVALUATIONS.—

(1) IN GENERAL.—The Postal Service shall evaluate the operation of the pilot program within each community that participates in the pilot program.

(2) CONTENTS.—An evaluation under this subsection shall include an examination, as applicable, of—

(A) the reliability of mail delivery (including the rate of misdeliveries) in the community;

(B) the timeliness of mail delivery (including the time of day that mail is delivered and the time elapsing from the postmarking to delivery of mail) in the community;

(C) the volume of mail delivered in the community; and

(D) any cost savings or additional costs to the Postal Service attributable to the use of alternative providers.

(3) ANALYSIS OF DATA.—Data included in any evaluation under this subsection shall be analyzed—

(A) by community characteristics, time of year, and type of postal service;

(B) by residential, business, and any other type of mail user; and

(C) on any other basis as the Postal Service may determine.

(4) SUBMISSION OF EVALUATIONS.—Not later than 90 days after the date on which the pilot program terminates, the Postal Service shall submit each evaluation under this subsection and an overall evaluation of the pilot program to the President and Congress.

(g) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect the obligation of the Postal Service to continue providing universal service, in accordance with otherwise applicable provisions of law, in all aspects not otherwise provided for under this section.

(h) REGULATIONS.—The Postal Service may prescribe any regulations necessary to carry out this section.

(i) TERMINATION.—

(1) TERMINATION BY THE POSTAL SERVICE.—The Postmaster General may terminate the pilot program under this section before the date described in paragraph (2)(A), if—

(A) the Postmaster General determines that continuation of the pilot program is not in the best interests of the public or the Government of the United States; and

(B) the Postal Regulatory Commission approves the termination.

(2) TERMINATION AFTER 5 YEARS.—

(A) IN GENERAL.—Except as provided under subparagraph (B), the authority to conduct the pilot program under this section shall terminate 5 years after the date of enactment of this Act.

(B) EXTENSIONS.—

(i) IN GENERAL.—The Postmaster General may extend the authority to conduct the pilot program under this section, if before the date that the authority to conduct the pilot program would otherwise terminate, the Postmaster General submits a notice of extension to Congress that includes—

(I) the term of the extension; and

(II) the reasons that the extension is in the best interests of the public or the Government of the United States.

(ii) MULTIPLE EXTENSIONS.—The Postmaster General may provide for more than 1 extension under this subparagraph.

The PRESIDING OFFICER. The Senator is recognized for 1 minute.

Mr. PAUL. Mr. President, this amendment would allow a pilot program for local postal autonomy. One of the complaints I heard from postmasters when they came to talk to me about this bill is that they think there is a lot of middle management in the Postal Service making unwise decisions, and if they were given more autonomy at the local level to make decisions about their post offices, they would have the ability to have cost-saving measures to try to save the post office for their local community. I think this makes sense. I think we would have more innovation and get some useful ideas from our local postmasters.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I respectfully oppose this amendment. This would actually fracture the U.S. Postal Service as we have known it, as a national institution that maintains national standards, including the promise of universal service wherever one lives or does business, by authorizing localities to break away. I think that in doing so, it would jeopardize the foundation promise our Postal Service made since the beginning of universal service. So I would oppose the amendment.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, this amendment establishes what is essentially a privatization pilot program for the alternative delivery of mail outside of the universal service mandate of the Postal Service. I believe it would create chaos by allowing for inconsistent delivery standards across the country. It would cause cream skimming of profitable delivery areas, and that would harm rural America.

I urge rejection of the amendment.

Mr. PAUL. Mr. President, this amendment doesn't change any of the postal mandates and, to tell my colleagues the truth, the system we have now is not working very well. I think we do need some innovation, so I think it would be a good idea to vote for this amendment.

I ask for the yeas and nays.

The PRESIDING OFFICER (Mr. CARDIN). Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to amendment No. 2028.

The clerk will call the roll.

The bill clerk called the roll.

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

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

The result was announced—yeas 35, nays 64, as follows:

[Rollcall Vote No. 78 Leg.]

YEAS—35

Alexander	Grassley	Moran
Ayotte	Hatch	Paul
Barrasso	Heller	Risch
Burr	Hutchison	Roberts
Chambliss	Inhofe	Rubio
Coats	Johanns	Sessions
Corker	Johnson (WI)	Shelby
Cornyn	Kyl	Thune
Crapo	Lee	Toomey
DeMint	Lugar	Vitter
Enzi	McCain	Wicker
Graham	McConnell	

NAYS—64

Akaka	Franken	Murray
Baucus	Gillibrand	Nelson (NE)
Begich	Hagan	Nelson (FL)
Bennet	Harkin	Portman
Bingaman	Hoeven	Pryor
Blumenthal	Inouye	Reed
Blunt	Isakson	Reid
Boozman	Johnson (SD)	Rockefeller
Boxer	Kerry	Sanders
Brown (MA)	Klobuchar	Schumer
Brown (OH)	Kohl	Shaheen
Cantwell	Landrieu	Snowe
Cardin	Lautenberg	Stabenow
Carper	Leahy	Tester
Casey	Levin	Udall (CO)
Coburn	Lieberman	Udall (NM)
Cochran	Manchin	Warner
Collins	McCaskill	Webb
Conrad	Menendez	Whitehouse
Coons	Merkley	Wyden
Durbin	Mikulski	
Feinstein	Murkowski	

NOT VOTING—1

Kirk

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

Mr. LIEBERMAN. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LIEBERMAN. Mr. President, the next amendment is Senator CARPER's amendment No. 2065.

Mr. CARPER. Mr. President, I ask unanimous consent to withdraw amendment No. 2065.

The PRESIDING OFFICER. The Senator has that right. The amendment has not been proposed.

Mr. LIEBERMAN. I thank my friend from Delaware.

AMENDMENT NO. 2029, AS MODIFIED

Mr. President, we go now to Senator PAUL's amendment No. 2029.

Mr. PAUL. Mr. President, I ask unanimous consent that amendment No. 2029 with the modifications at the desk be reported.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered. The clerk will report the amendment, as modified.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. PAUL] proposes an amendment numbered 2029, as modified.

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

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

The amendment is as follows:

(Purpose: To require the Postal Service to take into consideration the impact of regulations when developing a profitability plan)

On page 136, between lines 14 and 15, insert the following:

(5) the impact of—

(A) regulations the Postmaster General was required by Congress to promulgate; and

(B) congressional action required to facilitate the profitability of the Postal Service;

On page 136, line 15, strike ''(5)'' and insert ''(6)''.

On page 136, line 18, strike ''(6)'' and insert ''(7)''.

The PRESIDING OFFICER. The Senator is recognized for 1 minute.

Mr. PAUL. Mr. President, this amendment would add a technical change to the profitability plan that is already required under the bill, and it would simply ask that when they do the profitability plan, they report on whether Congress is helping or hurting. A lot of times we do things that are well intentioned that may not work out. I think they need to let us know more about whether Congress is helping or hurting the process.

I urge adoption of this amendment.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I support the amendment. The underlying bill requires the Postal Service to send us a detailed plan for attaining long-term financial solvency. This amendment would add several factors to the list of items that should be considered in the report. I think it strengthens the bill, and I urge its adoption by voice vote.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I too support the amendment and urge its adoption.

The PRESIDING OFFICER. If there is no further debate, the question is on the adoption of the amendment.

The amendment (No. 2029), as modified, was agreed to.

Mr. LIEBERMAN. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2066

Mr. LIEBERMAN. Mr. President, next is Senator CARPER's amendment No. 2066.

Mr. CARPER. Mr. President, I call up amendment No. 2066.

The PRESIDING OFFICER (Mr. MERKLEY). The clerk will report.

The legislative clerk read as follows:

The Senator from Delaware [Mr. CARPER] proposes an amendment numbered 2066.

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

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

The amendment is as follows:

(Purpose: To appropriately limit the compensation of executives of the Postal Service)

At the appropriate place, insert the following:

SEC. _____. EXECUTIVE COMPENSATION.

(a) LIMIT ON MAXIMUM COMPENSATION.—

(1) NUMBER OF EXECUTIVES.—Section 3686(c) of title 39, United States Code, is amended in the first sentence by striking ''12 officers'' and inserting ''6 officers''.

(2) INTERIM LIMITATION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), and notwithstanding section 3686(c) of title 39, United States Code, as amended by this Act, for 2012, 2013, 2014, and 2015, the total compensation of an officer or employee of the Postal Service may not exceed the annual amount of basic pay payable for level I of the Executive Schedule under section 5312 of title 5.

(B) PERFORMANCE BASED COMPENSATION RELATING TO SOLVENCY PLAN.—

(i) IN GENERAL.—Any compensation relating to achieving the goals established under the plan under section 401 shall not apply toward the limit on compensation under subparagraph (A).

(ii) OTHER LIMITATIONS APPLY.—Nothing in this subparagraph shall be construed to modify the limitation on compensation under subsections (b) and (c) of section 3686 of title 39, United States Code, as amended by this Act.

(b) CARRY OVER COMPENSATION.—The Postal Service may not pay compensation for service performed during a year (in this subsection referred to as the ''base year'') in any subsequent year if the total amount of compensation provided relating to service during the base year would exceed the amount specified under section 3686(c) of title 39, United States Code, as amended by this Act, or subsection (a)(2), as applicable.

(c) BENEFITS.—Section 1003 of title 39, United States Code, is amended by adding at the end the following:

''(e) LIMITATIONS ON BENEFITS.—For any fiscal year, an officer or employee of the Postal Service who is in a critical senior executive or equivalent position, as designated under section 3686(c), may not receive fringe benefits (within the meaning given that term under section 1005(f)) that are greater than the fringe benefits received by supervisory and other managerial personnel who are not subject to collective-bargaining agreements under chapter 12.''.

(d) EFFECTIVE DATE; APPLICABILITY.—This section and the amendments made by this section shall—

(1) take effect on the date of enactment of this Act; and

(2) apply to any contract entered or modified by the Postal Service on or after the date of enactment of this Act.

Mr. CARPER. Mr. President, some of our colleagues have raised justifiable concerns about the level of compensation that has gone to some of the most senior officials at the U.S. Postal Service. The compensation package for one previous leader of the Postal Service was in excess of $1 million. In a day and age when rank-and-file postal employees are going to be asked to make some sacrifices as labor negotiations go forward, I think it is important for us to remember the concept of leadership by example.

This amendment makes sure that, frankly, deferred compensation packages of the kind I just described do not

occur. We cut in half—from 12 to 6—the number of postal executives who are able to receive compensation in excess of a Cabinet-level salary, but to give the Board of Governors the ability to pay a fee for good progress toward reducing the budget deficit at the Postal Service through pay above that up to about $270,000.

The last thing we say is, the idea that senior executives at the Postal Service do not have to pay anything for health care or do not have to pay anything for their life insurance is wrong and that should end. We do that with this amendment.

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

The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I support the amendment on executive compensation. I believe it addresses this matter in a manner that President Bush 41 might have called prudent. I urge it be adopted by a voice vote.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 2066) was agreed to.

Mr. LIEBERMAN. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2039

Mr. LIEBERMAN. Mr. President, the next amendment is Senator PAUL's amendment No. 2039.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, I call up amendment No. 2039.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. PAUL] proposes an amendment numbered 2039.

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

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

The amendment is as follows:

(Purpose: To prohibit employees of the United States Postal Service from engaging in collective bargaining)

At the end of title I, add the following:

SEC. 107. PROHIBITION ON COLLECTIVE BARGAINING.

(a) IN GENERAL.—Section 1206 of title 39 is amended to read as follows:

"§ 1206. Prohibition on collective-bargaining agreements

"The Postal Service may not enter into a collective-bargaining agreement with any labor organization.".

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Chapter 12 of title 39, United States Code, is amended—

(1) in section 1202—

(A) in the section heading, by striking "**Bargaining units**" and inserting "**Employee organizations**";

(B) by striking the first sentence; and

(C) by striking "The National Labor Relations Board shall not include in any bargaining unit—" and inserting "An organization of employees of the United States Postal Service shall not include—";

(2) in section 1203, by striking subsections (c), (d), and (e);

(3) in section 1204(a), by striking "shall be conducted under the supervision of the National Labor Relations Board, or persons designated by it, and";

(4) in section 1205(a), by striking "not subject to collective-bargaining agreements";

(5) by striking sections 1207, 1208, and 1209; and

(6) in the table of sections—

(A) by striking the item relating to section 1202 and inserting the following:

"1203. Employee organizations."; and

(B) by striking the items relating to sections 1206, 1207, 1208, and 1209 and inserting the following:

"1206. Prohibition on collective-bargaining agreements.".

Mr. PAUL. Mr. President, let's be frank. The Postal Service is bankrupt and only dramatic action will fix the Postal Service. The problem is labor costs. Eighty percent of the Postal Service's costs are labor. If we look at UPS, it is about 50 percent. If we look at FedEx, it is about 38 percent. Before we close one post office, before we end Saturday mail, before we ask citizens to get poorer services for higher prices, maybe we ought to look at the root of the problem.

Even FDR—the biggest of the big government advocates—said this about collective bargaining:

All Government employees should realize that the process of collective bargaining, as usually understood, cannot be transplanted into the public service.

So agreeing with FDR, I hope my colleagues from across the aisle will agree with their patron saint FDR and will support this amendment that would end collective bargaining.

In the interest of time, I will be happy to have a voice vote.

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

The Senator from Maine.

Ms. COLLINS. Mr. President, this amendment would strip from the postal workers the right to collectively bargain. This is an enormous change in labor law. Postal workers have had the right to engage in collective bargaining for more than 30 years. We did make changes in this bill in the arbitration process. We made sure if a contract dispute goes to arbitration, the arbitrator has to consider the financial condition of the Postal Service. That will help bring balance into the system. But there is no justification for completely removing the right of workers to collectively bargain.

I urge we reject the amendment.

The PRESIDING OFFICER. All time has expired.

The question is on agreeing to amendment No. 2039.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

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

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

The result was announced—yeas 23, nays 76, as follows:

[Rollcall Vote No. 79 Leg.]

YEAS—23

Barrasso	Graham	Paul
Burr	Hatch	Risch
Chambliss	Heller	Sessions
Corker	Inhofe	Shelby
Cornyn	Kyl	Thune
Crapo	Lee	Toomey
DeMint	McCain	Vitter
Enzi	McConnell	

NAYS—76

Akaka	Gillibrand	Murkowski
Alexander	Grassley	Murray
Ayotte	Hagan	Nelson (NE)
Baucus	Harkin	Nelson (FL)
Begich	Hoeven	Portman
Bennet	Hutchison	Pryor
Bingaman	Inouye	Reed
Blumenthal	Isakson	Reid
Blunt	Johanns	Roberts
Boozman	Johnson (SD)	Rockefeller
Boxer	Johnson (WI)	Rubio
Brown (MA)	Kerry	Sanders
Brown (OH)	Klobuchar	Schumer
Cantwell	Kohl	Shaheen
Cardin	Landrieu	Snowe
Carper	Lautenberg	Stabenow
Casey	Leahy	Tester
Coats	Levin	Udall (CO)
Coburn	Lieberman	Udall (NM)
Cochran	Lugar	Warner
Collins	Manchin	Webb
Conrad	McCaskill	Whitehouse
Coons	Menendez	Wicker
Durbin	Merkley	Wyden
Feinstein	Mikulski	
Franken	Moran	

NOT VOTING—1

Kirk

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

Mr. LIEBERMAN. Mr. President, I move to reconsider the vote and lay that motion upon the table.

The motion to lay upon the table was agreed to.

Mr. LIEBERMAN. Mr. President, next on our list—we are moving well; I thank my colleagues—is Senator CASEY's amendment No. 2042.

AMENDMENT NO. 2042

Mr. CASEY. Mr. President, I rise to speak on amendment No. 2042. This is really an amendment that maintains standards that we have had a right to expect and have expected for many generations; that is, the standard of service that the Postal Service has come to be known for.

I call up amendment No. 2042.

The PRESIDING OFFICER. The clerk will report the amendment.

The Senator from Pennsylvania [Mr. CASEY] proposes an amendment numbered 2042.

The amendment is as follows:

(Purpose: To maintain current delivery time for market-dominant products)

At the appropriate place, insert the following:

SEC. ____. MAINTENANCE OF DELIVERY SERVICE STANDARDS.

(a) IN GENERAL.—

(1) DEFINITION.—In this subsection, the term "2011 market-dominant product service standards" means the expected delivery time for market-dominant products entered into

the network of sectional center facilities that existed on September 15, 2011, under part 121 of title 39, Code of Federal Regulations (as in effect on March 14, 2010).

(2) MAINTENANCE OF DELIVERY TIME.—Notwithstanding subsections (a), (b), and (c) of section 3691 of title 39, United States Code, the Postal Service may not increase the expected delivery time for market-dominant products, relative to the 2011 market-dominant product service standards, earlier than the date that is 4 years after the date of enactment of this Act.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) POSTAL FACILITIES.—Section 404(f) of title 39, United States Code, as added by this Act, is amended—

(A) in paragraph (6)(C)—

(i) by striking ''3-year period'' and inserting ''4-year period''; and

(ii) by striking ''section 201 of''; and

(B) in paragraph (7)—

(i) in subparagraph (A), by striking '', including the service standards established under section 201 of the 21st Century Postal Service Act of 2012''; and

(ii) in subparagraph (B), by striking '', including the service standards established under section 201 of the 21st Century Postal Service Act of 2012,''.

(2) DEFINITION.—For purposes of section 206(a)(2), the term ''continental United States'' means the 48 contiguous States and the District of Columbia.

(3) SECTION 201.—Section 201 of this Act shall have no force or effect.

Mr. CASEY. Mr. President, this is about the standard of service that we have come to expect from the Postal Service for many generations. I realize a lot of work has gone into this consensus that has developed. We know we need to make changes to the Postal Service. But one thing we should not change or downgrade or compromise or degrade in any way is the standard of service.

I think what we should do is have a 4-year moratorium on the implementation that would lead to changes because there will be a lot of changes made in the next couple of years upon enactment. What we should not do, though, is move too quickly to change the standard of service that people have had a right to rely upon.

I would ask for a ''yes'' vote on this amendment. I should note for the record the cosponsors: Senators BROWN of Ohio, Senator SANDERS, Senator BAUCUS, Senator LEAHY, Senator MCCASKILL, Senator SHAHEEN, Senator MERKLEY, and Senator MENENDEZ.

I would ask for a ''yes'' vote.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I rise to oppose the amendment by my friend from Pennsylvania. Everybody acknowledges that the Postal Service is in crisis, losing $23 million a day. Mail volume has dropped 21 percent in the last 5 years. That means everybody—we simply cannot afford every mail processing facility that exists because there is not that much mail anymore.

The Postal Service will only survive if we change it. Our bill allows for orderly change. This amendment would basically maintain the status quo for 4 years. I think doing so is a kind of invitation to the Postal Service to go into bankruptcy. Our country cannot afford that. So, respectfully, I would oppose the amendment.

The PRESIDING OFFICER. All time has expired. The question is on agreeing to Casey amendment No. 2042.

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

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

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from North Dakota (Mr. CONRAD) is necessarily absent.

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

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

The result was announced—yeas 44, nays 54, as follows:

[Rollcall Vote No. 80 Leg.]

YEAS—44

Akaka	Inouye	Pryor
Baucus	Johnson (SD)	Reed
Begich	Kerry	Rockefeller
Bennet	Klobuchar	Sanders
Blumenthal	Kohl	Schumer
Boxer	Lautenberg	Shaheen
Brown (OH)	Leahy	Snowe
Cantwell	Levin	Stabenow
Cardin	Manchin	Tester
Casey	McCaskill	Udall (CO)
Durbin	Menendez	Udall (NM)
Franken	Merkley	Webb
Gillibrand	Mikulski	Whitehouse
Harkin	Murray	Wyden
Heller	Nelson (NE)	

NAYS—54

Alexander	DeMint	McCain
Ayotte	Enzi	McConnell
Barrasso	Feinstein	Moran
Bingaman	Graham	Murkowski
Blunt	Grassley	Nelson (FL)
Boozman	Hagan	Paul
Brown (MA)	Hatch	Portman
Burr	Hoeven	Reid
Carper	Hutchison	Risch
Chambliss	Inhofe	Roberts
Coats	Isakson	Rubio
Coburn	Johanns	Sessions
Cochran	Johnson (WI)	Shelby
Collins	Kyl	Thune
Coons	Landrieu	Toomey
Corker	Lee	Vitter
Cornyn	Lieberman	Warner
Crapo	Lugar	Wicker

NOT VOTING—2

Conrad	Kirk

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

Mr. LIEBERMAN. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LIEBERMAN. The next amendment is Senator PAUL's amendment No. 2038. He has asked that I withdraw from the list that amendment on his behalf.

The PRESIDING OFFICER. The amendment is withdrawn.

AMENDMENT NO. 2072

Mr. LIEBERMAN. Next is Senator LANDRIEU's amendment No. 2072.

Ms. LANDRIEU. Mr. President, I call up amendment No. 2072.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Louisiana [Ms. LANDRIEU] proposes an amendment numbered 2072.

Ms. LANDRIEU. I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To determine the impact of certain postal facility closures or consolidations on small businesses)

On page 32, line 15, insert ''(F) the effect of the closing or consolidation on small businesses in the area, including shipping and communications with customers and suppliers and the corresponding impact on revenues, operations, and growth; and'', and strike ''(F)'' and insert ''(G)'' before the clause that follows.

On page 41, line 11, insert ''(ii) the effect of the closing or consolidation on small businesses in the area, including shipping and communications with customers and suppliers and the corresponding impact on revenues, operations, and growth; and'', and strike ''(ii)'' and insert ''(iii)'' before the clause that follows.

On page 53, line 1, strike ''customers and communities'' and insert ''customers, communities, and small businesses''.

On page 57, line 3, strike ''customers and communities'' and insert ''customers, communities, and small businesses''.

The PRESIDING OFFICER. There will be 2 minutes of debate, equally divided.

Ms. LANDRIEU. I thank the Chair.

I rise in support of this amendment, offered on behalf of myself and my colleagues, Senators SNOWE, STABENOW, and SHAHEEN.

We are very concerned that the Postal Service has not looked carefully enough at the impact some of its decisions might have on small businesses that rely on their operations. So all this amendment says—and I understand there is no opposition, so we might be able to take it by voice vote—is that included in the studies the Postal Service is going to do to analyze their way forward, they must consider the impact on small businesses they serve. As you know, in some areas, particularly rural areas, this is an arm of the small business, and we can't have that arm chopped off.

So that is the amendment. I don't believe there is any opposition, and if the managers would accept this by voice vote, we could save some time.

Mr. LIEBERMAN. Mr. President, I thank Senator LANDRIEU for proposing this amendment. I support it enthusiastically. It will strengthen the protections regarding the closing of processing facilities, and it requires the Postal Service to take into account the impact of any potential closing or consolidation on small businesses.

This amendment reminds us how many people and how many businesses, including particularly small businesses, across America depend on the

U.S. Postal Service and why it is so important for us to change it to save it. So I thank my friend from Louisiana for proposing this amendment.

I urge adoption of this amendment by voice vote.

The PRESIDING OFFICER. All time has expired. The question is on agreeing to the amendment.

The amendment (No. 2072) was agreed to.

Mr. LIEBERMAN. I move to reconsider the vote and to lay that motion on the table.

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

Mr. LIEBERMAN. Next is Senator DEMINT's amendment No. 2046.

AMENDMENT NO. 2046

Mr. DEMINT. Mr. President, I call up amendment No. 2046.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from South Carolina [Mr. DEMINT] proposes an amendment numbered 2046.

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

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

The amendment is as follows:

(Purpose: To provide protections for postal workers with respect to their right not to subsidize union nonrepresentational activities)

At the appropriate place, insert the following:

SEC. ___. PAYCHECK PROTECTION.

(a) SHORT TITLE.—The section may be cites as the ''Paycheck Protection Act''.

(b) RIGHT NOT TO SUBSIDIZE UNION NONREPRESENTATIONAL ACTIVITIES.—Chapter 12 of title 39, United States Code, is amended by adding at the end the following:

''SEC. 1210. RIGHT NOT TO SUBSIDIZE UNION NONREPRESENTATIONAL ACTIVITIES.

''No Postal Service employee's labor organization dues, fees, or assessments or other contributions shall be used or contributed to any person, organization, or entity for any purpose not directly germane to the labor organization's collective bargaining or contract administration functions unless the member, or nonmember required to make such payments as a condition of employment, authorizes such expenditure in writing, after a notice period of not less than 35 days. An initial authorization provided by an employee under the preceding sentence shall expire not later than 1 year after the date on which such authorization is signed by the employee. There shall be no automatic renewal of an authorization under this section.''.

The PRESIDING OFFICER. There will now be 2 minutes of debate.

Mr. DEMINT. Mr. President, this amendment is the Paycheck Protection Act, and it protects the first amendment rights of postal workers by requiring postal labor unions to obtain prior approval from their workers before they spend their dues money on behalf of political parties, political candidates or other political advocacy.

Unions are the only organizations in many States that cannot only force people to join but forcibly use their dues for political purposes without the permission of the members. Sixty percent of union members object to their dues being spent for political purposes without their permission.

This amendment protects their right to have their dues used in the way they intend them to be used. So I encourage my colleagues to support this freedom, this protection of constitutional rights. It is consistent with the Supreme Court ruling in Communications Workers v. Beck.

I reserve the remainder of my time.

Mr. LIEBERMAN. Mr. President, I oppose this amendment. It is taking a bill that has the urgent purpose of saving the U.S. Postal Service—changing it to save it—and bringing in a matter of internal labor union business.

The fact is no postal employee is forced to join a union, but once one does, the union leadership can guide the policy positions the union supports through the democratic processes within the union. No postal employee himself or herself is forced to involuntarily support the advocacy or political activities of a union. That is their choice—whether to join it. But once they do, their leadership has the right to participate in a political process.

I urge my colleagues to vote against this amendment.

The PRESIDING OFFICER. All time has expired.

Mr. DEMINT. Mr. President, I yield the remainder of my time to Senator COLLINS.

The PRESIDING OFFICER. All time has expired.

Mr. DEMINT. I ask unanimous consent that Senator COLLINS be given 30 seconds to explain her position.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Ms. COLLINS. I thank the Chair.

Mr. President, I urge support of Senator DEMINT's amendment. It protects the first amendment rights of postal workers by requiring that unions obtain prior approval from workers before spending their dues on political purposes.

I think this is probably the one and only amendment where I will diverge with my chairman, but I do urge support of Senator DEMINT's amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

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

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

The result was announced—yeas 46, nays 53, as follows:

[Rollcall Vote No. 81 Leg.]

YEAS—46

Alexander	Enzi	Moran
Ayotte	Graham	Murkowski
Barrasso	Grassley	Paul
Blunt	Hatch	Portman
Boozman	Heller	Risch
Brown (MA)	Hoeven	Roberts
Burr	Hutchison	Rubio
Chambliss	Inhofe	Sessions
Coats	Isakson	Shelby
Coburn	Johanns	Snowe
Cochran	Johnson (WI)	Thune
Collins	Kyl	Toomey
Corker	Lee	Vitter
Cornyn	Lugar	Wicker
Crapo	McCain	
DeMint	McConnell	

NAYS—53

Akaka	Hagan	Nelson (NE)
Baucus	Harkin	Nelson (FL)
Begich	Inouye	Pryor
Bennet	Johnson (SD)	Reed
Bingaman	Kerry	Reid
Blumenthal	Klobuchar	Rockefeller
Boxer	Kohl	Sanders
Brown (OH)	Landrieu	Schumer
Cantwell	Lautenberg	Shaheen
Cardin	Leahy	Stabenow
Carper	Levin	Tester
Casey	Lieberman	Udall (CO)
Conrad	Manchin	Udall (NM)
Coons	McCaskill	Warner
Durbin	Menendez	Webb
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden
Gillibrand	Murray	

NOT VOTING—1

Kirk

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

The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, I move to reconsider the vote and to lay that motion on the table.

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

Mr. LIEBERMAN. Madam President, next we have Senator MCCASKILL's amendment No. 2030.

AMENDMENT NO. 2030

The PRESIDING OFFICER. The Senator from Missouri.

Mrs. MCCASKILL. Madam President, I call up my amendment No. 2030.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Missouri [Mrs. MCCASKILL] proposes an amendment numbered 2030.

Mrs. MCCASKILL. I ask unanimous consent that further reading be dispensed with.

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

(The amendment is printed in the RECORD of Tuesday, April 17, 2012, under ''Text of Amendments.'')

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided prior to a vote on amendment No. 2030, offered by the Senator from Missouri.

Mrs. MCCASKILL. Madam President, S. 89 makes significant changes to the Federal Employees Compensation Act, FECA, which I support. The changes seek to reduce overspending in the program. But this is an amendment that will allow a couple of considerations that I think are important to include.

The amendment, along with other things, would improve upon the current program by providing those injured while deployed in armed conflict additional time to file a claim for FECA benefits and to ensure that deployed employees injured in a terrorist attack overseas while off-duty would receive the FECA benefits. It also creates an exemption for hardship if someone would be eligible for food stamps if their benefits are decreased even further.

These provisions are similar to the FECA reform legislation, H. Res. 2465, that has already passed the House of Representatives, and I ask for the consideration of the body of this amendment.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Ms. COLLINS. Madam President, first let me commend the Senator from Missouri for this amendment.

It does make a great deal of sense to have the hardship exemption and to give more time for individuals who are injured in war zones and longer deadlines for the paperwork for those individuals who might have trouble submitting the paperwork from a war zone. We are talking about civilian employees who are deployed there. This amendment makes a great deal of sense, and I urge that it be accepted by a voice vote.

The PRESIDING OFFICER. All time has expired.

The question is on agreeing to the amendment.

The amendment (No. 2039) was agreed to.

Mr. LIEBERMAN. Madam President, I move to reconsider the vote and to lay that motion on the table.

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

AMENDMENT NO. 2036

Mr. LIEBERMAN. Madam President, we will go to Senator PRYOR's amendment No. 2036.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. PRYOR. Madam President, I ask that we go to amendment No. 2036.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Arkansas [Mr. PRYOR], for himself and Mr. BEGICH, proposes an amendment numbered 2036.

The amendment is as follows:

(Purpose: To express the sense of the Senate with respect to the closing and consolidation of postal facilities and post offices)

At the appropriate place, insert the following:

SEC. ___. SENSE OF THE SENATE.

It is the sense of the Senate that the Postal Service should not close or consolidate any postal facility (as defined in section 404(f) of title 39, United States Code, as added by this Act) or post office before the date of enactment of this Act.

Mr. PRYOR. Madam President, this, hopefully, will be a noncontroversial amendment.

Basically, it is a sense of the Senate that the Postal Service should not close any postal facilities or post offices until enactment of this postal reform bill.

So this is a sense of the Senate. The idea is we don't know exactly when the House is going to pass their bill, if they ever do. But we will have a sense of the Senate on the record.

The Postal Service's self-imposed moratorium expires May 15. Hopefully, this will give them time to extend this until a bill is passed. If this bill does pass—and I hope it does—this is a major reset for the Postal Service, and I hope much of the rationale for closing these offices goes away with the passage of this bill.

Madam President, I would love to have a voice vote on this, if that is possible.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, I thank my friend from Arkansas. This is a good amendment, and I support it wholeheartedly and move its adoption by voice vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2036) was agreed to.

Mr. LIEBERMAN. Madam President, I move to reconsider the vote and to lay that motion on the table.

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

AMENDMENT NO. 2073, AS MODIFIED

Mr. LIEBERMAN. We will now go to Senator ROCKEFELLER's amendment No. 2073.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. ROCKEFELLER. I call up my amendment No. 2073, and ask unanimous consent that it be modified with the changes that are at the desk.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from West Virginia [Mr. ROCKEFELLER] proposes an amendment numbered 2073, as modified.

Mr. ROCKEFELLER. Madam President, I ask unanimous consent that further reading be dispensed with.

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

The amendment is as follows:

Beginning on page 16, strike line 8 and all that follows through page 23, line 6, and insert the following:

SEC. 105. MEDICARE EDUCATIONAL PROGRAM FOR POSTAL SERVICE EMPLOYEES AND RETIREES.

(a) EDUCATIONAL PROGRAM.—The Postmaster General, in consultation with the Director of the Office of Personnel Management and the Administrator of the Centers for Medicare & Medicaid Services, shall develop an educational program for Postal Service employees and annuitants who may be eligible to enroll in the Medicare program for hospital insurance benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395c et seq.) (commonly known as ''Medicare Part A'') and the Medicare program for supplementary medical insurance benefits under part B of title XVIII of the Social Security Act (42 U.S.C. 1395j et seq.) (commonly known as ''Medicare Part B''), the objective of which shall be to educate employees and annuitants on how Medicare benefits interact with and can supplement the benefits of the employee or annuitant under the Federal Employees Health Benefit Program.

(b) RULE OF CONSTRUCTION.—Nothing in this section may be construed to authorize the Postal Service to require a Postal Service employee or annuitant (as defined in subsection (c)) to enroll in Medicare.

(c) DEFINITION OF POSTAL SERVICE EMPLOYEE OR ANNUITANT.—In this section, the term ''Postal Service employee or annuitant'' means an individual who is—

(1) an employee of the Postal Service; or

(2) an annuitant covered under chapter 89 of title 5, United States Code, whose Government contribution is paid by the Postal Service under section 8906(g)(2) of such title.

Mr. ROCKEFELLER. Madam President, as modified, this amendment would simply eliminate a very problematic provision in the underlying bill, provision section 105, but it has a very bad effect, and this would clear that up. It would shift onto Medicare and raise premiums for current postal workers and retirees in some cases by as much as 35 percent. There is more to it, but that is the bulk of it. So I would hope that it would be passed.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, I thank the Senator from West Virginia.

Some questions were raised about parts of the bill relating to accessibility to Medicare by postal employees. I think there has been a good meeting of the minds with this modification. I support the amendment as modified and urge its adoption by voice vote.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2073, as modified.

Amendment (No. 2073), as modified, was agreed to.

Mr. LIEBERMAN. Madam President, I move to reconsider the vote and to lay that motion on the table.

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

Mr. LIEBERMAN. Before we get to Senator ROCKEFELLER's second amendment, Senator COBURN has asked me to withdraw amendment No. 2059 on his behalf. I thank him for that.

AMENDMENT NO. 2074

We will now go to Senator ROCKEFELLER's amendment No. 2074.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

AMENDMENT NO. 2074, AS MODIFIED

Mr. ROCKEFELLER. Madam President, I call up my amendment No. 2074 and ask unanimous consent that it be modified with the changes that are at the desk.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from West Virginia [Mr. ROCKEFELLER] proposes amendment numbered 2074, as modified.

Mr. ROCKEFELLER. Madam President, I ask unanimous consent that further reading be dispensed with.

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

The amendment is as follows:

(Purpose: To improve the Postal Service Health Benefits Program).

On page 12, strike line 18 and all that follows through page 16, line 7, and insert the following:

SEC. 104. POSTAL SERVICE HEALTH BENEFITS PROGRAM.

(a) DEFINITIONS.—In this section—

(1) the term ''covered employee'' means an officer or employee of the Postal Service who is—

(A) represented by a bargaining representative recognized under section 1203 of title 39, United States Code; or

(B) a member of the Postal Career Executive Service;

(2) the term ''Federal Employee Health Benefits Program'' means the health benefits program under chapter 89 of title 5, United States Code;

(3) the term ''participants'' means—

(A) covered employees; and

(B) officers and employees of the Postal Service who are not covered employees and who elect to participate in the Postal Service Health Benefits Program; and

(4) the term ''Postal Service Health Benefits Program'' means the health benefits program that may be agreed to under subsection (b)(1).

(b) COLLECTIVE BARGAINING.—

(1) IN GENERAL.—Consistent with section 1005(f) of title 39, United States Code, the Postal Service may negotiate jointly with all bargaining representatives recognized under section 1203 of title 39, United States Code, and enter into a joint collective bargaining agreement with those bargaining representatives to establish the Postal Service Health Benefits Program that satisfies the conditions under subsection (c). The Postal Service and the bargaining representatives shall negotiate in consultation with the Director of the Office of Personnel Management.

(2) CONSULTATION WITH SUPERVISORY AND MANAGERIAL PERSONNEL.—In the course of negotiations under paragraph (1), the Postal Service shall consult with each of the organizations of supervisory and other managerial personnel that are recognized under section 1004 of title 39, United States Code, concerning the views of the personnel represented by each of those organizations.

(3) ARBITRATION LIMITATION.—Notwithstanding chapter 12 of title 39, United States Code, there shall not be arbitration of any dispute in the negotiations under this subsection.

(4) TIME LIMITATION.—The authority under this subsection shall extend until September 30, 2012.

(c) POSTAL SERVICE HEALTH BENEFITS PROGRAM.—The Postal Service Health Benefits Program—

(1) shall—

(A) be available for participation by all covered employees;

(B) be available for participation by any officer or employee of the Postal Service who is not a covered employee, at the option solely of that officer or employee;

(C) provide coverage that is actuarially equivalent to the types of plans available under the Federal Employee Health Benefits Program, as determined by the Director of the Office of Personnel Management;

(D) be administered in a manner determined in a joint agreement reached under subsection (b); and

(E) provide for transition of coverage under the Federal Employee Health Benefits Program of all participants to coverage under the Postal Service Health Benefits Program on January 1, 2013;

(2) may provide dental benefits; and

(3) may provide vision benefits.

(d) AGREEMENT AND IMPLEMENTATION.—If a joint agreement is reached under subsection (b)—

(1) the Postal Service shall implement the Postal Service Health Benefits Program;

(2) the Postal Service Health Benefits Program shall constitute an agreement between the collective bargaining representatives and the Postal Service for purposes of section 1005(f) of title 39, United States Code; and

(3) participants may not participate as employees in the Federal Employees Health Benefits Program.

(e) GOVERNMENT PLAN.—The Postal Service Health Benefits Program shall be a government plan as that term is defined under section 3(32) of Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(32)).

(f) REPORT.—Not later than June 30, 2013, the Postal Service shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives that—

(1) reports on the implementation of this section; and

(2) requests any additional statutory authority that the Postal Service determines is necessary to carry out the purposes of this section.

(g) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as an endorsement by Congress for withdrawing officers and employees of the Postal Service from the Federal Employee Health Benefits Program.

Mr. LIEBERMAN. Madam President, I support the amendment, as modified, and urge its adoption by voice vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified.

Amendment (No. 2074), as modified, was agreed to.

AMENDMENT NO. 2050

Mr. LIEBERMAN. Madam President, next on the list is Senator SCHUMER's amendment No. 2050.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. SCHUMER. I call up my amendment No. 2050.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] proposes an amendment numbered 2050.

Mr. SCHUMER. I ask unanimous consent further reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To maintain all current door delivery point services)

On page 48, strike line 3 and all that follows through the end of the matter between lines 5 and 6 on page 52.

Mr. SCHUMER. Madam President, there are more than 35 million households and businesses that receive door delivery in every State across the country. As originally written, the postal reform bill would have pushed the Postal Service to stop delivering mail to individual doors and mailboxes. Instead, the Postal Service would install apartment complex style group boxes, where all the mail for a given street or neighborhood would be delivered to the boxes that were grouped together in one place. Rather than have mail delivered to their mailbox or door, homeowners could have been forced to travel further from their home simply to pick up the mail. My amendment simply preserves the same door delivery only for customers who already receive it. In other words, not for new complexes. But for existing houses, they should keep the delivery the way it is.

What some people may not know is the Postal Service already has the authority to eliminate door delivery, but the Postal Service has not mandated such a change because they know how unpopular it would be. By removing the door delivery provisions from this bill we can ensure the Postal Service will continue to provide the door delivery service our constituents expect and rely upon.

I urge my colleagues to support the amendment.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, I urge the adoption of the amendment by voice vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2050) was agreed to.

Mr. LIEBERMAN. Madam President, I move reconsideration and ask the motion be laid on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2071, AS MODIFIED

Mr. LIEBERMAN. Next will be Senator TESTER, amendment No. 2032. Senator TESTER is not on the floor right now. I know we were building up to Senator WARNER's amendment as the last amendment, but this may now be the second-to-last amendment. Next we will have Senator WARNER No. 2071.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WARNER. Madam President, I ask to call up amendment No. 2071. There is an agreed-upon substitute text at the desk.

The PRESIDING OFFICER. The amendment is pending.

Mr. WARNER. I thank Chairman LIEBERMAN and Senator COLLINS for their help on this amendment. It is a simple amendment. One of the goals of this process is to encourage retirement expected for 100,000 members of the Postal Service. Unfortunately, now OPM has an over 50,000-person backlog of retirement claims. This is unacceptable. We still have a paper processing process. This amendment would require the

Postal Service to report on a regular basis, as well as OPM, on the status of these retirement processing claims and hopefully speed up this process and also compare it to the forms of other agencies. This is completely unacceptable to folks who are retiring, waiting sometimes up to a full year to get their retirement benefits. I thank the chairman and the ranking member and ask for acceptance of the amendment.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Ms. COLLINS. Madam President, I support this amendment. There is an inexcusable backlog at OPM in processing the application for retirement benefits. It has caused real hardships for some retired Federal employees and postal employees. This bill will obviously increase the number of postal employees who will be seeking retirement benefits so I think it is important we have the kind of reporting the Senator from Virginia has proposed.

I urge acceptance of the amendment. I urge it be accepted by the voice vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified.

The amendment (No. 2071), as modified, was agreed to.

Mr. LIEBERMAN. Madam President, I move for reconsideration and ask the motion be placed on the table.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2032

Mr. LIEBERMAN. The excitement builds now as we move to the last amendment. Senator TESTER has amendment No. 2032.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. TESTER. Madam President, I call up amendment No. 2032.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Montana [Mr. TESTER], for himself and Mr. PRYOR, proposes an amendment numbered 2032.

Mr. TESTER. Madam President, I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To appropriately limit the pay of Postal Service executives)

At the appropriate place, insert the following:

SEC. _____. EXECUTIVE COMPENSATION.

(a) LIMITATIONS ON COMPENSATION.—Section 1003 of title 39, United States Code, is amended—

(1) in subsection (a), by striking the last sentence; and

(2) by adding at the end the following:

''(e) LIMITATIONS ON COMPENSATION.—

''(1) RATES OF BASIC PAY.—

''(A) IN GENERAL.—Subject to subparagraph (B), an officer or employee of the Postal Service may not be paid at a rate of basic pay that exceeds the rate of basic pay for level II of the Executive Schedule under section 5313 of title 5.

''(B) VERY SENIOR EXECUTIVES.—Not more than 6 officers or employees of the Postal Service that are in very senior executive positions, as determined by the Board of Governors, may be paid at a rate of basic pay that does not exceed the rate of basic pay for level I of the Executive Schedule under section 5312 of title 5.

''(2) BENEFITS.—For any fiscal year, an officer or employee of the Postal Service who is in a critical senior executive or equivalent position, as designated under section 3686(c), may not receive fringe benefits (within the meaning given that term under section 1005(f)) that are greater than the fringe benefits received by supervisory and other managerial personnel who are not subject to collective-bargaining agreements under chapter 12.''.

(b) LIMITATION ON BONUS AUTHORITY.—Section 3686 of title 39, United States Code, is amended—

(1) in subsection (a), by striking ''The Postal Service'' and inserting ''Subject to subsection (f), the Postal Service''; and

(2) by adding at the end the following:

''(f) LIMITATION ON BONUS AUTHORITY.—

''(1) DEFINITION.—In this subsection, the term 'covered year' means the fiscal year following a fiscal year relating to which the Office of Management and Budget determines the Postal Service has not implemented the measures needed to achieve long-term solvency, as defined in section 208(e) of the 21st Century Postal Service Act of 2012.

''(2) LIMITATION.—The Postal Service may not provide a bonus or other reward under this section to an officer or employee of the Postal service in a critical senior executive or equivalent position, as designated under subsection (c), during a covered year.''.

(c) EFFECTIVE DATE; APPLICABILITY.—The amendments made by subsections (a) and (b) shall—

(1) take effect on the date of enactment of this Act; and

(2) apply to any contract entered or modified by the Postal Service on or after the date of enactment of this Act.

(d) SUNSET.—Effective 2 years after the date of enactment of this Act—

(1) section 1003 of title 39, United States Code, is amended—

(A) in subsection (a), by adding at the end the following: ''No officer or employee shall be paid compensation at a rate in excess of the rate for level I of the Executive Schedule under section 5312 of title 5.''; and

(B) by striking subsection (e); and

(2) section 3686 of title 39, United States Code, is amended—

(A) in subsection (a), by striking ''Subject to subsection (f), the Postal Service'' and inserting ''The Postal Service''; and

(B) by striking subsection (f).

Mr. TESTER. Madam President, this amendment is pretty simple. I thank Senator PRYOR for joining me on it. It basically is an amendment that reduces compensation for the senior executives at the Postal Service. It limits the six most senior Postal Service employees to a base salary no more than we pay our Cabinet Secretary, which is just a skosh under $200,000. There are going to be some changes in the Postal Service. Some of these cuts are going to take place at the lower end, some in the middle management, some at the upper end.

To be fair, everybody needs to feel the pain and besides that, to be right fair, the Postmaster is an important job but so is the Secretary of Defense, Secretary of State, and others. I don't think we should be paying him more than what we do our Cabinet Secretaries. After all, the Postal Service is public service. I ask Senators' concurrence on the amendment.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, I thank my friend from Montana for his amendment. He explained it well and I urge its adoption by voice vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2032) was agreed to.

Mr. LIEBERMAN. Madam President, I move for reconsideration and ask that motion be laid on the table.

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

The motion to lay on the table was agreed to.

Mr. LIEBERMAN. Madam President, colleagues, we have completed all the amendments on the bill and we are ready to vote on final passage.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Madam President, the power of Congress to establish post offices is enshrined in our Constitution, and the U.S. Postal Service has been a valued institution since the earliest days of our Republic. Today, the Postal Service accounts for millions of jobs nationwide. It is essential that we have a viable and effective Postal Service in the long term. Unfortunately, the Postal Service is currently facing critical financial challenges that have been brought on by a number of factors, including the movement to electronic forms of communication. This situation requires immediate attention of Congress.

The bill we are voting on today, the 21st Century Postal Service Act, is not perfect. I am particularly disappointed that the Senate did not agree to an amendment that I supported that would have preserved 6-day delivery, and I am concerned that a permanent switch to 5-day delivery could lead to the further erosion of jobs and the undermining of the Postal Service. However, it is clear that we cannot afford to do nothing. Congressional inaction, coupled with the extreme measures being pushed by the Postal Service's leadership, will result in drastic changes that would seriously undermine our Nation's mail system, beginning with the closure of a number of post offices and mail processing facilities across the country. I am concerned that the changes sought by the Postal Service's leadership will severely undermine the Postal Service's long-term viability and threaten thousands of good jobs. We cannot allow that to happen.

The 21st Century Postal Service Act includes a number of important provisions designed to put the Postal Service back on solid footing. It will allow for the refunding of overpayments by the Postal Service to the Federal Employees Retirement System and ease

the prefunding requirement for the Postal Service's retiree health benefits. It also strengthens the review process for closing post offices and facilities and encourages innovation by the Postal Service to improve its business model with the goal of returning to profitability.

I am also concerned that the version of postal reform legislation that is eventually passed by the House of Representatives could prove to be very damaging. When the Senate considers the final version of postal reform legislation that is negotiated by the two Chambers, I will carefully consider the changes that have been made before lending my support to its passage.

Ms. SNOWE. Madam President, I rise support of my amendment, which has been modified in consultation with the managers of the Postal Reform bill, S. 1789. I am very pleased that both Chairman LIEBERMAN and Ranking Minority Member COLLINS have agreed to accept my amendment to further strengthen the segment of the bill governing proposed consolidations for the Postal Service's processing and distribution facilities.

With my amendment as part of the underlying bill, the Postal Regulatory Commission, PRC, will now independently verify the Postal Service's methodology and estimated costs savings from proposed plant consolidations. In other words, starting with those facilities currently under review, the Postal Service will no longer have unchecked authority to close or consolidate these important facilities.

The Postal Service has unfortunately proven itself unable to make these decisions, many of which have far-reaching implications for the quality of service of postal customers, without proper oversight, fact-checking and third-party verification.

As part of a major restructuring of the Postal Service's mail delivery infrastructure, Postmaster General Donahue proposed closing and consolidating 232 mail processing and distribution facilities across the United States. Unfortunately for the people of Maine, his proposal included the consolidation of the Eastern Maine Processing and Distribution Facility in Hampden into the Southern Maine Processing and Distribution Facility located in Scarborough.

This was a fundamentally flawed proposal from its inception. The Eastern Maine Processing and Distribution Facility, located approximately 144 miles away from Maine's other mail processing facility in Scarborough, ME, currently processes mail destined for eastern, western, and northern Maine. Without this facility, mail service to communities, families, the elderly, and businesses throughout most of Maine would be severely delayed.

I strongly opposed this proposed consolidation from the beginning. In December, I visited the facility and met with the plant's manager and employees. During the visit, I conveyed my strenuous opposition to the plan and questioned the ability of the Postal Service to save money by shifting jobs from Hampden to Scarborough.

As part of its consolidation process, the Postal Service holds public meetings in communities facing the loss of a Processing and Distribution facility. For Hampden, the Postal Service held a public meeting on January 11 2012, which I attended, along with approximately 300 other Mainers, all of whom opposed the Postal Service's recommendation.

In advance of the public meeting, my staff carefully reviewed the Postal Service's Area Mail Processing—AMP—report, which contained the estimated cost savings for consolidating the Hampden facility. In reviewing the AMP report, we discovered a very large mathematical error.

The Postal Service originally claimed that eliminating two white collar management positions at the plant would save almost $800,000. When my office started asking questions about this, the Postal Service backtracked to claiming that eliminating these jobs would save only $120,000 in advance of its public meeting.

Shockingly enough, the Postal Service's final AMP report which was released in February retained the obviously mistaken claim that eliminating these two positions saved almost $800,000. In all, the Postal Service has resumed mistakenly claiming almost 400 percent more in savings than would be accurate.

Under my amendment, if a local community is opposing a proposed consolidation, it can appear that recommendation to the Postal Regulatory Commission—PRC—which will be able to independently review the Postal Service's methodology and estimated cost savings to guard against facilities being closed due to faulty calculations by the Postal Service. If the PRC concludes that the AMP report was mistaken or inaccurate, the PRC has the authority to prevent closure or consolidation from moving forward until the facts are corrected.

With my amendment being added to the underlying bill, local communities will now be assured of an even playing field and a thorough and accurate assessment of the impact of any closure or consolidation.

In closing, I wish to thank the managers of the bill for accepting my amendment and I urge the Senate to adopt it by voice vote.

Mr. LEVIN. Madam President, while the amended bill before us is far from perfect, I will vote in support. Failure to pass a bill could result in the Postal Service pursuing a misguided course of post office and facility closures. Such a dramatic course would irreparably harm the ability of the Postal Service to provide postal services and would in fact, threaten the viability of the US Postal System. While, as a whole, the USPS needs to be a rate-payer supported organization, not every post office needs to post a profit. In fact, while some post offices are too small to turn a profit, they are still an important part of the Postal System and a vital part of their community. And, based on the estimates I have seen, the projected cost-savings from the proposed closing of the 3,700 post office locations would offset but a tiny part of the USPS's current financial problems. These closures would deliver a painful blow to the communities they serve, but would reduce the Postal Service's deficit by less than 1 percent.

The bill includes an amendment that I offered with Senators Tester and Franken that requires that substantial economic savings be shown before a post office or processing facility is closed and clarifies that a proposed closure shall be suspended during appeal to the Postal Regulatory Commission, PRC. This amendment will help ensure that any post office and facility closures do not unduly impact a community's access to postal services and that any such closure is economically justified.

There is no doubt that the Postal Service has faced a decline in first class mail volume over the past few years and will need to make significant adjustments in the future. I am hopeful that the Postal Service will work with Congress as the mail system continues to transform so that postal services can be continued and to ensure that the Postal Service is able to offer new and innovative services so it can remain viable in the 21st Century.

Mr. GRASSLEY. Madam President, I will vote for S. 1789, the 21st Century Postal Service Act, because it is undeniable that the Postal Service is facing a crisis and something must be done very soon. There are those who say that this bill goes too far in reforming the Postal Service and implementing uncomfortable changes, and then there are those who say that this bill does not go far enough in transforming the Postal Service to be viable in the long term. I agree that this bill is not perfect. It is a compromise so just about everyone can find something in it to dislike. However, unless we do something to help the Postal Service cut costs, the borrowing authority of the Postal Service will run out in the fall and it will be unable to make payroll. I will support this bill, imperfect though it is, because we need to make progress in addressing this looming crisis now. Otherwise, if we wait much longer, we will be faced with a choice between a shut-down of mail service across our country or a massive taxpayer bailout, both of which would hurt the economy and take money out of the pockets of hardworking Americans.

Mr. LIEBERMAN. Madam President, I urge my colleagues to vote ''yes'' on S. 1789 and give the Postal Service both the financial footing and the business tools it needs to compete in this new communications age.

Let's start by facing facts. USPS is losing business and losing money. If we

do nothing, on May 15th the Postmaster will be allowed to implement his own downsizing plan, which is far more severe than this bill allows and will lead to a loss of jobs and services that could be painful in this fragile economy, especially to our small towns and rural communities.

We have another choice.

To all my colleagues who say they are worried about the burdens the Postmaster's proposal to close 3,700 post offices will impose on families and businesses of their states, I say: ''Vote for this bill.''

It requires the Postal Service issue service standards that ensure communities throughout the country have access to retail postal services, and requires offering alternatives to closures, such as reduced hours at existing facilities, or permitting private contractors or rural carriers to provide services.

To all my colleagues who worry about the loss of postal processing facilities in their states, and the jobs and services that will go with them, I say: ''Vote for this bill.''

While it permits the Postal Service to eliminate excess capacity, it also requires it to maintain an overnight delivery standard—although for somewhat smaller geographic areas. And the maximum standard delivery time—3 days for a letter mailed anywhere in the continental United States—would remain unchanged.

That means fewer plant closings.

To all my colleagues who worry about the loss of Saturday delivery, I say: ''Vote for this bill,'' which takes a responsible, balanced approach to this difficult issue.

The bill prohibits implementation of 5-day delivery for 2 years and requires the Postal Service to determine if the other cost-saving measures in this bill have made cancelling Saturday service unnecessary—and to tell us how it plans to cushion the impacts on the businesses and communities it serves if it decides to go to five days.

Only if the Comptroller General and the Postal Regulatory Commission review the evidence and conclude that the change is necessary, will the switch to 5-day service be allowed.

To all my colleagues who worry about the Postal Service's bleak financial outlook, I say: ''Vote for this bill,'' which provides crucial financial breathing room to help ward off some of the drastic cuts I just spoke of.

First, not one dollar of taxpayer money is being used. This is not a postal ''bailout.''

Roughly $11 billion in USPS overpayments to the Federal Employee Retirement System will be refunded and used to encourage its 100,000 workers at or near retirement age to take voluntary buyouts that could save $8 billion a year.

Money left over can also be used to retire debt.

The bill also reduces the amount the Postal Service has to pay each year to prefund its Retiree Health Benefits, by amortizing its liability over the next 40 years.

This will significantly cut the $5.5 billion annual payment USPS has been making, while still assuring there will be sufficient funds to meet the commitments for future retirees' health benefits.

To all my colleagues who worry that the Postal Service just isn't relevant in the 21st Century, I say: ''Vote for this bill,'' which gives the Postal Service tools to bring in fresh revenues by offering new products and services, such as contracting with state and local governments to issue state licenses, shipping beer, wine and distilled spirits, and creating specialized Internet services.

It also sets up a blue ribbon panel to develop a new strategic blueprint for the Postal Service for this new age.

Finally, in many ways the debate over postal reform is a mirror of the overall budget debate—but writ small.

We confront a financial crisis that could wreak havoc on our economy were the Postal Service to run out of money and be forced to severely slash services. Yet no one wants to cut any services or raise any rates on anybody.

This bill will not solve all the problems that confront the Postal Service, but it is a beginning. This bill represents a clear-eyed and pragmatic way forward for the Postal Service—one that avoids panic or complacency.

It is the kind of balanced and bipartisan approach we will need to deal with the even bigger problems with fast-approaching deadlines racing towards us—like the expiration of the Bush tax cuts and the sequestration of military funding.

So to my colleagues who worry about our ability to get big things done and who want to prove to the American people—and ourselves—that Congress can rise above partisan and parochial interests and work for the good of all Americans, I urge you to pass this bill.

I do want to thank the three colleagues on our committee—Senator COLLINS, Senator CARPER, Senator BROWN—for the work everyone did to bring about a bipartisan bill that will bring necessary change to the Postal Service in order to save it. Make no mistake about it, this bill will bring the change that the post office needs to stay alive, serving the people and businesses of our country.

Here is the bottom line. The Postal Service itself says that within 3 years, as sections of this bill are phased in, they will reduce their cost of operating by $19 billion and probably in the year after that they will go into balance. That is what this bill will accomplish.

I again thank my colleagues on the committee and the staffs of both sides and the floor staffs on both sides for the extraordinary work over a long period that was done to get us to this point.

We still need 60 votes to pass this bill. I appeal to my colleagues to do so, with a feeling of confidence that we have met a problem here together and have offered a solution that will fix the problem for our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Ms. COLLINS. Madam President, I believe the odds of our getting the 60 votes for final passage are increased if I make my statement later, rather than delivering it right now. I will deliver my statement after the vote, but I do wish to thank Senator LIEBERMAN, Senator SCOTT BROWN, Senator CARPER, all the staffs who have worked so hard.

Today, assuming we get those 60 votes, we have proven the Senate can tackle an enormous problem in a bipartisan way and make real progress on an issue that matters to our economy and to the American people.

Thank you, Madam President.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. I thank the leaders for their excellent work and the people who joined them. I think the policy has been debated well. I do wish to say, at the beginning there was discussion that there be a 60-vote threshold at the end and that some of the amendments might improve the funding aspect. I still want to say one more time that a vote for this bill is a vote to increase our deficit this year by $11 billion and a vote to violate the Budget Control Act that we just passed last year.

I appreciate the work. I do wish we had worked to pay for this. We have not done that. I would like to remind everyone voting for this that we are, in fact, adding $11 billion to our deficit, more so than was laid out by the Budget Control Act.

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. MCCONNELL. Madam President, I wish to take a moment to congratulate both the chairman, Senator LIEBERMAN, and the ranking member, Senator COLLINS, for handling a very difficult bill. It is, in my view, the way we ought to legislate. We had a number of amendments that were important to our Members. We are glad they had an opportunity to offer them. I wanted to just take a moment to congratulate Senator COLLINS and Senator LIEBERMAN for a very skillful job handling this very difficult piece of legislation.

Mr. LIEBERMAN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Under the previous order, the substitute amendment, as modified and amended, is agreed to.

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

The bill, as amended, was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. Under the previous order, the question occurs

on S. 1789, as amended. The clerk will call the roll.

The assistant legislative clerk called the roll.

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

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

The result was announced—yeas 62, nays 37, as follows:

[Rollcall Vote No. 82 Leg.]

YEAS—62

Alexander	Franken	Murray
Baucus	Gillibrand	Nelson (NE)
Begich	Grassley	Nelson (FL)
Bennet	Hagan	Pryor
Bingaman	Harkin	Reed
Blumenthal	Hoeven	Reid
Blunt	Inouye	Roberts
Boozman	Johnson (SD)	Sanders
Boxer	Kerry	Schumer
Brown (MA)	Klobuchar	Shaheen
Brown (OH)	Kohl	Snowe
Cantwell	Landrieu	Stabenow
Cardin	Lautenberg	Tester
Carper	Leahy	Udall (CO)
Casey	Levin	Udall (NM)
Cochran	Lieberman	Warner
Collins	McCaskill	Webb
Conrad	Merkley	Whitehouse
Coons	Mikulski	Wicker
Durbin	Moran	Wyden
Feinstein	Murkowski	

NAYS—37

Akaka	Hatch	Menendez
Ayotte	Heller	Paul
Barrasso	Hutchison	Portman
Burr	Inhofe	Risch
Chambliss	Isakson	Rockefeller
Coats	Johanns	Rubio
Coburn	Johnson (WI)	Sessions
Corker	Kyl	Shelby
Cornyn	Lee	Thune
Crapo	Lugar	Toomey
DeMint	Manchin	Vitter
Enzi	McCain	
Graham	McConnell	

NOT VOTING—1

Kirk

The PRESIDING OFFICER. Under the previous order requiring 60 votes for passage of the bill, the bill, as amended, is passed.

The bill (S. 1789), as amended, was passed.

(The bill will be printed in a future edition of the RECORD.)

Mr. LIEBERMAN. Madam President, with the passage today of S. 1789, we have given the United States Postal Service—created more than two centuries ago in the age of inkwells and quill pens—the tools to thrive in the age of e-mail and the Internet.

Overall, about 8 million jobs hung in the balance, as well as the needs of every household and business in America that depends on the Postal Service to deliver everything from medicines to spare parts.

Passage of this bill is a bipartisan victory that reflects well on the Senate and I want to take this moment to thank the many dedicated staff, from the majority and minority who helped make it possible.

From my staff on the Homeland Security and Governmental I would like to thank Beth Grossman, Deputy Staff Director and Chief Counsel; Larry Novey, Chief Counsel for Governmental Affairs; Kenya Wiley, Staff Counsel; Mike Alexander, Staff Director; Holly Idelson, Senior Counsel; Jason Yanussi, Senior Professional Staff Member; Leslie Phillips, Communications Director; Sara Lonardo, Press Secretary; Scott Campbell, Communications Advisor; Rob Bradley, Legislative Aide, and Staff Assistant Nick Trager.

From Senator COLLINS' staff, I would like to thank Katy French, Deputy Staff Director; John Kane, Professional Staff Member; Katie Adams, Professional Staff Member; Cassie D'Souza, detailee from the Postal Regulatory Commission; Nick Rossi, Staff Director and E.R. Anderson, Press Secretary.

From our Federal Financial Management Subcommittee, which is chaired by Senator CARPER and Ranking Member SCOTT BROWN, I also want to thank John Kilvington, Staff Director for the majority and Justin Stevens, Professional Staff Member, from the minority.

And I would also like to thank all of the staff for the majority and minority leaders, especially Gary Myrick and Tim Mitchell and Dave Schiappa who of course make everything happen on the floor of the Senate.

Thomas Jefferson once asked the question: ''What duty does a citizen owe to the government that secures the society in which he lives?''

Answering his own question, Jefferson said: ''A nation that rests on the will of the people must also depend on individuals to support its institutions if it is to flourish. Persons qualified for public service should feel an obligation to make that contribution.''

These dedicated staff members answered Jefferson's call to duty and I am proud to be able to work with such people.

Negotiations on the contours of the bill that would become S. 1789 began last October with members of Ranking Member COLLINS' and Senator CARPER's staffs.

The goal was to create a bipartisan bill that would gain support first in the Committee and then on the floor of the Senate.

Today's vote to pass S. 1789 shows the long nights and weekends that went into this bill were worth it.

So again, my thanks to our staffs and for all the work you do for the American people.

Ms. COLLINS. Madam President, this is an important victory for the U.S. Postal Service and the American economy.

The Postal Service is the linchpin of a $1.1 trillion mailing and mail-related industry that employs nearly 8.7 million Americans in fields as diverse as mail, printing, catalog companies and paper manufacturing. Those industries and the jobs they sustain are in jeopardy.

The Postal Service lost $13.6 billion over the past two years and has seen a 26 percent drop in first class mail since 2006.

But today we have begun to right the ship.

There is still much work to be done, including working with our colleagues in the House to present the President with a bill he can sign.

Nevertheless, I appreciate the solid bipartisan support that this bill received. It's gratifying that so many of my colleagues understand that the Postal Service should not choose the destructive path of cutting service and raising prices.

This vote sends the message that we can't allow the Postal Service to drive customers away to other communication options. Once they leave the mail system, they won't be coming back, and the Postal Service will be sucked further into a death spiral.

As we move toward a conference with the House, we must continue to resist ill-conceived policy changes. We must avoid short term ''fixes'' that undermine service and thus jeopardize the long-term sustainability of this American institution.

Today's vote is also a win for bipartisanship.

Americans are rightly frustrated about what many feel is a dysfunctional Congress. With enormous problems facing our country and Congress having little to show by way of accomplishments, the process we've just completed on this bill demonstrates that it is sometimes possible for Congress to do more and bicker less.

Today we see what can happen when Republicans and Democrats work together; when Senators from big states and small find common ground. We can achieve important policy for those who sent us here.

I want to thank Senator MCCONNELL for working with us so well to preserve an amendment process that fostered healthy debate and allowed our colleagues to get votes on their priorities. Of course, I must also thank Majority Leader REID for pushing hard to resolve differences in order to create a successful process once the bill was brought to the floor. I know that we would not have had the support that we had for final passage of this bill without the Leaders working together to ensure an amendment process that was fair and reasonable.

As always, Chairman LIEBERMAN's commitment to bipartisanship is unmatched, and it's making him extremely busy and productive in his last year in the Senate. This marks the third bill we have shepherded through to Senate passage in this Congress. I hope to work with him successfully on at least one more bill—cybersecurity.

Senator SCOTT BROWN has already built an impressive record as a key voice for both postal reform and the STOCK Act. I appreciate his partnership on both of these important measures. He has become an independent leader for common sense and I thank him.

I appreciate Senator CARPER's leadership on this bill. We have been working together on postal issues for many years, and I am grateful for his expertise and dedication.

My bipartisan cosponsors and I consulted extensively with postal customers, both business and residential, postal workers, and local communities deeply committed to preserving their postal facilities. We could not have gotten this bill passed through the Senate without their important contributions, cooperation, creativity and support.

This bill would not have been possible without the hard work and dedication of our staff, and I'd like to recognize some of them personally.

Katy French, John Kane, Katie Adams, and Cassie D'Souza on my staff, have been working for four months as if this bill were coming to the floor the next day. My Committee staff director, Nick Rossi, press secretary, E.R. Anderson, and other members of our team have ably supported them. Justin Stevens on Senator SCOTT BROWN's staff has been an incredible partner as well.

Their colleagues across the aisle were models of hard work and collegiality, and I want to thank them, especially the Chairman's staff, Mike Alexander, Beth Grossman, Kenya Wiley, and Larry Novey, and John Kilvington of Senator CARPER's staff. I know it's been hard work, but the staff have the highest level of professionalism, collegiality, patience with each other and the process and it's made the challenge of bringing this bill to the floor a rewarding one.

Finally, I can't thank enough the long-suffering floor staff, who have been incredibly patient, helpful and have gone out of their way to serve many competing agendas with grace. Thank you especially to David Schiappa with Senator MCCONNELL's staff and his team in the Republican cloakroom, and Gary Myrick and his team, with the Majority Leader.

Our work isn't done. Today is just the first step on a long road ahead. We must move a bill to the President's desk. The House has a bill that awaits floor consideration. We will come together for a conference process. More compromises will have to be made along the way. But we can't forget the urgency of our task—saving the Postal Service for the next generation of Americans.

Mr. BROWN of Massachusetts. Madam President, I thank my colleagues for their support on final passage of this critical piece of legislation.

This is an important first step forward towards putting the Postal Service on a path for solvency and success in the future.

The long-term survival of the Postal Service is an issue that touches every single home, community, and business in this country, including in my home State of Massachusetts. Its poor financial health is a real problem.

There is an envelope company in Worcester that has had to recently lay off almost a third of its workforce because incoming orders have dropped by a quarter from last year. The owner says his customers have told him that they have stopped mailing because of the unknown future of the Postal Service. This is but one example of the impact that a failing Postal Service has on businesses large and small across the country.

So, that is why I am so pleased that we can show the American people that, yes, once again the U.S. Senate can come together in a bipartisan manner and solve real problems.

In a Congress infamous for gridlock and division, the passage of this bill is proof positive of the results when we work together in good faith.

Reforming the Postal Service is no easy task and there are no easy answers. Millions of jobs, a trillion-dollar mailing industry, and an institution as old as this Nation are all at stake.

But this shows that a majority of Members here knew that resolving the crisis at the Postal Service would require a balanced approach, some difficult decisions, and a lot of compromise to see a bill passed.

We all recognize the new business environment that the Postal Service operates in, but we also know that the focus had to be on helping the Postal Service sustain their customer base in that environment, not surrender to it.

I am proud of this bill and the example this sets for the power of bipartisanship for the rest of this session.

The other cosponsors—Senators LIEBERMAN, COLLINS, and CARPER have been setting this example for some time. I have been proud to be in their company on this bill and thank them for their leadership on this important issue.

With the recent passage of the STOCK Act and the crowdfunding bill, I feel like we have all been on kind of a streak lately. I hope that it continues and that our colleagues in the House can now take our lead and pass a balanced postal reform bill as well. The Postal Service is running out of time and they cannot afford any further delay.

Mr. MCCAIN. Mr. President, I voted against S. 1789 because short-term financial relief for the Postal Service that will ultimately lead to a taxpayer bailout is no longer acceptable. According to the Postal Service, S. 1789 ''does not provide the Postal Service with the speed and flexibility it needs to achieve the $20 billion in cost reductions'' and they will need additional legislative action in 2 to 3 years.

The bill is designed to keep the current failing Postal Service business model in place by halting the structural changes the Postal Service says it needs to ensure its long-term viability. Instead of the Senate dealing with the real problems, such as 80 percent labor costs and consolidating the excess retail network of the Postal Service, the bill continues to allow no-layoff clauses in union contracts, will lock in unsustainable mail service standards, and place new litigious processes, restrictions, regulations, and appeals that will make it impossible for the Postal Service to close and consolidate underutilized post offices and mail-processing facilities. These roadblocks fly in the face of the hard reality that the Postal Service lost $13 billion in the past 2 years due to its failing business model and the changes in the way the American public communicates.

S. 1789 also prevents the Postal Service from moving to 5-day delivery, at a savings of anywhere from $1.7 to $3 billion annually and is one of the largest single steps available to restore their financial solvency. The Postmaster General has been coming to Congress since 2009 asking for this flexibility, and the American people overwhelmingly support this move. The Senate, however, chose to protect the 6-day delivery of junk mail even with first-class mail, which makes up more than half of postal revenues, on a downward spiral with no sign of recovery.

Finally, this bill continues the harmful practice of passing bills that are not paid for. S. 1789 has at least five budget points of order against it, and instead of being fiscally responsible and pay for this bill as promised, the Senate agreed to move forward and stick the American taxpayer with the tab. If we are not willing to keep our promise and abide by the spending limits we put in place, we are not really serious about fixing our countries financial problems.

Congress can no longer enact temporary fixes that avert financial crisis for only a brief period. If we continue to act in this irresponsible way, the American taxpayer will be the one that ultimately suffers in the form of higher postage prices and taxpayer bailouts. We must make hard choices now so future generations of Americans will have a viable Postal Service.

The PRESIDING OFFICER. The majority leader.

ORDER OF BUSINESS

Mr. REID. Madam President, there are a number of issues we are trying to resolve and we are going to try to do that as quickly as possible and notify the Senate as to what is going to happen next. At this stage, I don't know, but we are working on it. So I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT AGREEMENT—S. 1925

Mr. LEAHY. Mr. President, I ask unanimous consent that following the adoption of the motion to proceed to S. 1925, the Senate be in a period of debate

only on the bill for the remainder of today's session; that when the Senate resumes consideration of the bill on Thursday, April 26, it be for debate only until 11:30 a.m.

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

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2011

The PRESIDING OFFICER. Under the previous order, the Senate adopts the motion to proceed to S. 1925, which the clerk will state by title.

The legislative clerk read as follows:

A bill (S. 1925) to reauthorize the Violence Against Women Act of 1994.

The Senate proceeded to consider the bill which had been reported from the Committee on the Judiciary with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Violence Against Women Reauthorization Act of 2011''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. Universal definitions and grant conditions.
Sec. 4. Effective date.
TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COMBAT VIOLENCE AGAINST WOMEN
Sec. 101. Stop grants.
Sec. 102. Grants to encourage arrest policies and enforcement of protection orders.
Sec. 103. Legal assistance for victims.
Sec. 104. Consolidation of grants to support families in the justice system.
Sec. 105. Sex offender management.
Sec. 106. Court-appointed special advocate program.
Sec. 107. Criminal provision relating to stalking, including cyberstalking.
Sec. 108. Outreach and services to underserved populations grant.
Sec. 109. Culturally specific services grant.
TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING
Sec. 201. Sexual assault services program.
Sec. 202. Rural domestic violence, dating violence, sexual assault, stalking, and child abuse enforcement assistance.
Sec. 203. Training and services to end violence against women with disabilities grants.
Sec. 204. Enhanced training and services to end abuse in later life.
TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS OF VIOLENCE
Sec. 301. Rape prevention and education grant.
Sec. 302. Creating hope through outreach, options, services, and education for children and youth.
Sec. 303. Grants to combat violent crimes on campuses.
Sec. 304. Campus sexual violence, domestic violence, dating violence, and stalking education and prevention.
TITLE IV—VIOLENCE REDUCTION PRACTICES
Sec. 401. Study conducted by the centers for disease control and prevention.
Sec. 402. Saving money and reducing tragedies through prevention grants.
TITLE V—STRENGTHENING THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING
Sec. 501. Consolidation of grants to strengthen the healthcare system's response to domestic violence, dating violence, sexual assault, and stalking.
TITLE VI—SAFE HOMES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING
Sec. 601. Housing protections for victims of domestic violence, dating violence, sexual assault, and stalking.
Sec. 602. Transitional housing assistance grants for victims of domestic violence, dating violence, sexual assault, and stalking.
Sec. 603. Addressing the housing needs of victims of domestic violence, dating violence, sexual assault, and stalking.
TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE
Sec. 701. National Resource Center on Workplace Responses to assist victims of domestic and sexual violence.
TITLE VIII—PROTECTION OF BATTERED IMMIGRANTS
Sec. 801. U nonimmigrant definition.
Sec. 802. Annual report on immigration applications made by victims of abuse.
Sec. 803. Protection for children of VAWA self-petitioners.
Sec. 804. Public charge.
Sec. 805. Requirements applicable to U visas.
Sec. 806. Hardship waivers.
Sec. 807. Protections for a fiancée or fiancé of a citizen.
Sec. 808. Regulation of international marriage brokers.
Sec. 809. Eligibility of crime and trafficking victims in the Commonwealth of the Northern Mariana Islands to adjust status.
TITLE IX—SAFETY FOR INDIAN WOMEN
Sec. 901. Grants to Indian tribal governments.
Sec. 902. Grants to Indian tribal coalitions.
Sec. 903. Consultation.
Sec. 904. Tribal jurisdiction over crimes of domestic violence.
Sec. 905. Tribal protection orders.
Sec. 906. Amendments to the Federal assault statute.
Sec. 907. Analysis and research on violence against Indian women.
Sec. 908. Effective dates; pilot project.
Sec. 909. Indian law and order commission.
TITLE X—OTHER MATTERS
Sec. 1001. Criminal provisions relating to sexual abuse.
Sec. 1002. Sexual abuse in custodial settings.
Sec. 1003. Anonymous online harassment.
Sec. 1004. Stalker database.
Sec. 1005. Federal victim assistants reauthorization.
Sec. 1006. Child abuse training programs for judicial personnel and practitioners reauthorization.
Sec. 1007. Mandatory minimum sentence.
Sec. 1008. Removal of drunk drivers.

SEC. 3. UNIVERSAL DEFINITIONS AND GRANT CONDITIONS.

(a) DEFINITIONS.—Subsection (a) of section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)) is amended—

(1) by redesignating—

(A) paragraph (1) as paragraph (2);

(B) paragraph (2) as paragraph (3);

(C) paragraphs (3) and (4) as paragraphs (4) and (5), respectively;

(D) paragraphs (6) through (9) as paragraphs (8) through (11), respectively;

(E) paragraphs (10) through (16) as paragraphs (13) through (19), respectively;

(F) paragraph (18) as paragraph (20);

(G) paragraphs (19) and (20) as paragraphs (23) and (24), respectively;

(H) paragraphs (21) through (23) as paragraphs (26) through (28), respectively;

(I) paragraphs (24) through (33) as paragraphs (30) through (39), respectively;

(J) paragraphs (34) and (35) as paragraphs (43) and (44); and

(K) paragraph (37) as paragraph (45);

(2) by inserting before paragraph (2), as redesignated, the following:

''(1) ALASKA NATIVE VILLAGE.—The term 'Alaska Native village' has the same meaning given such term in the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).'';

(3) in paragraph (3), as redesignated, by striking ''serious harm.'' and inserting ''serious harm to an unemancipated minor.'';

(4) in paragraph (4), as redesignated, by striking ''The term'' through ''that—'' and inserting ''The term 'community-based organization' means a nonprofit, nongovernmental, or tribal organization that serves a specific geographic community that—'';

(5) by striking paragraph (5), as in effect before the amendments made by this subsection;

(6) by inserting after paragraph (7), as redesignated, the following:

''(6) CULTURALLY SPECIFIC SERVICES.—The term 'culturally specific services' means community-based services that include culturally relevant and linguistically specific services and resources to culturally specific communities.

''(7) CULTURALLY SPECIFIC.—The term 'culturally specific' means primarily directed toward racial and ethnic minority groups (as defined in section 1707(g) of the Public Health Service Act (42 U.S.C. 300u–6(g)).'';

(7) in paragraph (8), as redesignated, by inserting ''or intimate partner'' after ''former spouse'' and ''as a spouse'';

(8) by inserting after paragraph (11), as redesignated, the following:

''(12) HOMELESS.—The term 'homeless' has the meaning provided in 42 U.S.C. 14043e–2(6).'';

(9) in paragraph (18), as redesignated, by inserting ''or Village Public Safety Officers'' after ''government victim service programs;

(10) in paragraph (21), as redesignated, by inserting at the end the following:

''Intake or referral, by itself, does not constitute legal assistance.'';

(11) by striking paragraph (17), as in effect before the amendments made by this subsection;

(12) by amending paragraph (20), as redesignated, to read as follows:

''(20) PERSONALLY IDENTIFYING INFORMATION OR PERSONAL INFORMATION.—The term 'personally identifying information' or 'personal information' means individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, regardless of whether the information is encoded, encrypted, hashed, or otherwise protected, including—

''(A) a first and last name;

''(B) a home or other physical address;

''(C) contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number);

''(D) a social security number, driver license number, passport number, or student identification number; and

''(E) any other information, including date of birth, racial or ethnic background, or religious affiliation, that would serve to identify any individual.'';

(13) by inserting after paragraph (20), as redesignated, the following:

''(21) POPULATION SPECIFIC ORGANIZATION.—The term 'population specific organization' means a nonprofit, nongovernmental organization that primarily serves members of a specific

underserved population and has demonstrated experience and expertise providing targeted services to members of that specific underserved population.

''(22) POPULATION SPECIFIC SERVICES.—The term 'population specific services' means victim-centered services that address the safety, health, economic, legal, housing, workplace, immigration, confidentiality, or other needs of victims of domestic violence, dating violence, sexual assault, or stalking, and that are designed primarily for and are targeted to a specific underserved population.'';

(14) in paragraph (23), as redesignated, by striking ''services'' and inserting ''assistance'';

(15) by inserting after paragraph (24), as redesignated, the following:

''(25) RAPE CRISIS CENTER.—The term 'rape crisis center' means a nonprofit, nongovernmental, or tribal organization, or governmental entity in a State other than a Territory that provides intervention and related assistance, as specified in 42 U.S.C. 14043g(b)(2)(C), to victims of sexual assault without regard to their age. In the case of a governmental entity, the entity may not be part of the criminal justice system (such as a law enforcement agency) and must be able to offer a comparable level of confidentiality as a nonprofit entity that provides similar victim services.'';

(16) in paragraph (26), as redesignated—

(A) in subparagraph (A), by striking ''or'' after the semicolon;

(B) in subparagraph (B), by striking the period and inserting ''; or''; and

(C) by inserting at the end the following:

''(C) any federally recognized Indian tribe.'';

(17) in paragraph (27), as redesignated—

(A) by striking ''52'' and inserting ''57''; and

(B) by striking ''150,000'' and inserting ''250,000'';

(18) by striking paragraph (28), as redesignated, and inserting the following:

''(28) SEXUAL ASSAULT.—The term 'sexual assault' means any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.'';

(19) by inserting after paragraph (28), as redesignated, the following:

''(29) SEX TRAFFICKING.—The term 'sex trafficking' means any conduct proscribed by 18 U.S.C. 1591, whether or not the conduct occurs in interstate or foreign commerce or within the special maritime and territorial jurisdiction of the United States.'';

(20) by striking paragraph (35), as redesignated, and inserting the following:

''(35) TRIBAL COALITION.—The term 'tribal coalition' means an established nonprofit, nongovernmental Indian organization or a Native Hawaiian organization that—

''(A) provides education, support, and technical assistance to member Indian service providers in a manner that enables those member providers to establish and maintain culturally appropriate services, including shelter and rape crisis services, designed to assist Indian women and the dependents of those women who are victims of domestic violence, dating violence, sexual assault, and stalking; and

''(B) is comprised of board and general members that are representative of—

''(i) the member service providers described in subparagraph (A); and

''(ii) the tribal communities in which the services are being provided;'';

(21) by amending paragraph (39), as redesignated, to read as follows:

''(39) UNDERSERVED POPULATIONS.—The term 'underserved populations' means populations who face barriers in accessing and using victim services, and includes populations underserved because of geographic location, religion, sexual orientation, gender identity, underserved racial and ethnic populations, populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age), and any other population determined to be underserved by the Attorney General or by the Secretary of Health and Human Services, as appropriate.'';

(22) by inserting after paragraph (39), as redesignated, the following:

''(40) UNIT OF LOCAL GOVERNMENT.—The term 'unit of local government' means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State.'';

(23) by striking paragraph (36), as in effect before the amendments made by this subsection, and inserting the following:

''(41) VICTIM SERVICES OR SERVICES.—The terms 'victim services' and 'services' means services provided to victims of domestic violence, dating violence, sexual assault, or stalking, including telephonic or web-based hotlines, legal advocacy, economic advocacy, emergency and transitional shelter, accompaniment and advocacy through medical, civil or criminal justice, immigration, and social support systems, crisis intervention, short-term individual and group support services, information and referrals, culturally specific services, population specific services, and other related supportive services.

''(42) VICTIM SERVICE PROVIDER.—The term 'victim service provider' means a nonprofit, nongovernmental or tribal organization or rape crisis center, including a State or tribal coalition, that assists or advocates for domestic violence, dating violence, sexual assault, or stalking victims, including domestic violence shelters, faith-based organizations, and other organizations, with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.''; and

(24) by striking paragraph (43), as redesignated, and inserting the following:

''(43) YOUTH.—The term 'youth' means a person who is 11 to 24 years old.''.

(b) GRANTS CONDITIONS.—Subsection (b) of section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (B), by striking clauses (i) and (ii) and inserting the following:

''(i) disclose, reveal, or release any personally identifying information or individual information collected in connection with services requested, utilized, or denied through grantees' and subgrantees' programs, regardless of whether the information has been encoded, encrypted, hashed, or otherwise protected; or

''(ii) disclose, reveal, or release individual client information without the informed, written, reasonably time-limited consent of the person (or in the case of an unemancipated minor, the minor and the parent or guardian or in the case of legal incapacity, a court-appointed guardian) about whom information is sought, whether for this program or any other Federal, State, tribal, or territorial grant program, except that consent for release may not be given by the abuser of the minor, incapacitated person, or the abuser of the other parent of the minor.

If a minor or a person with a legally appointed guardian is permitted by law to receive services without the parent's or guardian's consent, the minor or person with a guardian may release information without additional consent.'';

(B) by amending subparagraph (D), to read as follows:

''(D) INFORMATION SHARING.—

''(i) Grantees and subgrantees may share—

''(I) nonpersonally identifying data in the aggregate regarding services to their clients and nonpersonally identifying demographic information in order to comply with Federal, State, tribal, or territorial reporting, evaluation, or data collection requirements;

''(II) court-generated information and law enforcement-generated information contained in secure, governmental registries for protection order enforcement purposes; and

''(III) law enforcement-generated and prosecution-generated information necessary for law enforcement and prosecution purposes.

''(ii) In no circumstances may—

''(I) an adult, youth, or child victim of domestic violence, dating violence, sexual assault, or stalking be required to provide a consent to release his or her personally identifying information as a condition of eligibility for the services provided by the grantee or subgrantee;

''(II) any personally identifying information be shared in order to comply with Federal, tribal, or State reporting, evaluation, or data collection requirements, whether for this program or any other Federal, tribal, or State grant program.'';

(C) by redesignating subparagraph (E) as subparagraph (F);

(D) by inserting after subparagraph (D) the following:

''(E) STATUTORILY MANDATED REPORTS OF ABUSE OR NEGLECT.—Nothing in this section prohibits a grantee or subgrantee from reporting suspected abuse or neglect, as those terms are defined and specifically mandated by the State or tribe involved.''; and

(E) by inserting after subparagraph (F), as redesignated, the following:

''(G) CONFIDENTIALITY ASSESSMENT AND ASSURANCES.—Grantees and subgrantees must document their compliance with the confidentiality and privacy provisions required under this section.'';

(2) by striking paragraph (3) and inserting the following:

''(3) APPROVED ACTIVITIES.—In carrying out the activities under this title, grantees and subgrantees may collaborate with or provide information to Federal, State, local, tribal, and territorial public officials and agencies to develop and implement policies and develop and promote State, local, or tribal legislation or model codes designed to reduce or eliminate domestic violence, dating violence, sexual assault, and stalking.'';

(3) in paragraph (7), by inserting at the end the following:

''Final reports of such evaluations shall be made available to the public via the agency's website.''; and

(4) by inserting after paragraph (11) the following:

''(12) DELIVERY OF LEGAL ASSISTANCE.—Any grantee or subgrantee providing legal assistance with funds awarded under this title shall comply with the eligibility requirements in section 1201(d) of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg–6(d)).

''(13) CIVIL RIGHTS.—

''(A) NONDISCRIMINATION.—No person in the United States shall, on the basis of actual or perceived race, color, religion, national origin, sex, gender identity (as defined in paragraph 249(c)(4) of title 18, United States Code), sexual orientation, or disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under the Violence Against Women Act of 1994 (title IV of Public Law 103–322; 108 Stat. 1902), the Violence Against Women Act of 2000 (division B of Public Law 106–386; 114 Stat. 1491), the Violence Against Women and Department of Justice Reauthorization Act of 2005 (title IX of Public Law 109–162; 119 Stat. 3080), the Violence Against Women Reauthorization Act of 2011, and any other program or activity funded in whole or in part with funds appropriated for grants, cooperative agreements, and other assistance administered by the Office on Violence Against Women.

''(B) EXCEPTION.—If sex segregation or sex-specific programming is necessary to the essential operation of a program, nothing in this paragraph shall prevent any such program or activity from consideration of an individual's sex. In such circumstances, grantees may meet the requirements of this paragraph by providing comparable services to individuals who cannot be provided with the sex-segregated or sex-specific programming.

''(C) DISCRIMINATION.—The authority of the Attorney General and the Office of Justice Programs to enforce this paragraph shall be the same as it is under section 3789d of title 42, United States Code.

''(D) CONSTRUCTION.—Nothing contained in this paragraph shall be construed, interpreted, or applied to supplant, displace, preempt, or otherwise diminish the responsibilities and liabilities under other State or Federal civil rights law, whether statutory or common.

''(14) CLARIFICATION OF VICTIM SERVICES AND LEGAL ASSISTANCE.—Victim services and legal assistance under this title also include services and assistance to victims of domestic violence, dating violence, sexual assault, or stalking who are also victims of severe forms of trafficking in persons as defined by section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

''(15) CONFERRAL.—

''(A) IN GENERAL.—The Office on Violence Against Women shall establish a biennial conferral process with State and tribal coalitions and technical assistance providers who receive funding through grants administered by the Office on Violence Against Women and authorized by this Act, and other key stakeholders.

''(B) AREAS COVERED.—The areas of conferral under this paragraph shall include—

''(i) the administration of grants;

''(ii) unmet needs;

''(iii) promising practices in the field; and

''(iv) emerging trends.

''(C) INITIAL CONFERRAL.—The first conferral shall be initiated not later than 6 months after the date of enactment of the Violence Against Women Reauthorization Act of 2011.

''(D) REPORT.—Not later than 90 days after the conclusion of each conferral period, the Office on Violence Against Women shall publish a comprehensive report that—

''(i) summarizes the issues presented during conferral and what, if any, policies it intends to implement to address those issues;

''(ii) is made available to the public on the Office on Violence Against Women's website and submitted to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives.

''(16) ACCOUNTABILITY.—All grants awarded by the Attorney General under this Act shall be subject to the following accountability provisions:

''(A) AUDIT REQUIREMENT.—

''(i) IN GENERAL.—Beginning in the first fiscal year beginning after the date of the enactment of this Act, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this Act to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

''(ii) DEFINITION.—In this paragraph, the term 'unresolved audit finding' means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

''(iii) MANDATORY EXCLUSION.—A recipient of grant funds under this Act that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this Act during the following 2 fiscal years.

''(iv) PRIORITY.—In awarding grants under this Act, the Attorney General shall give priority to eligible entities that did not have an unresolved audit finding during the 3 fiscal years prior to submitting an application for a grant under this Act.

''(v) REIMBURSEMENT.—If an entity is awarded grant funds under this Act during the 2-fiscal-year period in which the entity is barred from receiving grants under paragraph (2), the Attorney General shall—

''(I) deposit an amount equal to the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

''(II) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

''(B) NONPROFIT ORGANIZATION REQUIREMENTS.—

''(i) DEFINITION.—For purposes of this paragraph and the grant programs described in this Act, the term 'nonprofit organization' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

''(ii) PROHIBITION.—The Attorney General may not award a grant under any grant program described in this Act to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

''(iii) DISCLOSURE.—Each nonprofit organization that is awarded a grant under a grant program described in this Act and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subsection available for public inspection.

''(C) CONFERENCE EXPENDITURES.—

''(i) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this Act may be used by the Attorney General, or by any individual or organization awarded discretionary funds through a cooperative agreement under this Act, to host or support any expenditure for conferences that uses more than $20,000 in Department funds, unless the Deputy Attorney General or such Assistant Attorney Generals, Directors, or principal deputies as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference.

''(ii) WRITTEN APPROVAL.—Written approval under clause (i) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audiovisual equipment, honoraria for speakers, and any entertainment.

''(iii) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all approved conference expenditures referenced in this paragraph.

''(D) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of the enactment of this Act, the Attorney General shall submit, to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives, an annual certification that—

''(i) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

''(ii) all mandatory exclusions required under subparagraph (A)(iii) have been issued;

''(iii) all reimbursements required under subparagraph (A)(v) have been made; and

''(iv) includes a list of any grant recipients excluded under subparagraph (A) from the previous year.''.

SEC. 4. EFFECTIVE DATE.

Except as otherwise specifically provided in this Act, the provisions of titles I, II, III, IV, VII, and sections 602, 901, and 902 of this Act shall not take effect until the beginning of the fiscal year following the date of enactment of this Act.

TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COMBAT VIOLENCE AGAINST WOMEN

SEC. 101. STOP GRANTS.

Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—

(1) in section 1001(a)(18) (42 U.S.C. 3793(a)(18)), by striking ''$225,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$222,000,000 for each of fiscal years 2012 through 2016'';

(2) in section 2001(b) (42 U.S.C. 3796gg(b))—

(A) in the matter preceding paragraph (1)—

(i) by striking ''equipment'' and inserting ''resources''; and

(ii) by inserting ''for the protection and safety of victims,'' after ''women,'';

(B) in paragraph (1), by striking ''sexual assault'' and all that follows through ''dating violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking, including the appropriate use of nonimmigrant status under subparagraphs (T) and (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a))'';

(C) in paragraph (2), by striking ''sexual assault and domestic violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking'';

(D) in paragraph (3), by striking ''sexual assault and domestic violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking, as well as the appropriate treatment of victims'';

(E) in paragraph (4)—

(i) by striking ''sexual assault and domestic violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking''; and

(ii) by inserting '', classifying,'' after ''identifying'';

(F) in paragraph (5)—

(i) by inserting ''and legal assistance'' after ''victim services'';

(ii) by striking ''domestic violence and dating violence'' and inserting ''domestic violence, dating violence, and stalking''; and

(iii) by striking ''sexual assault and domestic violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking'';

(G) by striking paragraph (6) and redesignating paragraphs (7) through (14) as paragraphs (6) through (13), respectively;

(H) in paragraph (6), as redesignated by subparagraph (G), by striking ''sexual assault and domestic violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking'';

(I) in paragraph (7), as redesignated by subparagraph (G), by striking ''and dating violence'' and inserting ''dating violence, and stalking'';

(J) in paragraph (9), as redesignated by subparagraph (G), by striking ''domestic violence or sexual assault'' and inserting '' domestic violence, dating violence, sexual assault, or stalking'';

(K) in paragraph (12), as redesignated by subparagraph (G)—

(i) in subparagraph (A), by striking ''triage protocols to ensure that dangerous or potentially lethal cases are identified and prioritized'' and inserting ''the use of evidence-based indicators to assess the risk of domestic and dating violence homicide and prioritize dangerous or potentially lethal cases''; and

(ii) by striking ''and'' at the end;

(L) in paragraph (13), as redesignated by subparagraph (G)—

(i) by striking ''to provide'' and inserting ''providing'';

(ii) by striking ''nonprofit nongovernmental'';

(iii) by striking the comma after ''local governments'';

(iv) in the matter following subparagraph (C), by striking ''paragraph (14)'' and inserting ''paragraph (13)''; and

(v) by striking the period at the end and inserting a semicolon; and

(M) by inserting after paragraph (13), as redesignated by subparagraph (G), the following:

''(14) developing and promoting State, local, or tribal legislation and policies that enhance best practices for responding to domestic violence, dating violence, sexual assault, and stalking;

''(15) developing, implementing, or enhancing Sexual Assault Response Teams, or other similar coordinated community responses to sexual assault;

''(16) developing and strengthening policies, protocols, best practices, and training for law enforcement agencies and prosecutors relating to the investigation and prosecution of sexual assault cases and the appropriate treatment of victims;

''(17) developing, enlarging, or strengthening programs addressing sexual assault against men, women, and youth in correctional and detention settings;

''(18) identifying and conducting inventories of backlogs of sexual assault evidence collection kits and developing protocols and policies for responding to and addressing such backlogs, including protocols and policies for notifying and involving victims;

''(19) developing, enlarging, or strengthening programs and projects to provide services and responses targeting male and female victims of domestic violence, dating violence, sexual assault, or stalking, whose ability to access traditional services and responses is affected by their sexual orientation or gender identity, as defined in section 249(c) of title 18, United States Code; and

''(20) developing, enhancing, or strengthening prevention and educational programming to address domestic violence, dating violence, sexual assault, or stalking, with not more than 5 percent of the amount allocated to a State to be used for this purpose.'';

(3) in section 2007 (42 U.S.C. 3796gg–1)—

(A) in subsection (a), by striking ''nonprofit nongovernmental victim service programs'' and inserting ''victim service providers'';

(B) in subsection (b)(6), by striking ''(not including populations of Indian tribes)'';

(C) in subsection (c)—

(i) by striking paragraph (2) and inserting the following:

''(2) grantees and subgrantees shall develop a plan for implementation and shall consult and coordinate with—

''(A) the State sexual assault coalition;

''(B) the State domestic violence coalition;

''(C) the law enforcement entities within the State;

''(D) prosecution offices;

''(E) State and local courts;

''(F) Tribal governments in those States with State or federally recognized Indian tribes;

''(G) representatives from underserved populations, including culturally specific populations;

''(H) victim service providers;

''(I) population specific organizations; and

''(J) other entities that the State or the Attorney General identifies as needed for the planning process;'';

(ii) by redesignating paragraph (3) as paragraph (4);

(iii) by inserting after paragraph (2), as amended by clause (i), the following:

''(3) grantees shall coordinate the State implementation plan described in paragraph (2) with the State plans described in section 307 of the Family Violence Prevention and Services Act (42 U.S.C. 10407) and the programs described in section 1404 of the Victims of Crime Act of 1984 (42 U.S.C. 10603) and section 393A of the Public Health Service Act (42 U.S.C. 280b–1b).'';

(iv) in paragraph (4), as redesignated by clause (ii)—

(I) in subparagraph (A), by striking ''and not less than 25 percent shall be allocated for prosecutors'';

(II) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D);

(III) by inserting after subparagraph (A), the following:

''(B) not less than 25 percent shall be allocated for prosecutors;''; and

(IV) in subparagraph (D) as redesignated by subclause (II) by striking ''for'' and inserting ''to''; and

(v) by adding at the end the following:

''(5) not later than 2 years after the date of enactment of this Act, and every year thereafter, not less than 20 percent of the total amount granted to a State under this subchapter shall be allocated for programs or projects in 2 or more allocations listed in paragraph (4) that meaningfully address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.'';

(D) by striking subsection (d) and inserting the following:

''(d) APPLICATION REQUIREMENTS.—An application for a grant under this section shall include—

''(1) the certifications of qualification required under subsection (c);

''(2) proof of compliance with the requirements for the payment of forensic medical exams and judicial notification, described in section 2010;

''(3) proof of compliance with the requirements for paying fees and costs relating to domestic violence and protection order cases, described in section 2011 of this title;

''(4) proof of compliance with the requirements prohibiting polygraph examinations of victims of sexual assault, described in section 2013 of this title;

''(5) an implementation plan required under subsection (i); and

''(6) any other documentation that the Attorney General may require.'';

(E) in subsection (e)—

(i) in paragraph (2)—

(I) in subparagraph (A), by striking ''domestic violence and sexual assault'' and inserting ''domestic violence, dating violence, sexual assault, and stalking''; and

(II) in subparagraph (D), by striking ''linguistically and''; and

(ii) by adding at the end the following:

''(3) CONDITIONS.—In disbursing grants under this part, the Attorney General may impose reasonable conditions on grant awards to ensure that the States meet statutory, regulatory, and other program requirements.'';

(F) in subsection (f), by striking the period at the end and inserting '', except that, for purposes of this subsection, the costs of the projects for victim services or tribes for which there is an exemption under section 40002(b)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)(1)) shall not count toward the total costs of the projects.''; and

(G) by adding at the end the following:

''(i) IMPLEMENTATION PLANS.—A State applying for a grant under this part shall—

''(1) develop an implementation plan in consultation with the entities listed in subsection (c)(2), that identifies how the State will use the funds awarded under this part, including how the State will meet the requirements of subsection (c)(5); and

''(2) submit to the Attorney General—

''(A) the implementation plan developed under paragraph (1);

''(B) documentation from each member of the planning committee as to their participation in the planning process;

''(C) documentation from the prosecution, law enforcement, court, and victim services programs to be assisted, describing—

''(i) the need for the grant funds;

''(ii) the intended use of the grant funds;

''(iii) the expected result of the grant funds; and

''(iv) the demographic characteristics of the populations to be served, including age, disability, race, ethnicity, and language background;

''(D) a description of how the State will ensure that any subgrantees will consult with victim service providers during the course of developing their grant applications in order to ensure that the proposed activities are designed to promote the safety, confidentiality, and economic independence of victims;

''(E) demographic data on the distribution of underserved populations within the State and a description of how the State will meet the needs of underserved populations, including the minimum allocation for population specific services required under subsection (c)(4)(C);

''(F) a description of how the State plans to meet the regulations issued pursuant to subsection (e)(2);

''(G) goals and objectives for reducing domestic violence-related homicides within the State; and

''(H) any other information requested by the Attorney General.

''(j) REALLOCATION OF FUNDS.—A State may use any returned or remaining funds for any authorized purpose under this part if—

''(1) funds from a subgrant awarded under this part are returned to the State; or

''(2) the State does not receive sufficient eligible applications to award the full funding within the allocations in subsection (c)(4)'';

(4) in section 2010 (42 U.S.C. 3796gg–4)—

(A) in subsection (a), by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—A State, Indian tribal government, or unit of local government shall not be entitled to funds under this subchapter unless the State, Indian tribal government, unit of local government, or another governmental entity—

''(A) incurs the full out-of-pocket cost of forensic medical exams described in subsection (b) for victims of sexual assault; and

''(B) coordinates with health care providers in the region to notify victims of sexual assault of the availability of rape exams at no cost to the victims.'';

(B) in subsection (b)—

(i) in paragraph (1), by inserting ''or'' after the semicolon;

(ii) in paragraph (2), by striking ''; or'' and inserting a period; and

(iii) by striking paragraph (3); and

(C) by amending subsection (d) to read as follows:

''(d) NONCOOPERATION.—

''(1) IN GENERAL.—To be in compliance with this section, a State, Indian tribal government, or unit of local government shall comply with subsection (b) without regard to whether the victim participates in the criminal justice system or cooperates with law enforcement.

''(2) COMPLIANCE PERIOD.—States, territories, and Indian tribal governments shall have 3 years from the date of enactment of this Act to come into compliance with this section.''; and

(5) in section 2011(a)(1) (42 U.S.C. 3796gg–5(a)(1))—

(A) by inserting ''modification, enforcement, dismissal, withdrawal'' after ''registration,'' each place it appears;

(B) by inserting '', dating violence, sexual assault, or stalking'' after ''felony domestic violence''; and

(C) by striking ''victim of domestic violence'' and all that follows through ''sexual assault'' and inserting ''victim of domestic violence, dating violence, sexual assault, or stalking''.

SEC. 102. GRANTS TO ENCOURAGE ARREST POLICIES AND ENFORCEMENT OF PROTECTION ORDERS.

(a) IN GENERAL.—Part U of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh et seq.) is amended—

(1) in section 2101 (42 U.S.C. 3796hh)—

(A) in subsection (b)—

(i) in the matter preceding paragraph (1), by striking ''States,'' and all that follows through ''units of local government'' and inserting ''grantees'';

(ii) in paragraph (1), by inserting ''and enforcement of protection orders across State and tribal lines'' before the period;

(iii) in paragraph (2), by striking ''and training in police departments to improve tracking of cases'' and inserting ''data collection systems, and training in police departments to improve tracking of cases and classification of complaints'';

(iv) in paragraph (4), by inserting ''and provide the appropriate training and education about domestic violence, dating violence, sexual assault, and stalking'' after ''computer tracking systems'';

(v) in paragraph (5), by inserting ''and other victim services'' after ''legal advocacy service programs'';

(vi) in paragraph (6), by striking ''judges'' and inserting ''Federal, State, tribal, territorial, and local judges, courts, and court-based and court-related personnel'';

(vii) in paragraph (8), by striking ''and sexual assault'' and inserting ''dating violence, sexual assault, and stalking'';

(viii) in paragraph (10), by striking ''non-profit, non-governmental victim services organizations,'' and inserting ''victim service providers, staff from population specific organizations,''; and

(ix) by adding at the end the following:

''(14) To develop and implement training programs for prosecutors and other prosecution-related personnel regarding best practices to ensure offender accountability, victim safety, and victim consultation in cases involving domestic violence, dating violence, sexual assault, and stalking.

''(15) To develop or strengthen policies, protocols, and training for law enforcement, prosecutors, and the judiciary in recognizing, investigating, and prosecuting instances of domestic violence, dating violence, sexual assault, and stalking against immigrant victims, including the appropriate use of applications for nonimmigrant status under subparagraphs (T) and (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)).

''(16) To develop and promote State, local, or tribal legislation and policies that enhance best practices for responding to the crimes of domestic violence, dating violence, sexual assault, and stalking, including the appropriate treatment of victims.

''(17) To develop, implement, or enhance sexual assault nurse examiner programs or sexual assault forensic examiner programs, including the hiring and training of such examiners.

''(18) To develop, implement, or enhance Sexual Assault Response Teams or similar coordinated community responses to sexual assault.

''(19) To develop and strengthen policies, protocols, and training for law enforcement officers and prosecutors regarding the investigation and prosecution of sexual assault cases and the appropriate treatment of victims.

''(20) To provide human immunodeficiency virus testing programs, counseling, and prophylaxis for victims of sexual assault.

''(21) To identify and inventory backlogs of sexual assault evidence collection kits and to develop protocols for responding to and addressing such backlogs, including policies and protocols for notifying and involving victims.

''(22) To develop multidisciplinary high-risk teams focusing on reducing domestic violence and dating violence homicides by—

''(A) using evidence-based indicators to assess the risk of homicide and link high-risk victims to immediate crisis intervention services;

''(B) identifying and managing high-risk offenders; and

''(C) providing ongoing victim advocacy and referrals to comprehensive services including legal, housing, health care, and economic assistance.'';

(B) in subsection (c)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting ''except for a court,'' before ''certify''; and

(II) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), and adjusting the margin accordingly;

(ii) in paragraph (2), by inserting ''except for a court,'' before ''demonstrate'';

(iii) in paragraph (3)—

(I) by striking ''spouses'' each place it appears and inserting ''parties''; and

(II) by striking ''spouse'' and inserting ''party'';

(iv) in paragraph (4)—

(I) by inserting '', dating violence, sexual assault, or stalking'' after ''felony domestic violence'';

(II) by inserting ''modification, enforcement, dismissal,'' after ''registration,'' each place it appears;

(III) by inserting ''dating violence,'' after ''victim of domestic violence,''; and

(IV) by striking ''and'' at the end;

(v) in paragraph (5)—

(I) in the matter preceding subparagraph (A), by striking '', not later than 3 years after January 5, 2006'';

(II) by inserting '', trial of, or sentencing for'' after ''investigation of'' each place it appears;

(III) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), and adjusting the margin accordingly;

(IV) in clause (ii), as redesignated by subclause (III) of this clause, by striking ''subparagraph (A)'' and inserting ''clause (i)''; and

(V) by striking the period at the end and inserting ''; and'';

(vi) by redesignating paragraphs (1) through (5), as amended by this subparagraph, as subparagraphs (A) through (E), respectively;

(vii) in the matter preceding subparagraph (A), as redesignated by clause (v) of this subparagraph—

(I) by striking the comma that immediately follows another comma; and

(II) by striking ''grantees are States'' and inserting the following: ''grantees are—

''(1) States''; and

(viii) by adding at the end the following:

''(2) a State, tribal, or territorial domestic violence or sexual assault coalition or a victim service provider that partners with a State, Indian tribal government, or unit of local government that certifies that the State, Indian tribal government, or unit of local government meets the requirements under paragraph (1).'';

(C) in subsection (d)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting '', policy,'' after ''law''; and

(II) in subparagraph (A), by inserting ''and the defendant is in custody or has been served with the information or indictment'' before the semicolon; and

(ii) in paragraph (2), by striking ''it'' and inserting ''its''; and

(D) by adding at the end the following:

''(f) ALLOCATION FOR TRIBAL COALITIONS.—Of the amounts appropriated for purposes of this part for each fiscal year, not less than 5 percent shall be available for grants under section 2001 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg).

''(g) ALLOCATION FOR SEXUAL ASSAULT.—Of the amounts appropriated for purposes of this part for each fiscal year, not less than 25 percent shall be available for projects that address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.''; and

(2) in section 2102(a) (42 U.S.C. 3796hh–1(a))—

(A) in paragraph (1), by inserting ''court,'' after ''tribal government,''; and

(B) in paragraph (4), by striking ''nonprofit, private sexual assault and domestic violence programs'' and inserting ''victim service providers and, as appropriate, population specific organizations''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1001(a)(19) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(19)) is amended—

(1) by striking ''$75,000,000'' and all that follows through ''2011.'' and inserting ''$73,000,000 for each of fiscal years 2012 through 2016.''; and

(2) by striking the period that immediately follows another period.

SEC. 103. LEGAL ASSISTANCE FOR VICTIMS.

Section 1201 of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg–6) is amended—

(1) in subsection (a)—

(A) in the first sentence, by striking ''arising as a consequence of'' and inserting ''relating to or arising out of''; and

(B) in the second sentence, by inserting ''or arising out of'' after ''relating to'';

(2) in subsection (b)—

(A) in the heading, by inserting ''AND GRANT CONDITIONS'' after ''DEFINITIONS''; and

(B) by inserting ''and grant conditions'' after ''definitions'';

(3) in subsection (c)—

(A) in paragraph (1), by striking ''victims services organizations'' and inserting ''victim service providers''; and

(B) by striking paragraph (3) and inserting the following:

''(3) to implement, expand, and establish efforts and projects to provide competent, supervised pro bono legal assistance for victims of domestic violence, dating violence, sexual assault, or stalking, except that not more than 10 percent of the funds awarded under this section may be used for the purpose described in this paragraph.'';

(4) in subsection (d)—

(A) in paragraph (1), by striking ''this section has completed'' and all that follows and inserting the following: ''this section—''

''(A) has demonstrated expertise in providing legal assistance to victims of domestic violence, dating violence, sexual assault, or stalking in the targeted population; or

''(B)(i) is partnered with an entity or person that has demonstrated expertise described in subparagraph (A); and

''(ii) has completed, or will complete, training in connection with domestic violence, dating violence, stalking, or sexual assault and related legal issues, including training on evidence-based risk factors for domestic and dating violence homicide;''; and

(B) in paragraph (2), by striking ''stalking organization'' and inserting ''stalking victim service provider''; and

(5) in subsection (f) in paragraph (1), by striking ''this section'' and all that follows and inserting the following: ''this section $57,000,000 for each of fiscal years 2012 through 2016.''.

SEC. 104. CONSOLIDATION OF GRANTS TO SUPPORT FAMILIES IN THE JUSTICE SYSTEM.

(a) IN GENERAL.—Title III of division B of the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386; 114 Stat. 1509) is amended by striking the section preceding section 1302 (42 U.S.C. 10420), as amended by section 306 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162; 119 Stat. 316), and inserting the following:

''SEC. 1301. GRANTS TO SUPPORT FAMILIES IN THE JUSTICE SYSTEM.

''(a) IN GENERAL.—The Attorney General may make grants to States, units of local government, courts (including juvenile courts), Indian tribal governments, nonprofit organizations, legal services providers, and victim services providers to improve the response of all aspects of the civil and criminal justice system to families

with a history of domestic violence, dating violence, sexual assault, or stalking, or in cases involving allegations of child sexual abuse.

''(b) USE OF FUNDS.—A grant under this section may be used to—

''(1) provide supervised visitation and safe visitation exchange of children and youth by and between parents in situations involving domestic violence, dating violence, child sexual abuse, sexual assault, or stalking;

''(2) develop and promote State, local, and tribal legislation, policies, and best practices for improving civil and criminal court functions, responses, practices, and procedures in cases involving a history of domestic violence or sexual assault, or in cases involving allegations of child sexual abuse, including cases in which the victim proceeds pro se;

''(3) educate court-based and court-related personnel and court-appointed personnel (including custody evaluators and guardians ad litem) and child protective services workers on the dynamics of domestic violence, dating violence, sexual assault, and stalking, including information on perpetrator behavior, evidence-based risk factors for domestic and dating violence homicide, and on issues relating to the needs of victims, including safety, security, privacy, and confidentiality, including cases in which the victim proceeds pro se;

''(4) provide appropriate resources in juvenile court matters to respond to dating violence, domestic violence, sexual assault (including child sexual abuse), and stalking and ensure necessary services dealing with the health and mental health of victims are available;

''(5) enable courts or court-based or court-related programs to develop or enhance—

''(A) court infrastructure (such as specialized courts, consolidated courts, dockets, intake centers, or interpreter services);

''(B) community-based initiatives within the court system (such as court watch programs, victim assistants, pro se victim assistance programs, or community-based supplementary services);

''(C) offender management, monitoring, and accountability programs;

''(D) safe and confidential information-storage and information-sharing databases within and between court systems;

''(E) education and outreach programs to improve community access, including enhanced access for underserved populations; and

''(F) other projects likely to improve court responses to domestic violence, dating violence, sexual assault, and stalking;

''(6) provide civil legal assistance and advocacy services, including legal information and resources in cases in which the victim proceeds pro se, to—

''(A) victims of domestic violence; and

''(B) nonoffending parents in matters—

''(i) that involve allegations of child sexual abuse;

''(ii) that relate to family matters, including civil protection orders, custody, and divorce; and

''(iii) in which the other parent is represented by counsel;

''(7) collect data and provide training and technical assistance, including developing State, local, and tribal model codes and policies, to improve the capacity of grantees and communities to address the civil justice needs of victims of domestic violence, dating violence, sexual assault, and stalking who have legal representation, who are proceeding pro se, or who are proceeding with the assistance of a legal advocate; and

''(8) to improve training and education to assist judges, judicial personnel, attorneys, child welfare personnel, and legal advocates in the civil justice system.

''(c) CONSIDERATIONS.—

''(1) IN GENERAL.—In making grants for purposes described in paragraphs (1) through (7) of subsection (b), the Attorney General shall consider—

''(A) the number of families to be served by the proposed programs and services;

''(B) the extent to which the proposed programs and services serve underserved populations;

''(C) the extent to which the applicant demonstrates cooperation and collaboration with nonprofit, nongovernmental entities in the local community with demonstrated histories of effective work on domestic violence, dating violence, sexual assault, or stalking, including State or tribal domestic violence coalitions, State or tribal sexual assault coalitions, local shelters, and programs for domestic violence and sexual assault victims; and

''(D) the extent to which the applicant demonstrates coordination and collaboration with State, tribal, and local court systems, including mechanisms for communication and referral.

''(2) OTHER GRANTS.—In making grants under subsection (b)(8) the Attorney General shall take into account the extent to which the grantee has expertise addressing the judicial system's handling of family violence, child custody, child abuse and neglect, adoption, foster care, supervised visitation, divorce, and parentage.

''(d) APPLICANT REQUIREMENTS.—The Attorney General may make a grant under this section to an applicant that—

''(1) demonstrates expertise in the areas of domestic violence, dating violence, sexual assault, stalking, or child sexual abuse, as appropriate;

''(2) ensures that any fees charged to individuals for use of supervised visitation programs and services are based on the income of those individuals, unless otherwise provided by court order;

''(3) for a court-based program, certifies that victims of domestic violence, dating violence, sexual assault, or stalking are not charged fees or any other costs related to the filing, petitioning, modifying, issuance, registration, enforcement, withdrawal, or dismissal of matters relating to the domestic violence, dating violence, sexual assault, or stalking;

''(4) demonstrates that adequate security measures, including adequate facilities, procedures, and personnel capable of preventing violence, and adequate standards are, or will be, in place (including the development of protocols or policies to ensure that confidential information is not shared with courts, law enforcement agencies, or child welfare agencies unless necessary to ensure the safety of any child or adult using the services of a program funded under this section), if the applicant proposes to operate supervised visitation programs and services or safe visitation exchange;

''(5) certifies that the organizational policies of the applicant do not require mediation or counseling involving offenders and victims being physically present in the same place, in cases where domestic violence, dating violence, sexual assault, or stalking is alleged;

''(6) certifies that any person providing legal assistance through a program funded under this section has completed or will complete training on domestic violence, dating violence, sexual assault, and stalking, including child sexual abuse, and related legal issues; and

''(7) certifies that any person providing custody evaluation or guardian ad litem services through a program funded under this section has completed or will complete training developed with input from and in collaboration with a tribal, State, territorial, or local domestic violence, dating violence, sexual assault, or stalking victim service provider or coalition on the dynamics of domestic violence and sexual assault, including child sexual abuse, that includes training on how to review evidence of past abuse and the use of evidenced-based theories to make recommendations on custody and visitation.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $22,000,000 for each of fiscal years 2012 through 2016. Amounts appropriated pursuant to this subsection shall remain available until expended.

''(f) ALLOTMENT FOR INDIAN TRIBES.—

''(1) IN GENERAL.—Not less than 10 percent of the total amount available under this section for each fiscal year shall be available for grants under the program authorized by section 3796gg–10 of this title.

''(2) APPLICABILITY OF PART.—The requirements of this section shall not apply to funds allocated for the program described in paragraph (1).''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Subtitle J of the Violence Against Women Act of 1994 (42 U.S.C. 14043 et seq.) is repealed.

SEC. 105. SEX OFFENDER MANAGEMENT.

Section 40152(c) of the Violence Against Women Act of 1994 (42 U.S.C. 13941) is amended by striking ''$5,000,000'' and all that follows and inserting ''$5,000,000 for each of fiscal years 2012 through 2016.''.

SEC. 106. COURT-APPOINTED SPECIAL ADVOCATE PROGRAM.

Subtitle B of title II of the Crime Control Act of 1990 (42 U.S.C. 13011 et seq.) is amended—

(1) in section 216 (42 U.S.C. 13012), by striking ''January 1, 2010'' and inserting ''January 1, 2015'';

(2) in section 217 (42 U.S.C. 13013)—

(A) by striking ''Code of Ethics'' in section (c)(2) and inserting ''Standards for Programs''; and

(B) by adding at the end the following:

''(e) REPORTING.—An organization that receives a grant under this section for a fiscal year shall submit to the Administrator a report regarding the use of the grant for the fiscal year, including a discussion of outcome performance measures (which shall be established by the Administrator) to determine the effectiveness of the programs of the organization in meeting the needs of children in the child welfare system.''; and

(3) in section 219(a) (42 U.S.C. 13014(a)), by striking ''fiscal years 2007 through 2011'' and inserting ''fiscal years 2012 through 2016''.

SEC. 107. CRIMINAL PROVISION RELATING TO STALKING, INCLUDING CYBERSTALKING.

(a) INTERSTATE DOMESTIC VIOLENCE.—Section 2261(a)(1) of title 18, United States Code, is amended—

(1) by inserting ''is present'' after ''Indian Country or''; and

(2) by inserting ''or presence'' after ''as a result of such travel'';

(b) STALKING.—Section 2261A of title 18, United States Code, is amended to read as follows:

''§ 2261A. Stalking

''Whoever—

''(1) travels in interstate or foreign commerce or is present within the special maritime and territorial jurisdiction of the United States, or enters or leaves Indian country, with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, and in the course of, or as a result of, such travel or presence engages in conduct that—

''(A) places that person in reasonable fear of the death of, or serious bodily injury to—

''(i) that person;

''(ii) an immediate family member (as defined in section 115) of that person; or

''(iii) a spouse or intimate partner of that person; or

''(B) causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to a person described in clause (i), (ii), or (iii) of subparagraph (A); or

''(2) with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, uses the mail, any interactive computer service or electronic communication service or

electronic communication system of interstate commerce, or any other facility of interstate or foreign commerce to engage in a course of conduct that—

''(A) places that person in reasonable fear of the death of or serious bodily injury to a person described in clause (i), (ii), or (iii) of paragraph (1)(A); or

''(B) causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to a person described in clause (i), (ii), or (iii) of paragraph (1)(A),

shall be punished as provided in section 2261(b) of this title.''.

(c) INTERSTATE VIOLATION OF PROTECTION ORDER.—Section 2262(a)(2) of title 18, United States Code, is amended by inserting ''is present'' after ''Indian Country or''.

SEC. 108. OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS GRANT.

Section 120 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045) is amended to read as follows:

''SEC. 120. GRANTS FOR OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS.

''(a) GRANTS AUTHORIZED.—

''(1) IN GENERAL.—Of the amounts appropriated under the grant programs identified in paragraph (2), the Attorney General shall take 2 percent of such appropriated amounts and combine them to award grants to eligible entities described in subsection (b) of this section to develop and implement outreach strategies targeted at adult or youth victims of domestic violence, dating violence, sexual assault, or stalking in underserved populations and to provide victim services to meet the needs of adult and youth victims of domestic violence, dating violence, sexual assault, and stalking in underserved populations. The requirements of the grant programs identified in paragraph (2) shall not apply to this grant program.

''(2) PROGRAMS COVERED.—The programs covered by paragraph (1) are the programs carried out under the following provisions:

''(A) Section 2001 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Combat Violent Crimes Against Women).

''(B) Section 2101 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program).

''(b) ELIGIBLE ENTITIES.—Eligible entities under this section are—

''(1) population specific organizations that have demonstrated experience and expertise in providing population specific services in the relevant underserved communities, or population specific organizations working in partnership with a victim service provider or domestic violence or sexual assault coalition;

''(2) victim service providers offering population specific services for a specific underserved population; or

''(3) victim service providers working in partnership with a national, State, tribal, or local organization that has demonstrated experience and expertise in providing population specific services in the relevant underserved population.

''(c) PLANNING GRANTS.—The Attorney General may use up to 25 percent of funds available under this section to make one-time planning grants to eligible entities to support the planning and development of specially designed and targeted programs for adult and youth victims in one or more underserved populations, including—

''(1) identifying, building and strengthening partnerships with potential collaborators within underserved populations, Federal, State, tribal, territorial or local government entities, and public and private organizations;

''(2) conducting a needs assessment of the community and the targeted underserved population or populations to determine what the barriers are to service access and what factors contribute to those barriers, using input from the targeted underserved population or populations;

''(3) identifying promising prevention, outreach and intervention strategies for victims from a targeted underserved population or populations; and

''(4) developing a plan, with the input of the targeted underserved population or populations, for implementing prevention, outreach and intervention strategies to address the barriers to accessing services, promoting community engagement in the prevention of domestic violence, dating violence, sexual assault, and stalking within the targeted underserved populations, and evaluating the program.

''(d) IMPLEMENTATION GRANTS.—The Attorney General shall make grants to eligible entities for the purpose of providing or enhancing population specific outreach and services to adult and youth victims in one or more underserved populations, including—

''(1) working with Federal, State, tribal, territorial and local governments, agencies, and organizations to develop or enhance population specific services;

''(2) strengthening the capacity of underserved populations to provide population specific services;

''(3) strengthening the capacity of traditional victim service providers to provide population specific services;

''(4) strengthening the effectiveness of criminal and civil justice interventions by providing training for law enforcement, prosecutors, judges and other court personnel on domestic violence, dating violence, sexual assault, or stalking in underserved populations; or

''(5) working in cooperation with an underserved population to develop and implement outreach, education, prevention, and intervention strategies that highlight available resources and the specific issues faced by victims of domestic violence, dating violence, sexual assault, or stalking from underserved populations.

''(e) APPLICATION.—An eligible entity desiring a grant under this section shall submit an application to the Director of the Office on Violence Against Women at such time, in such form, and in such manner as the Director may prescribe.

''(f) REPORTS.—Each eligible entity receiving a grant under this section shall submit to the Director of the Office on Violence Against Women a report that describes the activities carried out with grant funds.

''(g) AUTHORIZATION OF APPROPRIATIONS.—In addition to the funds identified in subsection (a)(1), there are authorized to be appropriated to carry out this section $2,000,000 for each of fiscal years 2012 through 2016.

''(h) DEFINITIONS AND GRANT CONDITIONS.—In this section the definitions and grant conditions in section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925) shall apply.''.

SEC. 109. CULTURALLY SPECIFIC SERVICES GRANT.

Section 121 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045a) is amended—

*(1) in the section heading, by striking ''**and linguistically**'';*

(2) by striking ''and linguistically'' each place it appears;

(3) by striking ''and linguistic'' each place it appears;

(4) by striking subsection (a)(2) and inserting:

''(2) PROGRAMS COVERED.—The programs covered by paragraph (1) are the programs carried out under the following provisions:

''(A) Section 2101 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Encourage Arrest Policies and Enforcement of Protection Orders).

''(B) Section 14201 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg–6) (Legal Assistance for Victims).

''(C) Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) (Rural Domestic Violence, Dating Violence, Sexual Assault, Stalking, and Child Abuse Enforcement Assistance).

''(D) Section 40802 of the Violence Against Women Act of 1994 (42 U.S.C. 14041a) (Enhanced Training and Services to End Violence Against Women Later in Life).

''(E) Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg–7) (Education, Training, and Enhanced Services to End Violence Against and Abuse of Women with Disabilities).''; and

(5) in subsection (g), by striking ''linguistic and''.

TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 201. SEXUAL ASSAULT SERVICES PROGRAM.

(a) GRANTS TO STATES AND TERRITORIES.—Section 41601(b) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(b)) is amended—

(1) in paragraph (1), by striking ''other programs'' and all that follows and inserting ''other nongovernmental or tribal programs and projects to assist individuals who have been victimized by sexual assault, without regard to the age of the individual.'';

(2) in paragraph (2)—

(A) in subparagraph (B), by inserting ''or tribal programs and activities'' after ''nongovernmental organizations''; and

(B) in subparagraph (C)(v), by striking ''linguistically and''; and

(3) in paragraph (4)—

(A) by inserting ''(including the District of Columbia and Puerto Rico)'' after ''The Attorney General shall allocate to each State'';

(B) by striking ''the District of Columbia, Puerto Rico,'' after ''Guam'';

(C) by striking ''0.125 percent'' and inserting ''0.25 percent''; and

(D) by striking ''The District of Columbia shall be treated as a territory for purposes of calculating its allocation under the preceding formula.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 41601(f)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(f)(1)) is amended by striking ''$50,000,000 to remain available until expended for each of the fiscal years 2007 through 2011'' and inserting ''$40,000,000 to remain available until expended for each of fiscal years 2012 through 2016''.

SEC. 202. RURAL DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, STALKING, AND CHILD ABUSE ENFORCEMENT ASSISTANCE.

Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) is amended—

(1) in subsection (a)(1)(H), by inserting '', including sexual assault forensic examiners'' before the semicolon;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking ''victim advocacy groups'' and inserting ''victim service providers''; and

(ii) by inserting '', including developing multidisciplinary teams focusing on high risk cases with the goal of preventing domestic and dating violence homicides'' before the semicolon;

(B) in paragraph (2)—

(i) by striking ''and other long- and short-term assistance'' and inserting ''legal assistance, and other long-term and short-term victim and population specific services''; and

(ii) by striking ''and'' at the end;

(C) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(4) developing, enlarging, or strengthening programs addressing sexual assault, including sexual assault forensic examiner programs, Sexual Assault Response Teams, law enforcement training, and programs addressing rape kit backlogs.

''(5) developing programs and strategies that focus on the specific needs of victims of domestic

violence, dating violence, sexual assault, and stalking who reside in remote rural and geographically isolated areas, including addressing the challenges posed by the lack of access to shelters and victims services, and limited law enforcement resources and training, and providing training and resources to Community Health Aides involved in the delivery of Indian Health Service programs.''; and

(3) in subsection (e)(1), by striking ''$55,000,000 for each of the fiscal years 2007 through 2011'' and inserting ''$50,000,000 for each of fiscal years 2012 through 2016''.

SEC. 203. TRAINING AND SERVICES TO END VIOLENCE AGAINST WOMEN WITH DISABILITIES GRANTS.

Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg–7) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by inserting ''(including using evidence-based indicators to assess the risk of domestic and dating violence homicide)'' after ''risk reduction'';

(B) in paragraph (4), by striking ''victim service organizations'' and inserting ''victim service providers''; and

(C) in paragraph (5), by striking ''victim services organizations'' and inserting ''victim service providers'';

(2) in subsection (c)(1)(D), by striking ''nonprofit and nongovernmental victim services organization, such as a State'' and inserting ''victim service provider, such as a State or tribal''; and

(3) in subsection (e), by striking ''$10,000,000 for each of the fiscal years 2007 through 2011'' and inserting ''$9,000,000 for each of fiscal years 2012 through 2016''.

SEC. 204. ENHANCED TRAINING AND SERVICES TO END ABUSE IN LATER LIFE.

(a) IN GENERAL.—Subtitle H of the Violence Against Women Act of 1994 (42 U.S.C. 14041 et seq.) is amended to read as follows:

"Subtitle H—Enhanced Training and Services to End Abuse Later in Life

"SEC. 40801. ENHANCED TRAINING AND SERVICES TO END ABUSE IN LATER LIFE.

''(a) DEFINITIONS.—In this section—

''(1) the term 'exploitation' has the meaning given the term in section 2011 of the Social Security Act (42 U.S.C. 1397j);

''(2) the term 'later life', relating to an individual, means the individual is 50 years of age or older; and

''(3) the term 'neglect' means the failure of a caregiver or fiduciary to provide the goods or services that are necessary to maintain the health or safety of an individual in later life.

''(b) GRANT PROGRAM.—

''(1) GRANTS AUTHORIZED.—The Attorney General may make grants to eligible entities to carry out the activities described in paragraph (2).

''(2) MANDATORY AND PERMISSIBLE ACTIVITIES.—

''(A) MANDATORY ACTIVITIES.—An eligible entity receiving a grant under this section shall use the funds received under the grant to—

''(i) provide training programs to assist law enforcement agencies, prosecutors, agencies of States or units of local government, population specific organizations, victim service providers, victim advocates, and relevant officers in Federal, tribal, State, territorial, and local courts in recognizing and addressing instances of elder abuse;

''(ii) provide or enhance services for victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect;

''(iii) establish or support multidisciplinary collaborative community responses to victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect; and

''(iv) conduct cross-training for law enforcement agencies, prosecutors, agencies of States or units of local government, attorneys, health care providers, population specific organizations, faith-based advocates, victim service providers, and courts to better serve victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect.

''(B) PERMISSIBLE ACTIVITIES.—An eligible entity receiving a grant under this section may use the funds received under the grant to—

''(i) provide training programs to assist attorneys, health care providers, faith-based leaders, or other community-based organizations in recognizing and addressing instances of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect; or

''(ii) conduct outreach activities and awareness campaigns to ensure that victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect receive appropriate assistance.

''(C) WAIVER.—The Attorney General may waive 1 or more of the activities described in subparagraph (A) upon making a determination that the activity would duplicate services available in the community.

''(D) LIMITATION.—An eligible entity receiving a grant under this section may use not more than 10 percent of the total funds received under the grant for an activity described in subparagraph (B)(ii).

''(3) ELIGIBLE ENTITIES.—An entity shall be eligible to receive a grant under this section if—

''(A) the entity is—

''(i) a State;

''(ii) a unit of local government;

''(iii) a tribal government or tribal organization;

''(iv) a population specific organization with demonstrated experience in assisting individuals over 50 years of age;

''(v) a victim service provider with demonstrated experience in addressing domestic violence, dating violence, sexual assault, and stalking; or

''(vi) a State, tribal, or territorial domestic violence or sexual assault coalition; and

''(B) the entity demonstrates that it is part of a multidisciplinary partnership that includes, at a minimum—

''(i) a law enforcement agency;

''(ii) a prosecutor's office;

''(iii) a victim service provider; and

''(iv) a nonprofit program or government agency with demonstrated experience in assisting individuals in later life;

''(4) UNDERSERVED POPULATIONS.—In making grants under this section, the Attorney General shall give priority to proposals providing services to culturally specific and underserved populations.

''(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $9,000,000 for each of fiscal years 2012 through 2016.''.

TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS OF VIOLENCE

SEC. 301. RAPE PREVENTION AND EDUCATION GRANT.

Section 393A of the Public Health Service Act (42 U.S.C. 280b–1b) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting '', territorial or tribal'' after ''crisis centers, State''; and

(B) in paragraph (6), by inserting ''and alcohol'' after ''about drugs''; and

(2) in subsection (c)—

(A) in paragraph (1), by striking ''$80,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$50,000,000 for each of fiscal years 2012 through 2016''; and

(B) by adding at the end the following:

''(3) BASELINE FUNDING FOR STATES, THE DISTRICT OF COLUMBIA, AND PUERTO RICO.—A minimum allocation of $150,000 shall be awarded in each fiscal year for each of the States, the District of Columbia, and Puerto Rico. A minimum allocation of $35,000 shall be awarded in each fiscal year for each Territory. Any unused or remaining funds shall be allotted to each State, the District of Columbia, and Puerto Rico on the basis of population.''.

SEC. 302. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH.

Subtitle L of the Violence Against Women Act of 1994 is amended by striking sections 41201 through 41204 (42 U.S.C. 14043c through 14043c–3) and inserting the following:

"SEC. 41201. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH ('CHOOSE CHILDREN & YOUTH').

''(a) GRANTS AUTHORIZED.—The Attorney General, working in collaboration with the Secretary of Health and Human Services and the Secretary of Education, shall award grants to enhance the safety of youth and children who are victims of, or exposed to, domestic violence, dating violence, sexual assault, or stalking and prevent future violence.

''(b) PROGRAM PURPOSES.—Funds provided under this section may be used for the following program purpose areas:

''(1) SERVICES TO ADVOCATE FOR AND RESPOND TO YOUTH.—To develop, expand, and strengthen victim-centered interventions and services that target youth who are victims of domestic violence, dating violence, sexual assault, and stalking. Services may include victim services, counseling, advocacy, mentoring, educational support, transportation, legal assistance in civil, criminal and administrative matters, such as family law cases, housing cases, child welfare proceedings, campus administrative proceedings, and civil protection order proceedings, services to address the co-occurrence of sex trafficking, population-specific services, and other activities that support youth in finding safety, stability, and justice and in addressing the emotional, cognitive, and physical effects of trauma. Funds may be used to—

''(A) assess and analyze currently available services for youth victims of domestic violence, dating violence, sexual assault, and stalking, determining relevant barriers to such services in a particular locality, and developing a community protocol to address such problems collaboratively;

''(B) develop and implement policies, practices, and procedures to effectively respond to domestic violence, dating violence, sexual assault, or stalking against youth; or

''(C) provide technical assistance and training to enhance the ability of school personnel, victim service providers, child protective service workers, staff of law enforcement agencies, prosecutors, court personnel, individuals who work in after school programs, medical personnel, social workers, mental health personnel, and workers in other programs that serve children and youth to improve their ability to appropriately respond to the needs of children and youth who are victims of domestic violence, dating violence, sexual assault, and stalking, and to properly refer such children, youth, and their families to appropriate services.

''(2) SUPPORTING YOUTH THROUGH EDUCATION AND PROTECTION.—To enable middle schools, high schools, and institutions of higher education to—

''(A) provide training to school personnel, including healthcare providers and security personnel, on the needs of students who are victims of domestic violence, dating violence, sexual assault, or stalking;

''(B) develop and implement prevention and intervention policies in middle and high schools, including appropriate responses to, and identification and referral procedures for, students who are experiencing or perpetrating domestic

violence, dating violence, sexual assault, or stalking, and procedures for handling the requirements of court protective orders issued to or against students;

''(C) provide support services for student victims of domestic violence, dating violence, sexual assault or stalking, such as a resource person who is either on-site or on-call;

''(D) implement developmentally appropriate educational programming for students regarding domestic violence, dating violence, sexual assault, and stalking and the impact of such violence on youth; or

''(E) develop strategies to increase identification, support, referrals, and prevention programming for youth who are at high risk of domestic violence, dating violence, sexual assault, or stalking.

''(c) ELIGIBLE APPLICANTS.—

''(1) IN GENERAL.—To be eligible to receive a grant under this section, an entity shall be—

''(A) a victim service provider, tribal nonprofit, or population-specific or community-based organization with a demonstrated history of effective work addressing the needs of youth who are, including runaway or homeless youth affected by, victims of domestic violence, dating violence, sexual assault, or stalking;

''(B) a victim service provider that is partnered with an entity that has a demonstrated history of effective work addressing the needs of youth; or

''(C) a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents' Education Act of 1978, a group of schools, a school district, or an institution of higher education.

''(2) PARTNERSHIPS.—

''(A) EDUCATION.—To be eligible to receive a grant for the purposes described in subsection (b)(2), an entity described in paragraph (1) shall be partnered with a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents' Education Act of 1978, a group of schools, a school district, or an institution of higher education.

''(B) OTHER PARTNERSHIPS.—All applicants under this section are encouraged to work in partnership with organizations and agencies that work with the relevant population. Such entities may include—

''(i) a State, tribe, unit of local government, or territory;

''(ii) a population specific or community-based organization;

''(iii) batterer intervention programs or sex offender treatment programs with specialized knowledge and experience working with youth offenders; or

''(iv) any other agencies or nonprofit, nongovernmental organizations with the capacity to provide effective assistance to the adult, youth, and child victims served by the partnership.

''(d) GRANTEE REQUIREMENTS.—Applicants for grants under this section shall establish and implement policies, practices, and procedures that—

''(1) require and include appropriate referral systems for child and youth victims;

''(2) protect the confidentiality and privacy of child and youth victim information, particularly in the context of parental or third party involvement and consent, mandatory reporting duties, and working with other service providers all with priority on victim safety and autonomy; and

''(3) ensure that all individuals providing intervention or prevention programming to children or youth through a program funded under this section have completed, or will complete, sufficient training in connection with domestic violence, dating violence, sexual assault and stalking.

''(e) DEFINITIONS AND GRANT CONDITIONS.—In this section, the definitions and grant conditions provided for in section 40002 shall apply.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $15,000,000 for each of fiscal years 2012 through 2016.

''(g) ALLOTMENT.—

''(1) IN GENERAL.—Not less than 50 percent of the total amount appropriated under this section for each fiscal year shall be used for the purposes described in subsection (b)(1).

''(2) INDIAN TRIBES.—Not less than 10 percent of the total amount appropriated under this section for each fiscal year shall be made available for grants under the program authorized by section 2015 of the Omnibus Crime Control and Safe Streets Act of 1968. The requirements of this section shall not apply to funds allocated under this paragraph.

''(h) PRIORITY.—The Attorney General shall prioritize grant applications under this section that coordinate with prevention programs in the community.''.

SEC. 303. GRANTS TO COMBAT VIOLENT CRIMES ON CAMPUSES.

Section 304 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045b) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''stalking on campuses, and'' and inserting ''stalking on campuses,'';

(ii) by striking ''crimes against women on'' and inserting ''crimes on''; and

(iii) by inserting '', and to develop and strengthen prevention education and awareness programs'' before the period; and

(B) in paragraph (2), by striking ''$500,000'' and inserting ''$300,000'';

(2) in subsection (b)—

(A) in paragraph (2)—

(i) by inserting '', strengthen,'' after ''To develop''; and

(ii) by inserting ''including the use of technology to commit these crimes,'' after ''sexual assault and stalking,'';

(B) in paragraph (4)—

(i) by inserting ''and population specific services'' after ''strengthen victim services programs'';

(ii) by striking ''entities carrying out'' and all that follows through ''stalking victim services programs'' and inserting ''victim service providers''; and

(iii) by inserting '', regardless of whether the services are provided by the institution or in coordination with community victim service providers'' before the period at the end; and

(C) by adding at the end the following:

''(9) To develop or adapt and provide developmental, culturally appropriate, and linguistically accessible print or electronic materials to address both prevention and intervention in domestic violence, dating violence, sexual violence, and stalking.

''(10) To develop or adapt population specific strategies and projects for victims of domestic violence, dating violence, sexual assault, and stalking from underserved populations on campus.'';

(3) in subsection (c)—

(A) in paragraph (2)—

(i) in subparagraph (B), by striking ''any non-profit'' and all that follows through ''victim services programs'' and inserting ''victim service providers'';

(ii) by redesignating subparagraphs (D) through (F) as subparagraphs (E) through (G), respectively; and

(iii) by inserting after subparagraph (C), the following:

''(D) describe how underserved populations in the campus community will be adequately served, including the provision of relevant population specific services;''; and

(B) in paragraph (3), by striking ''2007 through 2011'' and inserting ''2012 through 2016'';

(4) in subsection (d)—

(A) by redesignating paragraph (3) as paragraph (4); and

(B) by inserting after paragraph (2), the following:

''(3) GRANTEE MINIMUM REQUIREMENTS.—Each grantee shall comply with the following minimum requirements during the grant period:

''(A) The grantee shall create a coordinated community response including both organizations external to the institution and relevant divisions of the institution.

''(B) The grantee shall establish a mandatory prevention and education program on domestic violence, dating violence, sexual assault, and stalking for all incoming students.

''(C) The grantee shall train all campus law enforcement to respond effectively to domestic violence, dating violence, sexual assault, and stalking.

''(D) The grantee shall train all members of campus disciplinary boards to respond effectively to situations involving domestic violence, dating violence, sexual assault, or stalking.''; and

(5) in subsection (e), by striking ''there are'' and all that follows through the period and inserting ''there is authorized to be appropriated $12,000,000 for each of fiscal years 2012 through 2016.''.

SEC. 304. CAMPUS SEXUAL VIOLENCE, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING EDUCATION AND PREVENTION.

(a) IN GENERAL.—Section 485(f) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (C)(iii), by striking the period at the end and inserting '', when the victim of such crime elects or is unable to make such a report.''; and

(B) in subparagraph (F)—

(i) in clause (i)(VIII), by striking ''and'' after the semicolon;

(ii) in clause (ii)—

(I) by striking ''sexual orientation'' and inserting '' national origin, sexual orientation, gender identity,''; and

(II) by striking the period and inserting ''; and''; and

(iii) by adding at the end the following:

''(iii) of domestic violence, dating violence, and stalking incidents that were reported to campus security authorities or local police agencies.'';

(2) in paragraph (3), by inserting '', that withholds the names of victims as confidential,'' after ''that is timely'';

(3) in paragraph (6)(A)—

(A) by redesignating clauses (i), (ii), and (iii) as clauses (ii), (iii), and (iv), respectively;

(B) by inserting before clause (ii), as redesignated by subparagraph (A), the following:

''(i) The terms 'dating violence', 'domestic violence', and 'stalking' have the meaning given such terms in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).''; and

(C) by inserting after clause (iv), as redesignated by subparagraph (A), the following:

''(v) The term 'sexual assault' means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.'';

(4) in paragraph (7)—

(A) by striking ''paragraph (1)(F)'' and inserting ''clauses (i) and (ii) of paragraph (1)(F)''; and

(B) by inserting after ''Hate Crime Statistics Act.'' the following: ''For the offenses of domestic violence, dating violence, and stalking, such statistics shall be compiled in accordance with the definitions used in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).'';

(5) by striking paragraph (8) and inserting the following:

''(8)(A) Each institution of higher education participating in any program under this title and title IV of the Economic Opportunity Act of 1964, other than a foreign institution of higher education, shall develop and distribute as part of the report described in paragraph (1) a statement of policy regarding—

''(i) such institution's programs to prevent domestic violence, dating violence, sexual assault, and stalking; and

''(ii) the procedures that such institution will follow once an incident of domestic violence, dating violence, sexual assault, or stalking has been reported.

''(B) The policy described in subparagraph (A) shall address the following areas:

''(i) Education programs to promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking, which shall include—

''(I) primary prevention and awareness programs for all incoming students and new employees, which shall include—

''(aa) a statement that the institution of higher education prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking;

''(bb) the definition of domestic violence, dating violence, sexual assault, and stalking in the applicable jurisdiction;

''(cc) the definition of consent, in reference to sexual activity, in the applicable jurisdiction;

''(dd) safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than such individual;

''(ee) information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks; and

''(ff) the information described in clauses (ii) through (vii); and

''(II) ongoing prevention and awareness campaigns for students and faculty, including information described in items (aa) through (ff) of subclause (I).

''(ii) Possible sanctions or protective measures that such institution may impose following a final determination of an institutional disciplinary procedure regarding rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking.

''(iii) Procedures victims should follow if a sex offense, domestic violence, dating violence, sexual assault, or stalking has occurred, including information in writing about—

''(I) the importance of preserving evidence as may be necessary to the proof of criminal domestic violence, dating violence, sexual assault, or stalking, or in obtaining a protection order;

''(II) to whom the alleged offense should be reported;

''(III) options regarding law enforcement and campus authorities, including notification of the victim's option to—

''(aa) notify proper law enforcement authorities, including on-campus and local police;

''(bb) be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and

''(cc) decline to notify such authorities; and

''(IV) where applicable, the rights of victims and the institution's responsibilities regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

''(iv) Procedures for institutional disciplinary action in cases of alleged domestic violence, dating violence, sexual assault, or stalking, which shall include a clear statement that—

''(I) such proceedings shall—

''(aa) provide a prompt and equitable investigation and resolution; and

''(bb) be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability;

''(II) the accuser and the accused are entitled to the same opportunities to have others present during an institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice; and

''(III) both the accuser and the accused shall be simultaneously informed, in writing, of—

''(aa) the outcome of any institutional disciplinary proceeding that arises from an allegation of domestic violence, dating violence, sexual assault, or stalking;

''(bb) the institution's procedures for the accused and the victim to appeal the results of the institutional disciplinary proceeding;

''(cc) of any change to the results that occurs prior to the time that such results become final; and

''(dd) when such results become final.

''(v) Information about how the institution will protect the confidentiality of victims, including how publicly-available recordkeeping will be accomplished without the inclusion of identifying information about the victim, to the extent permissible by law.

''(vi) Written notification of students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims both on-campus and in the community.

''(vii) Written notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations, if so requested by the victim and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

''(C) A student or employee who reports to an institution of higher education that the student or employee has been a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off campus, shall be provided with a written explanation of the student or employee's rights and options, as described in clauses (ii) through (vii) of subparagraph (B).'';

(6) in paragraph (9), by striking ''The Secretary'' and inserting ''The Secretary, in consultation with the Attorney General of the United States,'';

(7) by striking paragraph (16) and inserting the following:

''(16)(A) The Secretary shall seek the advice and counsel of the Attorney General of the United States concerning the development, and dissemination to institutions of higher education, of best practices information about campus safety and emergencies.

''(B) The Secretary shall seek the advice and counsel of the Attorney General of the United States and the Secretary of Health and Human Services concerning the development, and dissemination to institutions of higher education, of best practices information about preventing and responding to incidents of domestic violence, dating violence, sexual assault, and stalking, including elements of institutional policies that have proven successful based on evidence-based outcome measurements.''; and

(8) by striking paragraph (17) and inserting the following:

''(17) No officer, employee, or agent of an institution participating in any program under this title shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision of this subsection.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect with respect to the annual security report under section 485(f)(1) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)(1)) prepared by an institution of higher education 1 calendar year after the date of enactment of this Act, and each subsequent calendar year.

TITLE IV—VIOLENCE REDUCTION PRACTICES

SEC. 401. STUDY CONDUCTED BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION.

Section 402(c) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 280b–4(c)) is amended by striking ''$2,000,000 for each of the fiscal years 2007 through 2011'' and inserting ''$1,000,000 for each of the fiscal years 2012 through 2016''.

SEC. 402. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION GRANTS.

(a) SMART PREVENTION.—Section 41303 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d–2) is amended to read as follows:

''SEC. 41303. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION (SMART PREVENTION).

''(a) GRANTS AUTHORIZED.—The Attorney General, in consultation with the Secretary of Health and Human Services and the Secretary of Education, is authorized to award grants for the purpose of preventing domestic violence, dating violence, sexual assault, and stalking by taking a comprehensive approach that focuses on youth, children exposed to violence, and men as leaders and influencers of social norms.

''(b) USE OF FUNDS.—Funds provided under this section may be used for the following purposes:

''(1) TEEN DATING VIOLENCE AWARENESS AND PREVENTION.—To develop, maintain, or enhance programs that change attitudes and behaviors around the acceptability of domestic violence, dating violence, sexual assault, and stalking and provide education and skills training to young individuals and individuals who influence young individuals. The prevention program may use evidence-based, evidence-informed, or innovative strategies and practices focused on youth. Such a program should include—

''(A) age and developmentally-appropriate education on domestic violence, dating violence, sexual assault, stalking, and sexual coercion, as well as healthy relationship skills, in school, in the community, or in health care settings;

''(B) community-based collaboration and training for those with influence on youth, such as parents, teachers, coaches, healthcare providers, faith-leaders, older teens, and mentors;

''(C) education and outreach to change environmental factors contributing to domestic violence, dating violence, sexual assault, and stalking; and

''(D) policy development targeted to prevention, including school-based policies and protocols.

''(2) CHILDREN EXPOSED TO VIOLENCE AND ABUSE.—To develop, maintain or enhance programs designed to prevent future incidents of domestic violence, dating violence, sexual assault, and stalking by preventing, reducing and responding to children's exposure to violence in the home. Such programs may include—

''(A) providing services for children exposed to domestic violence, dating violence, sexual assault or stalking, including direct counseling or advocacy, and support for the non-abusing parent; and

''(B) training and coordination for educational, after-school, and childcare programs on how to safely and confidentially identify children and families experiencing domestic violence, dating violence, sexual assault, or stalking and properly refer children exposed and their families to services and violence prevention programs.

''(3) ENGAGING MEN AS LEADERS AND ROLE MODELS.—To develop, maintain or enhance programs that work with men to prevent domestic violence, dating violence, sexual assault, and stalking by helping men to serve as role models and social influencers of other men and youth at the individual, school, community or statewide levels.

''(c) ELIGIBLE ENTITIES.—To be eligible to receive a grant under this section, an entity shall be—

''(1) a victim service provider, community-based organization, tribe or tribal organization, or other non-profit, nongovernmental organization that has a history of effective work preventing domestic violence, dating violence, sexual assault, or stalking and expertise in the specific area for which they are applying for funds; or

''(2) a partnership between a victim service provider, community-based organization, tribe or tribal organization, or other non-profit, nongovernmental organization that has a history of effective work preventing domestic violence, dating violence, sexual assault, or stalking and at least one of the following that has expertise in serving children exposed to domestic violence, dating violence, sexual assault, or stalking, youth domestic violence, dating violence, sexual assault, or stalking prevention, or engaging men to prevent domestic violence, dating violence, sexual assault, or stalking:

''(A) A public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents' Education Act of 1978, a group of schools, or a school district.

''(B) A local community-based organization, population-specific organization, or faith-based organization that has established expertise in providing services to youth.

''(C) A community-based organization, population-specific organization, university or health care clinic, faith-based organization, or other non-profit, nongovernmental organization with a demonstrated history of effective work addressing the needs of children exposed to domestic violence, dating violence, sexual assault, or stalking.

''(D) A nonprofit, nongovernmental entity providing services for runaway or homeless youth affected by domestic violence, dating violence, sexual assault, or stalking.

''(E) Healthcare entities eligible for reimbursement under title XVIII of the Social Security Act, including providers that target the special needs of children and youth.

''(F) Any other agencies, population-specific organizations, or nonprofit, nongovernmental organizations with the capacity to provide necessary expertise to meet the goals of the program; or

''(3) a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents' Education Act of 1978, a group of schools, a school district, or an institution of higher education.

''(d) GRANTEE REQUIREMENTS.—

''(1) IN GENERAL.—Applicants for grants under this section shall prepare and submit to the Director an application at such time, in such manner, and containing such information as the Director may require that demonstrates the capacity of the applicant and partnering organizations to undertake the project.

''(2) POLICIES AND PROCEDURES.—Applicants under this section shall establish and implement policies, practices, and procedures that—

''(A) include appropriate referral systems to direct any victim identified during program activities to highly qualified follow-up care;

''(B) protect the confidentiality and privacy of adult and youth victim information, particularly in the context of parental or third party involvement and consent, mandatory reporting duties, and working with other service providers;

''(C) ensure that all individuals providing prevention programming through a program funded under this section have completed or will complete sufficient training in connection with domestic violence, dating violence, sexual assault or stalking; and

''(D) document how prevention programs are coordinated with service programs in the community.

''(3) PREFERENCE.—In selecting grant recipients under this section, the Attorney General shall give preference to applicants that—

''(A) include outcome-based evaluation; and

''(B) identify any other community, school, or State-based efforts that are working on domestic violence, dating violence, sexual assault, or stalking prevention and explain how the grantee or partnership will add value, coordinate with other programs, and not duplicate existing efforts.

''(e) DEFINITIONS AND GRANT CONDITIONS.—In this section, the definitions and grant conditions provided for in section 40002 shall apply.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $15,000,000 for each of fiscal years 2012 through 2016. Amounts appropriated under this section may only be used for programs and activities described under this section.

''(g) ALLOTMENT.—

''(1) IN GENERAL.—Not less than 25 percent of the total amounts appropriated under this section in each fiscal year shall be used for each set of purposes described in paragraphs (1), (2), and (3) of subsection (b).

''(2) INDIAN TRIBES.—Not less than 10 percent of the total amounts appropriated under this section in each fiscal year shall be made available for grants to Indian tribes or tribal organizations. If an insufficient number of applications are received from Indian tribes or tribal organizations, such funds shall be allotted to other population-specific programs.''.

(b) REPEALS.—The following provisions are repealed:

(1) Sections 41304 and 41305 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d–3 and 14043d–4).

(2) Section 403 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045c).

TITLE V—STRENGTHENING THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 501. CONSOLIDATION OF GRANTS TO STRENGTHEN THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) GRANTS.—Section 399P of the Public Health Service Act (42 U.S.C. 280g–4) is amended to read as follows:

''SEC. 399P. GRANTS TO STRENGTHEN THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

''(a) IN GENERAL.—The Secretary shall award grants for—

''(1) the development or enhancement and implementation of interdisciplinary training for health professionals, public health staff, and allied health professionals;

''(2) the development or enhancement and implementation of education programs for medical, nursing, dental, and other health profession students and residents to prevent and respond to domestic violence, dating violence, sexual assault, and stalking; and

''(3) the development or enhancement and implementation of comprehensive statewide strategies to improve the response of clinics, public health facilities, hospitals, and other health settings (including behavioral and mental health programs) to domestic violence, dating violence, sexual assault, and stalking.

''(b) USE OF FUNDS.—

''(1) REQUIRED USES.—Amounts provided under a grant under this section shall be used to—

''(A) fund interdisciplinary training and education programs under paragraphs (1) and (2) of subsection (a) that—

''(i) are designed to train medical, psychology, dental, social work, nursing, and other health profession students, interns, residents, fellows, or current health care providers to identify and provide health care services (including mental or behavioral health care services and referrals to appropriate community services) to individuals who are or who have been victims of domestic violence, dating violence, sexual assault, or stalking; and

''(ii) plan and develop culturally competent clinical training components for integration into approved internship, residency, and fellowship training or continuing medical or other health education training that address physical, mental, and behavioral health issues, including protective factors, related to domestic violence, dating violence, sexual assault, stalking, and other forms of violence and abuse, focus on reducing health disparities and preventing violence and abuse, and include the primacy of victim safety and confidentiality;

''(B) design and implement comprehensive strategies to improve the response of the health care system to domestic or sexual violence in clinical and public health settings, hospitals, clinics, and other health settings (including behavioral and mental health), under subsection (a)(3) through—

''(i) the implementation, dissemination, and evaluation of policies and procedures to guide health professionals and public health staff in identifying and responding to domestic violence, dating violence, sexual assault, and stalking, including strategies to ensure that health information is maintained in a manner that protects the patient's privacy and safety, and safely uses health information technology to improve documentation, identification, assessment, treatment, and follow-up care;

''(ii) the development of on-site access to services to address the safety, medical, and mental health needs of patients by increasing the capacity of existing health care professionals and public health staff to address domestic violence, dating violence, sexual assault, and stalking, or by contracting with or hiring domestic or sexual assault advocates to provide such services or to model other services appropriate to the geographic and cultural needs of a site;

''(iii) the development of measures and methods for the evaluation of the practice of identification, intervention, and documentation regarding victims of domestic violence, dating violence, sexual assault, and stalking, including the development and testing of quality improvement measurements, in accordance with the multi-stakeholder and quality measurement processes established under paragraphs (7) and (8) of section 1890(b) and section 1890A of the Social Security Act (42 U.S.C. 1395aaa(b)(7) and (8); 42 U.S.C. 1890A); and

''(iv) the provision of training and follow-up technical assistance to health care professionals, and public health staff, and allied health professionals to identify, assess, treat, and refer clients who are victims of domestic violence, dating violence, sexual assault, or stalking, including using tools and training materials already developed.

''(2) PERMISSIBLE USES.—

''(A) CHILD AND ELDER ABUSE.—To the extent consistent with the purpose of this section, a grantee may use amounts received under this section to address, as part of a comprehensive programmatic approach implemented under the grant, issues relating to child or elder abuse.

''(B) RURAL AREAS.—Grants funded under paragraphs (1) and (2) of subsection (a) may be used to offer to rural areas community-based training opportunities, which may include the use of distance learning networks and other available technologies needed to reach isolated rural areas, for medical, nursing, and other health profession students and residents on domestic violence, dating violence, sexual assault, stalking, and, as appropriate, other forms of violence and abuse.

''(C) OTHER USES.—Grants funded under subsection (a)(3) may be used for —

''(i) the development of training modules and policies that address the overlap of child abuse, domestic violence, dating violence, sexual assault, and stalking and elder abuse, as well as childhood exposure to domestic and sexual violence;

''(ii) the development, expansion, and implementation of sexual assault forensic medical examination or sexual assault nurse examiner programs;

''(iii) the inclusion of the health effects of lifetime exposure to violence and abuse as well as related protective factors and behavioral risk factors in health professional training schools including medical, dental, nursing, social work, and mental and behavioral health curricula, and allied health service training courses; or

''(iv) the integration of knowledge of domestic violence, dating violence, sexual assault, and stalking into health care accreditation and professional licensing examinations, such as medical, dental, social work, and nursing boards, and where appropriate, other allied health exams.

''(c) REQUIREMENTS FOR GRANTEES.—

''(1) CONFIDENTIALITY AND SAFETY.—

''(A) IN GENERAL.—Grantees under this section shall ensure that all programs developed with grant funds address issues of confidentiality and patient safety and comply with applicable confidentiality and nondisclosure requirements under section 40002(b)(2) of the Violence Against Women Act of 1994 and the Family Violence Prevention and Services Act, and that faculty and staff associated with delivering educational components are fully trained in procedures that will protect the immediate and ongoing security and confidentiality of the patients, patient records, and staff. Such grantees shall consult entities with demonstrated expertise in the confidentiality and safety needs of victims of domestic violence, dating violence, sexual assault, and stalking on the development and adequacy of confidentially and security procedures, and provide documentation of such consultation.

''(B) ADVANCE NOTICE OF INFORMATION DISCLOSURE.—Grantees under this section shall provide to patients advance notice about any circumstances under which information may be disclosed, such as mandatory reporting laws, and shall give patients the option to receive information and referrals without affirmatively disclosing abuse.

''(2) LIMITATION ON ADMINISTRATIVE EXPENSES.—A grantee shall use not more than 10 percent of the amounts received under a grant under this section for administrative expenses.

''(3) APPLICATION.—

''(A) PREFERENCE.—In selecting grant recipients under this section, the Secretary shall give preference to applicants based on the strength of their evaluation strategies, with priority given to outcome based evaluations.

''(B) SUBSECTION (A)(1) AND (2) GRANTEES.—Applications for grants under paragraphs (1) and (2) of subsection (a) shall include—

''(i) documentation that the applicant represents a team of entities working collaboratively to strengthen the response of the health care system to domestic violence, dating violence, sexual assault, or stalking, and which includes at least one of each of—

''(I) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or other health field;

''(II) a health care facility or system; or

''(III) a government or nonprofit entity with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking; and

''(ii) strategies for the dissemination and sharing of curricula and other educational materials developed under the grant, if any, with other interested health professions schools and national resource repositories for materials on domestic violence, dating violence, sexual assault, and stalking.

''(C) SUBSECTION (A)(3) GRANTEES.—An entity desiring a grant under subsection (a)(3) shall submit an application to the Secretary at such time, in such a manner, and containing such information and assurances as the Secretary may require, including—

''(i) documentation that all training, education, screening, assessment, services, treatment, and any other approach to patient care will be informed by an understanding of violence and abuse victimization and trauma-specific approaches that will be integrated into prevention, intervention, and treatment activities;

''(ii) strategies for the development and implementation of policies to prevent and address domestic violence, dating violence, sexual assault, and stalking over the lifespan in health care settings;

''(iii) a plan for consulting with State and tribal domestic violence or sexual assault coalitions, national nonprofit victim advocacy organizations, State or tribal law enforcement task forces (where appropriate), and population specific organizations with demonstrated expertise in domestic violence, dating violence, sexual assault, or stalking;

''(iv) with respect to an application for a grant under which the grantee will have contact with patients, a plan, developed in collaboration with local victim service providers, to respond appropriately to and make correct referrals for individuals who disclose that they are victims of domestic violence, dating violence, sexual assault, stalking, or other types of violence, and documentation provided by the grantee of an ongoing collaborative relationship with a local victim service provider; and

''(v) with respect to an application for a grant proposing to fund a program described in subsection (b)(2)(C)(ii), a certification that any sexual assault forensic medical examination and sexual assault nurse examiner programs supported with such grant funds will adhere to the guidelines set forth by the Attorney General.

''(d) ELIGIBLE ENTITIES.—

''(1) IN GENERAL.—To be eligible to receive funding under paragraph (1) or (2) of subsection (a), an entity shall be—

''(A) a nonprofit organization with a history of effective work in the field of training health professionals with an understanding of, and clinical skills pertinent to, domestic violence, dating violence, sexual assault, or stalking, and lifetime exposure to violence and abuse;

''(B) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or allied health;

''(C) a health care provider membership or professional organization, or a health care system; or

''(D) a State, tribal, territorial, or local entity.

''(2) SUBSECTION (A)(3) GRANTEES.—To be eligible to receive funding under subsection (a)(3), an entity shall be—

''(A) a State department (or other division) of health, a State, tribal, or territorial domestic violence or sexual assault coalition or victim service provider, or any other nonprofit, nongovernmental organization with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking, and health care, including physical or mental health care; or

''(B) a local victim service provider, a local department (or other division) of health, a local health clinic, hospital, or health system, or any other community-based organization with a history of effective work in the field of domestic violence, dating violence, sexual assault, or stalking and health care, including physical or mental health care.

''(e) TECHNICAL ASSISTANCE.—

''(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may make grants or enter into contracts to provide technical assistance with respect to the planning, development, and operation of any program, activity or service carried out pursuant to this section. Not more than 8 percent of the funds appropriated under this section in each fiscal year may be used to fund technical assistance under this subsection.

''(2) AVAILABILITY OF MATERIALS.—The Secretary shall make publicly available materials developed by grantees under this section, including materials on training, best practices, and research and evaluation.

''(3) REPORTING.—The Secretary shall publish a biennial report on—

''(A) the distribution of funds under this section; and

''(B) the programs and activities supported by such funds.

''(f) RESEARCH AND EVALUATION.—

''(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may use not more than 20 percent to make a grant or enter into a contract for research and evaluation of—

''(A) grants awarded under this section; and

''(B) other training for health professionals and effective interventions in the health care setting that prevent domestic violence, dating violence, and sexual assault across the lifespan, prevent the health effects of such violence, and improve the safety and health of individuals who are currently being victimized.

''(2) RESEARCH.—Research authorized in paragraph (1) may include—

''(A) research on the effects of domestic violence, dating violence, sexual assault, and childhood exposure to domestic, dating or sexual violence on health behaviors, health conditions, and health status of individuals, families, and populations, including underserved populations;

''(B) research to determine effective health care interventions to respond to and prevent domestic violence, dating violence, sexual assault, and stalking;

''(C) research on the impact of domestic, dating and sexual violence, childhood exposure to such violence, and stalking on the health care system, health care utilization, health care costs, and health status; and

''(D) research on the impact of adverse childhood experiences on adult experience with domestic violence, dating violence, sexual assault, stalking, and adult health outcomes, including how to reduce or prevent the impact of adverse childhood experiences through the health care setting.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $10,000,000 for each of fiscal years 2012 through 2016.

''(h) DEFINITIONS.—Except as otherwise provided herein, the definitions provided for in section 40002 of the Violence Against Women Act of 1994 shall apply to this section.''.

(b) REPEALS.—The following provisions are repealed:

(1) Section 40297 of the Violence Against Women Act of 1994 (42 U.S.C. 13973).

(2) Section 758 of the Public Health Service Act (42 U.S.C. 294h).

TITLE VI—SAFE HOMES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 601. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) AMENDMENT.—Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.) is amended—

(1) by inserting after the subtitle heading the following:

''CHAPTER 1—GRANT PROGRAMS'';

(2) in section 41402 (42 U.S.C. 14043e–1), in the matter preceding paragraph (1), by striking ''subtitle'' and inserting ''chapter'';

(3) in section 41403 (42 U.S.C. 14043e–2), in the matter preceding paragraph (1), by striking ''subtitle'' and inserting ''chapter''; and

(4) by adding at the end the following:

"CHAPTER 2—HOUSING RIGHTS

"SEC. 41411. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

''(a) DEFINITIONS.—In this chapter:

''(1) AFFILIATED INDIVIDUAL.—The term 'affiliated individual' means, with respect to an individual—

''(A) a spouse, parent, brother, sister, or child of that individual, or an individual to whom that individual stands in loco parentis; or

''(B) any individual, tenant, or lawful occupant living in the household of that individual.

''(2) APPROPRIATE AGENCY.—The term 'appropriate agency' means, with respect to a covered housing program, the Executive department (as defined in section 101 of title 5, United States Code) that carries out the covered housing program.

''(3) COVERED HOUSING PROGRAM.—The term 'covered housing program' means—

''(A) the program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q);

''(B) the program under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013);

''(C) the program under subtitle D of title VIII of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12901 et seq.);

''(D) the program under subtitle A of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360 et seq.);

''(E) the program under subtitle A of title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12741 et seq.);

''(F) the program under paragraph (3) of section 221(d) of the National Housing Act (12 U.S.C. 1715l(d)) that bears interest at a rate determined under the proviso under paragraph (5) of such section 221(d);

''(G) the program under section 236 of the National Housing Act (12 U.S.C. 1715z–1);

''(H) the programs under sections 6 and 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f);

''(I) rural housing assistance provided under sections 514, 515, 516, 533, and 538 of the Housing Act of 1949 (42 U.S.C. 1484, 1485, 1486, 1490m, and 1490p–2); and

''(J) the low income housing tax credit program under section 42 of the Internal Revenue Code of 1986.

''(b) PROHIBITED BASIS FOR DENIAL OR TERMINATION OF ASSISTANCE OR EVICTION.—

''(1) IN GENERAL.—An applicant for or tenant of housing assisted under a covered housing program may not be denied admission to, denied assistance under, terminated from participation in, or evicted from the housing on the basis that the applicant or tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, if the applicant or tenant otherwise qualifies for admission, assistance, participation, or occupancy.

''(2) CONSTRUCTION OF LEASE TERMS.—An incident of actual or threatened domestic violence, dating violence, sexual assault, or stalking shall not be construed as—

''(A) a serious or repeated violation of a lease for housing assisted under a covered housing program by the victim or threatened victim of such incident; or

''(B) good cause for terminating the assistance, tenancy, or occupancy rights to housing assisted under a covered housing program of the victim or threatened victim of such incident.

''(3) TERMINATION ON THE BASIS OF CRIMINAL ACTIVITY.—

''(A) DENIAL OF ASSISTANCE, TENANCY, AND OCCUPANCY RIGHTS PROHIBITED.—No person may deny assistance, tenancy, or occupancy rights to housing assisted under a covered housing program to a tenant solely on the basis of criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking that is engaged in by a member of the household of the tenant or any guest or other person under the control of the tenant, if the tenant or an affiliated individual of the tenant is the victim or threatened victim of such domestic violence, dating violence, sexual assault, or stalking.

''(B) BIFURCATION.—

''(i) IN GENERAL.—Notwithstanding subparagraph (A), a public housing agency or owner or manager of housing assisted under a covered housing program may bifurcate a lease for the housing in order to evict, remove, or terminate assistance to any individual who is a tenant or lawful occupant of the housing and who engages in criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking against an affiliated individual or other individual, without evicting, removing, terminating assistance to, or otherwise penalizing a victim of such criminal activity who is also a tenant or lawful occupant of the housing.

''(ii) EFFECT OF EVICTION ON OTHER TENANTS.—If public housing agency or owner or manager of housing assisted under a covered housing program evicts, removes, or terminates assistance to an individual under clause (i), and the individual is the sole tenant eligible to receive assistance under a covered housing program, the public housing agency or owner or manager of housing assisted under the covered housing program shall provide any remaining tenant an opportunity to establish eligibility for the covered housing program. If a tenant described in the preceding sentence cannot establish eligibility, the public housing agency or owner or manager of the housing shall provide the tenant a reasonable time, as determined by the appropriate agency, to find new housing or to establish eligibility for housing under another covered housing program.

''(C) RULES OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed—

''(i) to limit the authority of a public housing agency or owner or manager of housing assisted under a covered housing program, when notified of a court order, to comply with a court order with respect to—

''(I) the rights of access to or control of property, including civil protection orders issued to protect a victim of domestic violence, dating violence, sexual assault, or stalking; or

''(II) the distribution or possession of property among members of a household in a case;

''(ii) to limit any otherwise available authority of a public housing agency or owner or manager of housing assisted under a covered housing program to evict or terminate assistance to a tenant for any violation of a lease not premised on the act of violence in question against the tenant or an affiliated person of the tenant, if the public housing agency or owner or manager does not subject an individual who is or has been a victim of domestic violence, dating violence, or stalking to a more demanding standard than other tenants in determining whether to evict or terminate;

''(iii) to limit the authority to terminate assistance to a tenant or evict a tenant from housing assisted under a covered housing program if a public housing agency or owner or manager of the housing can demonstrate that an actual and imminent threat to other tenants or individuals employed at or providing service to the property would be present if the assistance is not terminated or the tenant is not evicted; or

''(iv) to supersede any provision of any Federal, State, or local law that provides greater protection than this section for victims of domestic violence, dating violence, sexual assault, or stalking.

''(c) DOCUMENTATION.—

''(1) REQUEST FOR DOCUMENTATION.—If an applicant for, or tenant of, housing assisted under a covered housing program represents to a public housing agency or owner or manager of the housing that the individual is entitled to protection under subsection (b), the public housing agency or owner or manager may request, in writing, that the applicant or tenant submit to the public housing agency or owner or manager a form of documentation described in paragraph (3).

''(2) FAILURE TO PROVIDE CERTIFICATION.—

''(A) IN GENERAL.—If an applicant or tenant does not provide the documentation requested under paragraph (1) within 14 business days after the tenant receives a request in writing for such certification from a public housing agency or owner or manager of housing assisted under a covered housing program, nothing in this chapter may be construed to limit the authority of the public housing agency or owner or manager to—

''(i) deny admission by the applicant or tenant to the covered program;

''(ii) deny assistance under the covered program to the applicant or tenant;

''(iii) terminate the participation of the applicant or tenant in the covered program; or

''(iv) evict the applicant, the tenant, or a lawful occupant that commits violations of a lease.

''(B) EXTENSION.—A public housing agency or owner or manager of housing may extend the 14-day deadline under subparagraph (A) at its discretion.

''(3) FORM OF DOCUMENTATION.—A form of documentation described in this paragraph is—

''(A) a certification form approved by the appropriate agency that—

''(i) states that an applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking;

''(ii) states that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b); and

''(iii) includes the name of the individual who committed the domestic violence, dating violence, sexual assault, or stalking, if the name is known and safe to provide;

''(B) a document that—

''(i) is signed by—

''(I) an employee, agent, or volunteer of a victim service provider, an attorney, a medical professional, or a mental health professional from whom an applicant or tenant has sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of the abuse; and

''(II) the applicant or tenant; and

''(ii) states under penalty of perjury that the individual described in clause (i)(I) believes that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b);

''(C) a record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency; or

''(D) at the discretion of a public housing agency or owner or manager of housing assisted under a covered housing program, a statement or other evidence provided by an applicant or tenant.

''(4) CONFIDENTIALITY.—Any information submitted to a public housing agency or owner or manager under this subsection, including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking shall be maintained in confidence by the public housing agency or owner or manager and may not be entered into any shared database or disclosed to any other entity or individual, except to the extent that the disclosure is—

''(A) requested or consented to by the individual in writing;

''(B) required for use in an eviction proceeding under subsection (b); or

''(C) otherwise required by applicable law.

''(5) DOCUMENTATION NOT REQUIRED.—Nothing in this subsection shall be construed to require a public housing agency or owner or manager of housing assisted under a covered housing program to request that an individual submit documentation of the status of the individual as a victim of domestic violence, dating violence, sexual assault, or stalking.

''(6) COMPLIANCE NOT SUFFICIENT TO CONSTITUTE EVIDENCE OF UNREASONABLE ACT.—Compliance with subsection (b) by a public housing agency or owner or manager of housing assisted under a covered housing program based on documentation received under this subsection, shall not be sufficient to constitute evidence of an unreasonable act or omission by the public housing agency or owner or manager or an employee or agent of the public housing agency or owner or manager. Nothing in this paragraph shall be construed to limit the liability of a public housing agency or owner or manager of housing assisted under a covered housing program for failure to comply with subsection (b).

''(7) RESPONSE TO CONFLICTING CERTIFICATION.—If a public housing agency or owner or manager of housing assisted under a covered housing program receives documentation under this subsection that contains conflicting information, the public housing agency or owner or manager may require an applicant or tenant to submit third-party documentation, as described in subparagraph (B), (C), or (D) of paragraph (3).

''(8) PREEMPTION.—Nothing in this subsection shall be construed to supersede any provision of any Federal, State, or local law that provides greater protection than this subsection for victims of domestic violence, dating violence, sexual assault, or stalking.

''(d) NOTIFICATION.—

''(1) DEVELOPMENT.—The Secretary of Housing and Urban Development shall develop a notice of the rights of individuals under this section, including the right to confidentiality and the limits thereof.

''(2) PROVISION.—Each public housing agency or owner or manager of housing assisted under a covered housing program shall provide the notice developed under paragraph (1), together with the form described in subsection (c)(3)(A), to an applicant for or tenants of housing assisted under a covered housing program—

''(A) at the time the applicant is denied residency in a dwelling unit assisted under the covered housing program;

''(B) at the time the individual is admitted to a dwelling unit assisted under the covered housing program;

''(C) with any notification of eviction or notification of termination of assistance; and

''(D) in multiple languages, consistent with guidance issued by the Secretary of Housing and Urban Development in accordance with Executive Order 13166 (42 U.S.C. 2000d–1 note; relating to access to services for persons with limited English proficiency).

''(e) EMERGENCY TRANSFERS.—Each appropriate agency shall adopt a model emergency transfer plan for use by public housing agencies and owners or managers of housing assisted under covered housing programs that—

''(1) allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to transfer to another available and safe dwelling unit assisted under a covered housing program if—

''(A) the tenant expressly requests the transfer; and

''(B)(i) the tenant reasonably believes that the tenant is threatened with imminent harm from further violence if the tenant remains within the same dwelling unit assisted under a covered housing program; or

''(ii) in the case of a tenant who is a victim of sexual assault, the sexual assault occurred on the premises during the 90 day period preceding the request for transfer; and

''(2) incorporates reasonable confidentiality measures to ensure that the public housing agency or owner or manager does not disclose the location of the dwelling unit of a tenant to a person that commits an act of domestic violence, dating violence, sexual assault, or stalking against the tenant.

''(f) POLICIES AND PROCEDURES FOR EMERGENCY TRANSFER.—The Secretary of Housing and Urban Development shall establish policies and procedures under which a victim requesting an emergency transfer under subsection (e) may receive, subject to the availability of tenant protection vouchers, assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)).

''(g) IMPLEMENTATION.—The appropriate agency with respect to each covered housing program shall implement this section, as this section applies to the covered housing program.''.

(b) CONFORMING AMENDMENTS.—

(1) SECTION 6.—Section 6 of the United States Housing Act of 1937 (42 U.S.C. 1437d) is amended—

(A) in subsection (c)—

(i) by striking paragraph (3); and

(ii) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(B) in subsection (l)—

(i) in paragraph (5), by striking '', and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of such violence''; and

(ii) in paragraph (6), by striking ''; except that'' and all that follows through ''stalking.''; and

(C) by striking subsection (u).

(2) SECTION 8.—Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) is amended—

(A) in subsection (c), by striking paragraph (9);

(B) in subsection (d)(1)—

(i) in subparagraph (A), by striking ''and that an applicant or participant is or has been a victim of domestic violence, dating violence, or stalking is not an appropriate basis for denial of program assistance or for denial of admission if the applicant otherwise qualifies for assistance or admission''; and

(ii) in subparagraph (B)—

(I) in clause (ii), by striking '', and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of such violence''; and

(II) in clause (iii), by striking '', except that:'' and all that follows through ''stalking.'';

(C) in subsection (f)—

(i) in paragraph (6), by adding ''and'' at the end;

(ii) in paragraph (7), by striking the semicolon at the end and inserting a period; and

(iii) by striking paragraphs (8), (9), (10), and (11);

(D) in subsection (o)—

(i) in paragraph (6)(B), by striking the last sentence;

(ii) in paragraph (7)—

(I) in subparagraph (C), by striking ''and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking shall not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and shall not be good cause for terminating the tenancy or occupancy rights of the victim of such violence''; and

(II) in subparagraph (D), by striking ''; except that'' and all that follows through ''stalking.''; and

(iii) by striking paragraph (20); and

(E) by striking subsection (ee).

(3) RULE OF CONSTRUCTION.—Nothing in this Act, or the amendments made by this Act, shall be construed—

(A) to limit the rights or remedies available to any person under section 6 or 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f), as in effect on the day before the date of enactment of this Act;

(B) to limit any right, remedy, or procedure otherwise available under any provision of part 5, 91, 880, 882, 883, 884, 886, 891, 903, 960, 966, 982, or 983 of title 24, Code of Federal Regulations, that—

(i) was issued under the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162; 119 Stat. 2960) or an amendment made by that Act; and

(ii) provides greater protection for victims of domestic violence, dating violence, sexual assault, and stalking than this Act; or

(C) to disqualify an owner, manager, or other individual from participating in or receiving the benefits of the low income housing tax credit program under section 42 of the Internal Revenue Code of 1986 because of noncompliance with the provisions of this Act.

SEC. 602. TRANSITIONAL HOUSING ASSISTANCE GRANTS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

Chapter 11 of subtitle B of the Violence Against Women Act of 1994 (42 U.S.C. 13975 et seq.) is amended—

(1) in the chapter heading, by striking ''**CHILD VICTIMS OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT**'' and inserting ''**VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**''; and

(2) in section 40299 (42 U.S.C. 13975)—

(A) in the header, by striking ''**child victims of domestic violence, stalking, or sexual assault**'' and inserting ''**victims of domestic violence, dating violence, sexual assault, or stalking**'';

(B) in subsection (a)(1), by striking ''fleeing'';

(C) in subsection (b)(3)—

(i) in subparagraph (A), by striking '' and'' at the end;

(ii) by redesignating subparagraph (B) as subparagraph (C);

(iii) by inserting after subparagraph (A) the following:

''(B) secure employment, including obtaining employment counseling, occupational training, job retention counseling, and counseling concerning re-entry in to the workforce; and''; and

(iv) in subparagraph (C), as redesignated by clause (ii), by striking '' employment counseling,''; and

(D) in subsection (g)—

(i) in paragraph (1), by striking ''$40,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$35,000,000 for each of fiscal years 2012 through 2016''; and

(ii) in paragraph (3)—

(I) in subparagraph (A), by striking ''eligible'' and inserting ''qualified''; and

(II) by adding at the end the following:

''(D) QUALIFIED APPLICATION DEFINED.—In this paragraph, the term 'qualified application' means an application that—

''(i) has been submitted by an eligible applicant;

''(ii) does not propose any activities that may compromise victim safety, including—

''(I) background checks of victims; or

''(II) clinical evaluations to determine eligibility for services;

''(iii) reflects an understanding of the dynamics of domestic violence, dating violence, sexual assault, or stalking; and

''(iv) does not propose prohibited activities, including mandatory services for victims.''.

SEC. 603. ADDRESSING THE HOUSING NEEDS OF VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.) is amended—

(1) in section 41404(i) (42 U.S.C. 14043e–3(i)), by striking ''$10,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$4,000,000 for each of fiscal years 2012 through 2016''; and

(2) in section 41405(g) (42 U.S.C. 14043e–4(g)), by striking ''$10,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$4,000,000 for each of fiscal years 2012 through 2016''.

TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

SEC. 701. NATIONAL RESOURCE CENTER ON WORKPLACE RESPONSES TO ASSIST VICTIMS OF DOMESTIC AND SEXUAL VIOLENCE.

Section 41501(e) of the Violence Against Women Act of 1994 (42 U.S.C. 14043f(e)) is amended by striking ''fiscal years 2007 through 2011'' and inserting ''fiscal years 2012 through 2016''.

TITLE VIII—PROTECTION OF BATTERED IMMIGRANTS

SEC. 801. U NONIMMIGRANT DEFINITION.

Section 101(a)(15)(U)(iii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)(iii)) is amended by inserting ''stalking;'' after ''sexual exploitation;''.

SEC. 802. ANNUAL REPORT ON IMMIGRATION APPLICATIONS MADE BY VICTIMS OF ABUSE.

Not later than December 1, 2012, and annually thereafter, the Secretary of Homeland Security shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes the following:

(1) The number of aliens who—

(A) submitted an application for nonimmigrant status under paragraph (15)(T)(i), (15)(U)(i), or (51) of section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) during the preceding fiscal year;

(B) were granted such nonimmigrant status during such fiscal year; or

(C) were denied such nonimmigrant status during such fiscal year.

(2) The mean amount of time and median amount of time to adjudicate an application for such nonimmigrant status during such fiscal year.

(3) The mean amount of time and median amount of time between the receipt of an application for such nonimmigrant status and the issuance of work authorization to an eligible applicant during the preceding fiscal year.

(4) The number of aliens granted continued presence in the United States under section 107(c)(3) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(3)) during the preceding fiscal year.

(5) A description of any actions being taken to reduce the adjudication and processing time, while ensuring the safe and competent processing, of an application described in paragraph (1) or a request for continued presence referred to in paragraph (4).

SEC. 803. PROTECTION FOR CHILDREN OF VAWA SELF-PETITIONERS.

Section 204(l)(2) of the Immigration and Nationality Act (8 U.S.C. 1154(l)(2)) is amended—

(1) in subparagraph (E), by striking ''or'' at the end;

(2) by redesignating subparagraph (F) as subparagraph (G); and

(3) by inserting after subparagraph (E) the following:

''(F) a child of an alien who filed a pending or approved petition for classification or application for adjustment of status or other benefit specified in section 101(a)(51) as a VAWA self-petitioner; or''.

SEC. 804. PUBLIC CHARGE.

Section 212(a)(4) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(4)) is amended by adding at the end the following:

''(E) SPECIAL RULE FOR QUALIFIED ALIEN VICTIMS.—Subparagraphs (A), (B), and (C) shall not apply to an alien who—

''(i) is a VAWA self-petitioner;

''(ii) is an applicant for, or is granted, nonimmigrant status under section 101(a)(15)(U); or

''(iii) is a qualified alien described in section 431(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(c)).''.

SEC. 805. REQUIREMENTS APPLICABLE TO U VISAS.

(a) RECAPTURE OF UNUSED U VISAS.—Section 214(p)(2) of the Immigration and Nationality Act (8 U.S.C. 1184(p)(2)) is amended by—

(1) in subparagraph (A), by striking ''The number'' and inserting ''Except as provided in subparagraph (C), the number''; and

(2) by adding at the end the following:

''(C) Beginning in fiscal year 2012, if the numerical limitation set forth in subparagraph (A) is reached before the end of the fiscal year, up to 5,000 additional visas, of the aggregate number of visas that were available and not issued to nonimmigrants described in section 101(a)(15)(U) in fiscal years 2006 through 2011, may be issued until the end of the fiscal year.''.

(3) SUNSET DATE.—The amendments made by paragraphs (1) and (2) are repealed on the date on which the aggregate number of visas that were available and not issued in fiscal years 2006 through 2011 have been issued pursuant to section 214(p)(2)(C) of the Immigration and Nationality Act.

(b) AGE DETERMINATIONS.—Section 214(p) of the Immigration and Nationality Act (8 U.S.C. 1184(p)) is amended by adding at the end the following:

''(7) AGE DETERMINATIONS.—

''(A) CHILDREN.—An unmarried alien who seeks to accompany, or follow to join, a parent granted status under section 101(a)(15)(U)(i), and who was under 21 years of age on the date on which such parent petitioned for such status, shall continue to be classified as a child for purposes of section 101(a)(15)(U)(ii), if the alien attains 21 years of age after such parent's petition was filed but while it was pending.

''(B) PRINCIPAL ALIENS.—An alien described in clause (i) of section 101(a)(15)(U) shall continue to be treated as an alien described in clause (ii)(I) of such section if the alien attains 21 years of age after the alien's application for status under such clause (i) is filed but while it is pending.''.

SEC. 806. HARDSHIP WAIVERS.

(a) IN GENERAL.—Section 216(c)(4) of the Immigration and Nationality Act (8 U.S.C. 1186a(c)(4)) is amended—

(1) in subparagraph (A), by striking the comma at the end and inserting a semicolon;

(2) in subparagraph (B), by striking ''(1), or'' and inserting ''(1); or'';

(3) in subparagraph (C), by striking the period at the end and inserting a semicolon and ''or''; and

(4) by inserting after subparagraph (C) the following:

''(D) the alien meets the requirements under section 204(a)(1)(A)(iii)(II)(aa)(BB) and following the marriage ceremony was battered by or subject to extreme cruelty perpetrated by the alien's intended spouse and was not at fault in failing to meet the requirements of paragraph (1).''.

(b) TECHNICAL CORRECTIONS.—Section 216(c)(4) of the Immigration and Nationality Act (8 U.S.C. 1186a(c)(4)), as amended by subsection (a), is further amended—

(1) in the matter preceding subparagraph (A), by striking ''The Attorney General, in the Attorney General's'' and inserting ''The Secretary of Homeland Security, in the Secretary's''; and

(2) in the undesignated paragraph at the end—

(A) in the first sentence, by striking ''Attorney General'' and inserting ''Secretary of Homeland Security'';

(B) in the second sentence, by striking ''Attorney General'' and inserting ''Secretary'';

(C) in the third sentence, by striking ''Attorney General.'' and inserting ''Secretary.''; and

(D) in the fourth sentence, by striking ''Attorney General'' and inserting ''Secretary''.

SEC. 807. PROTECTIONS FOR A FIANCÉE OR FIANCÉ OF A CITIZEN.

(a) IN GENERAL.—Section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) is amended—

(1) in subsection (d)—

(A) in paragraph (1), by striking ''crime.'' and inserting ''crime described in paragraph (3)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in paragraph (3)(B)(i).'';

(B) in paragraph (2)(A), in the matter preceding clause (i)—

(i) by striking ''a consular officer'' and inserting ''the Secretary of Homeland Security''; and

(ii) by striking ''the officer'' and inserting ''the Secretary''; and

(C) in paragraph (3)(B)(i), by striking ''abuse, and stalking.'' and inserting ''abuse, stalking, or an attempt to commit any such crime.''; and

(2) in subsection (r)—

(A) in paragraph (1), by striking ''crime.'' and inserting ''crime described in paragraph (5)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in subsection (5)(B)(i).''; and

(B) by amending paragraph (4)(B)(ii) to read as follows:

''(ii) To notify the beneficiary as required by clause (i), the Secretary of Homeland Security shall provide such notice to the Secretary of State for inclusion in the mailing to the beneficiary described in section 833(a)(5)(A)(i) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(a)(5)(A)(i)).''; and

(3) in paragraph (5)(B)(i), by striking ''abuse, and stalking.'' and inserting ''abuse, stalking, or an attempt to commit any such crime.''.

(b) PROVISION OF INFORMATION TO K NONIMMIGRANTS.—Section 833 of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a) is amended—

(1) in subsection (a)(5)(A)—

(A) in clause (iii)—

(i) by striking ''State any'' and inserting ''State, for inclusion in the mailing described in clause (i), any''; and

(ii) by striking the last sentence; and

(B) by adding at the end the following:

''(iv) The Secretary of Homeland Security shall conduct a background check of the National Crime Information Center's Protection Order Database on each petitioner for a visa under subsection (d) or (r) of section 214 of the Immigration and Nationality Act (8 U.S.C. 1184). Any appropriate information obtained from such background check—

''(I) shall accompany the criminal background information provided by the Secretary of Homeland Security to the Secretary of State and shared by the Secretary of State with a beneficiary of a petition referred to in clause (iii); and

''(II) shall not be used or disclosed for any other purpose unless expressly authorized by law.

''(v) The Secretary of Homeland Security shall create a cover sheet or other mechanism to accompany the information required to be provided to an applicant for a visa under subsection (d) or (r) of section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) by clauses (i) through (iv) of this paragraph or by clauses (i) and (ii) of subsection (r)(4)(B) of such section 214, that calls to the applicant's attention—

''(I) whether the petitioner disclosed a protection order, a restraining order, or criminal history information on the visa petition;

''(II) the criminal background information and information about any protection order obtained by the Secretary of Homeland Security

regarding the petitioner in the course of adjudicating the petition; and

''(III) whether the information the petitioner disclosed on the visa petition regarding any previous petitions filed under subsection (d) or (r) of such section 214 is consistent with the information in the multiple visa tracking database of the Department of Homeland Security, as described in subsection (r)(4)(A) of such section 214.''; and

(2) in subsection (b)(1)(A), by striking ''or'' after ''orders'' and inserting ''and''.

SEC. 808. REGULATION OF INTERNATIONAL MARRIAGE BROKERS.

(a) IMPLEMENTATION OF THE INTERNATIONAL MARRIAGE BROKER ACT OF 2005.—

(1) FINDINGS.—Congress finds the following:

(A) The International Marriage Broker Act of 2005 (subtitle D of Public Law 109–162; 119 Stat. 3066) has not been fully implemented with regard to investigating and prosecuting violations of the law, and for other purposes.

(B) Six years after Congress enacted the International Marriage Broker Act of 2005 to regulate the activities of the hundreds of for-profit international marriage brokers operating in the United States, the Attorney General has not determined which component of the Department of Justice will investigate and prosecute violations of such Act.

(2) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Attorney General shall submit to Congress a report that includes the following:

(A) The name of the component of the Department of Justice responsible for investigating and prosecuting violations of the International Marriage Broker Act of 2005 (subtitle D of Public Law 109–162; 119 Stat. 3066) and the amendments made by this Act.

(B) A description of the policies and procedures of the Attorney General for consultation with the Secretary of Homeland Security and the Secretary of State in investigating and prosecuting such violations.

(b) TECHNICAL CORRECTION.—Section 833(a)(2)(H) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(a)(2)(H)) is amended by striking ''Federal and State sex offender public registries'' and inserting ''the National Sex Offender Public Website''.

(c) REGULATION OF INTERNATIONAL MARRIAGE BROKERS.—Section 833(d) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(d)) is amended—

(1) by amending paragraph (1) to read as follows:

''(1) PROHIBITION ON MARKETING OF OR TO CHILDREN.—

''(A) IN GENERAL.—An international marriage broker shall not provide any individual or entity with the personal contact information, photograph, or general information about the background or interests of any individual under the age of 18.

''(B) COMPLIANCE.—To comply with the requirements of subparagraph (A), an international marriage broker shall—

''(i) obtain a valid copy of each foreign national client's birth certificate or other proof of age document issued by an appropriate government entity;

''(ii) indicate on such certificate or document the date it was received by the international marriage broker;

''(iii) retain the original of such certificate or document for 7 years after such date of receipt; and

''(iv) produce such certificate or document upon request to an appropriate authority charged with the enforcement of this paragraph.'';

(2) in paragraph (2)—

(A) in subparagraph (A)(i)—

(i) in the heading, by striking ''REGISTRIES.—'' and inserting ''WEBSITE.—''; and

(ii) by striking ''Registry or State sex offender public registry,'' and inserting ''Website,''; and

(B) in subparagraph (B)(ii), by striking ''or stalking.'' and inserting ''stalking, or an attempt to commit any such crime.'';

(3) in paragraph (3)—

(A) in subparagraph (A)—

(i) in clause (i), by striking ''Registry, or of the relevant State sex offender public registry for any State not yet participating in the National Sex Offender Public Registry, in which the United States client has resided during the previous 20 years,'' and inserting ''Website''; and

(ii) in clause (iii)(II), by striking ''background information collected by the international marriage broker under paragraph (2)(B);'' and inserting ''signed certification and accompanying documentation or attestation regarding the background information collected under paragraph (2)(B);''; and

(B) by striking subparagraph (C);

(4) in paragraph (5)—

(A) in subparagraph (A)(ii), by striking ''A penalty may be imposed under clause (i) by the Attorney General only'' and inserting ''At the discretion of the Attorney General, a penalty may be imposed under clause (i) either by a Federal judge, or by the Attorney General'';

(B) by amending subparagraph (B) to read as follows:

''(B) FEDERAL CRIMINAL PENALTIES.—

''(i) FAILURE OF INTERNATIONAL MARRIAGE BROKERS TO COMPLY WITH OBLIGATIONS.—Except as provided in clause (ii), an international marriage broker that, in circumstances in or affecting interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States—

''(I) except as provided in subclause (II), violates (or attempts to violate) paragraph (1), (2), (3), or (4) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 1 year, or both; or

''(II) knowingly violates or attempts to violate paragraphs (1), (2), (3), or (4) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 5 years, or both.

''(ii) MISUSE OF INFORMATION.—A person who knowingly discloses, uses, or causes to be used any information obtained by an international marriage broker as a result of a requirement under paragraph (2) or (3) for any purpose other than the disclosures required under paragraph (3) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 1 year, or both.

''(iii) FRAUDULENT FAILURES OF UNITED STATES CLIENTS TO MAKE REQUIRED SELF-DISCLOSURES.—A person who knowingly and with intent to defraud another person outside the United States in order to recruit, solicit, entice, or induce that other person into entering a dating or matrimonial relationship, makes false or fraudulent representations regarding the disclosures described in clause (i), (ii), (iii), or (iv) of subsection (d)(2)(B), including by failing to make any such disclosures, shall be fined in accordance with title 18, United States Code, imprisoned for not more than 1 year, or both.

''(iv) RELATIONSHIP TO OTHER PENALTIES.—The penalties provided in clauses (i), (ii), and (iii) are in addition to any other civil or criminal liability under Federal or State law to which a person may be subject for the misuse of information, including misuse to threaten, intimidate, or harass any individual.

''(v) CONSTRUCTION.—Nothing in this paragraph or paragraph (3) or (4) may be construed to prevent the disclosure of information to law enforcement or pursuant to a court order.''; and

(C) in subparagraph (C), by striking the period at the end and inserting ''including equitable remedies.'';

(5) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively; and

(6) by inserting after paragraph (5) the following:

''(6) ENFORCEMENT.—

''(A) AUTHORITY.—The Attorney General shall be responsible for the enforcement of the provisions of this section, including the prosecution of civil and criminal penalties provided for by this section.

''(B) CONSULTATION.—The Attorney General shall consult with the Director of the Office on Violence Against Women of the Department of Justice to develop policies and public education designed to promote enforcement of this section.''.

(d) GAO STUDY AND REPORT.—Section 833(f) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(f)) is amended—

(1) in the subsection heading, by striking ''STUDY AND REPORT.—'' and inserting ''STUDIES AND REPORTS.—''; and

(2) by adding at the end the following:

''(4) CONTINUING IMPACT STUDY AND REPORT.—

''(A) STUDY.—The Comptroller General shall conduct a study on the continuing impact of the implementation of this section and of section of 214 of the Immigration and Nationality Act (8 U.S.C. 1184) on the process for granting K nonimmigrant visas, including specifically a study of the items described in subparagraphs (A) through (E) of paragraph (1).

''(B) REPORT.—Not later than 2 years after the date of the enactment of the Violence Against Women Reauthorization Act of 2011, the Comptroller General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report setting forth the results of the study conducted under subparagraph (A).

''(C) DATA COLLECTION.—The Attorney General, the Secretary of Homeland Security, and the Secretary of State shall collect and maintain the data necessary for the Comptroller General to conduct the study required by paragraph (1)(A).''.

SEC. 809. ELIGIBILITY OF CRIME AND TRAFFICKING VICTIMS IN THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS TO ADJUST STATUS.

Section 705(c) of the Consolidated Natural Resources Act of 2008 (Public Law 110–229; 48 U.S.C. 1806 note), is amended by striking ''except that,'' and all that follows through the end, and inserting the following: ''except that—

''(1) for the purpose of determining whether an alien lawfully admitted for permanent residence (as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20)) has abandoned or lost such status by reason of absence from the United States, such alien's presence in the Commonwealth, before, on or after November 28, 2009, shall be considered to be presence in the United States; and

''(2) for the purpose of determining whether an alien whose application for status under subparagraph (T) or (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) was granted is subsequently eligible for adjustment under subsection (l) or (m) of section 245 of such Act (8 U.S.C. 1255), such alien's physical presence in the Commonwealth before, on, or after November 28, 2009, and subsequent to the grant of the application, shall be considered as equivalent to presence in the United States pursuant to a nonimmigrant admission in such status.''.

TITLE IX—SAFETY FOR INDIAN WOMEN

SEC. 901. GRANTS TO INDIAN TRIBAL GOVERNMENTS.

Section 2015(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–10(a)) is amended—

(1) in paragraph (2), by inserting ''sex trafficking,'' after ''sexual assault,'';

(2) in paragraph (4), by inserting ''sex trafficking,'' after ''sexual assault,'';

(3) in paragraph (5), by striking ''and stalking'' and all that follows and inserting ''sexual assault, sex trafficking, and stalking;'';

(4) in paragraph (7)—

(A) by inserting ''sex trafficking,'' after ''sexual assault,'' each place it appears; and

(B) by striking ''and'' at the end;

(5) in paragraph (8)—

(A) by inserting ''sex trafficking,'' after ''stalking,''; and

(B) by striking the period at the end and inserting a semicolon; and

(6) by adding at the end the following:

''(9) provide services to address the needs of youth and children who are victims of domestic violence, dating violence, sexual assault, sex trafficking, or stalking and the needs of youth and children exposed to domestic violence, dating violence, sexual assault, or stalking, including support for the nonabusing parent or the caretaker of the youth or child; and

''(10) develop and promote legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking.''.

SEC. 902. GRANTS TO INDIAN TRIBAL COALITIONS.

Section 2001 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg) is amended by striking subsection (d) and inserting the following:

''(d) TRIBAL COALITION GRANTS.—

''(1) PURPOSE.—The Attorney General shall award a grant to tribal coalitions for purposes of—

''(A) increasing awareness of domestic violence and sexual assault against Indian women;

''(B) enhancing the response to violence against Indian women at the Federal, State, and tribal levels;

''(C) identifying and providing technical assistance to coalition membership and tribal communities to enhance access to essential services to Indian women victimized by domestic and sexual violence, including sex trafficking; and

''(D) assisting Indian tribes in developing and promoting State, local, and tribal legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking.

''(2) GRANTS.—The Attorney General shall award grants on an annual basis under paragraph (1) to—

''(A) each tribal coalition that—

''(i) meets the criteria of a tribal coalition under section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a));

''(ii) is recognized by the Office on Violence Against Women; and

''(iii) provides services to Indian tribes; and

''(B) organizations that propose to incorporate and operate a tribal coalition in areas where Indian tribes are located but no tribal coalition exists.

''(3) USE OF AMOUNTS.—For each of fiscal years 2012 through 2016, of the amounts appropriated to carry out this subsection—

''(A) not more than 10 percent shall be made available to organizations described in paragraph (2)(B), provided that 1 or more organizations determined by the Attorney General to be qualified apply;

''(B) not less than 90 percent shall be made available to tribal coalitions described in paragraph (2)(A), which amounts shall be distributed equally among each eligible tribal coalition for the applicable fiscal year

''(4) ELIGIBILITY FOR OTHER GRANTS.—Receipt of an award under this subsection by a tribal coalition shall not preclude the tribal coalition from receiving additional grants under this title to carry out the purposes described in paragraph (1).

''(5) MULTIPLE PURPOSE APPLICATIONS.—Nothing in this subsection prohibits any tribal coalition or organization described in paragraph (2) from applying for funding to address sexual assault or domestic violence needs in the same application.''.

SEC. 903. CONSULTATION.

Section 903 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045d) is amended—

(1) in subsection (a)—

(A) by striking ''and the Violence Against Women Act of 2000'' and inserting '', the Violence Against Women Act of 2000''; and

(B) by inserting '', and the Violence Against Women Reauthorization Act of 2011'' before the period at the end;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''Secretary of the Department of Health and Human Services'' and inserting ''Secretary of Health and Human Services, the Secretary of the Interior,''; and

(B) in paragraph (2), by striking ''and stalking'' and inserting ''stalking, and sex trafficking''; and

(3) by adding at the end the following:

''(c) ANNUAL REPORT.—The Attorney General shall submit to Congress an annual report on the annual consultations required under subsection (a) that—

''(1) contains the recommendations made under subsection (b) by Indian tribes during the year covered by the report;

''(2) describes actions taken during the year covered by the report to respond to recommendations made under subsection (b) during the year or a previous year; and

''(3) describes how the Attorney General will work in coordination and collaboration with Indian tribes, the Secretary of Health and Human Services, and the Secretary of the Interior to address the recommendations made under subsection (b).

''(d) NOTICE.—Not later than 120 days before the date of a consultation under subsection (a), the Attorney General shall notify tribal leaders of the date, time, and location of the consultation.''.

SEC. 904. TRIBAL JURISDICTION OVER CRIMES OF DOMESTIC VIOLENCE.

Title II of Public Law 90–284 (25 U.S.C. 1301 et seq.) (commonly known as the ''Indian Civil Rights Act of 1968'') is amended by adding at the end the following:

''SEC. 204. TRIBAL JURISDICTION OVER CRIMES OF DOMESTIC VIOLENCE.

''(a) DEFINITIONS.—In this section:

''(1) DATING VIOLENCE.—The term 'dating violence' means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, as determined by the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

''(2) DOMESTIC VIOLENCE.—The term 'domestic violence' means violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, or by a person similarly situated to a spouse of the victim under the domestic- or family- violence laws of an Indian tribe that has jurisdiction over the Indian country where the violence occurs.

''(3) INDIAN COUNTRY.—The term 'Indian country' has the meaning given the term in section 1151 of title 18, United States Code.

''(4) PARTICIPATING TRIBE.—The term 'participating tribe' means an Indian tribe that elects to exercise special domestic violence criminal jurisdiction over the Indian country of that Indian tribe.

''(5) PROTECTION ORDER.—The term 'protection order'—

''(A) means any injunction, restraining order, or other order issued by a civil or criminal court for the purpose of preventing violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person; and

''(B) includes any temporary or final order issued by a civil or criminal court, whether obtained by filing an independent action or as a pendent lite order in another proceeding, if the civil or criminal order was issued in response to a complaint, petition, or motion filed by or on behalf of a person seeking protection.

''(6) SPECIAL DOMESTIC VIOLENCE CRIMINAL JURISDICTION.—The term 'special domestic violence criminal jurisdiction' means the criminal jurisdiction that a participating tribe may exercise under this section but could not otherwise exercise.

''(7) SPOUSE OR INTIMATE PARTNER.—The term 'spouse or intimate partner' has the meaning given the term in section 2266 of title 18, United States Code.

''(b) NATURE OF THE CRIMINAL JURISDICTION.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, in addition to all powers of self-government recognized and affirmed by sections 201 and 203, the powers of self-government of a participating tribe include the inherent power of that tribe, which is hereby recognized and affirmed, to exercise special domestic violence criminal jurisdiction over all persons.

''(2) CONCURRENT JURISDICTION.—The exercise of special domestic violence criminal jurisdiction by a participating tribe shall be concurrent with the jurisdiction of the United States, of a State, or of both.

''(3) APPLICABILITY.—Nothing in this section—

''(A) creates or eliminates any Federal or State criminal jurisdiction over Indian country;

''(B) affects the authority of the United States or any State government that has been delegated authority by the United States to investigate and prosecute a criminal violation in Indian country;

''(C) shall apply to an Indian tribe in the State of Alaska, except with respect to the Metlakatla Indian Community, Annette Islands Reserve; or

''(D) shall limit, alter, expand, or diminish the civil or criminal jurisdiction of the State of Alaska or any subdivision of the State of Alaska.

''(c) CRIMINAL CONDUCT.—A participating tribe may exercise special domestic violence criminal jurisdiction over a defendant for criminal conduct that falls into one or more of the following categories:

''(1) DOMESTIC VIOLENCE AND DATING VIOLENCE.—An act of domestic violence or dating violence that occurs in the Indian country of the participating tribe.

''(2) VIOLATIONS OF PROTECTION ORDERS.—An act that—

''(A) occurs in the Indian country of the participating tribe; and

''(B) violates the portion of a protection order that—

''(i) prohibits or provides protection against violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person;

''(ii) was issued against the defendant;

''(iii) is enforceable by the participating tribe; and

''(iv) is consistent with section 2265(b) of title 18, United States Code.

''(d) DISMISSAL OF CERTAIN CASES.—

''(1) DEFINITION OF VICTIM.—In this subsection and with respect to a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction based on a criminal violation of a protection order, the term 'victim' means a person specifically protected by a protection order that the defendant allegedly violated.

''(2) NON-INDIAN VICTIMS AND DEFENDANTS.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the case shall be dismissed if—

''(A) the defendant files a pretrial motion to dismiss on the grounds that the alleged offense did not involve an Indian; and

''(B) the participating tribe fails to prove that the defendant or an alleged victim is an Indian.

''(3) TIES TO INDIAN TRIBE.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the case shall be dismissed if—

''(A) the defendant files a pretrial motion to dismiss on the grounds that the defendant and the alleged victim lack sufficient ties to the Indian tribe; and

''(B) the prosecuting tribe fails to prove that the defendant or an alleged victim—

''(i) resides in the Indian country of the participating tribe;

''(ii) is employed in the Indian country of the participating tribe; or

''(iii) is a spouse or intimate partner of a member of the participating tribe.

''(4) WAIVER.—A knowing and voluntary failure of a defendant to file a pretrial motion described in paragraph (2) or (3) shall be considered a waiver of the right to seek a dismissal under this subsection.

''(e) RIGHTS OF DEFENDANTS.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the participating tribe shall provide to the defendant—

''(1) all applicable rights under this Act;

''(2) if a term of imprisonment of any length is imposed, all rights described in section 202(c); and

''(3) all other rights whose protection is necessary under the Constitution of the United States in order for Congress to recognize and affirm the inherent power of the participating tribe to exercise special domestic violence criminal jurisdiction over the defendant.

''(f) PETITIONS TO STAY DETENTION.—

''(1) IN GENERAL.—A person has filed a petition for a writ of habeas corpus in a court of the United States under section 203 may petition that court to stay further detention of that person by the participating tribe.

''(2) GRANT OF STAY.—A court shall grant a stay described in paragraph (1) if the court—

''(A) finds that there is a substantial likelihood that the habeas corpus petition will be granted; and

''(B) after giving each alleged victim in the matter an opportunity to be heard, finds by clear and convincing evidence that under conditions imposed by the court, the petitioner is not likely to flee or pose a danger to any person or the community if released.

''(g) GRANTS TO TRIBAL GOVERNMENTS.—The Attorney General may award grants to the governments of Indian tribes (or to authorized designees of those governments)—

''(1) to strengthen tribal criminal justice systems to assist Indian tribes in exercising special domestic violence criminal jurisdiction, including—

''(A) law enforcement (including the capacity of law enforcement or court personnel to enter information into and obtain information from national crime information databases);

''(B) prosecution;

''(C) trial and appellate courts;

''(D) probation systems;

''(E) detention and correctional facilities;

''(F) alternative rehabilitation centers;

''(G) culturally appropriate services and assistance for victims and their families; and

''(H) criminal codes and rules of criminal procedure, appellate procedure, and evidence;

''(2) to provide indigent criminal defendants with the effective assistance of licensed defense counsel, at no cost to the defendant, in criminal proceedings in which a participating tribe prosecutes a crime of domestic violence or dating violence or a criminal violation of a protection order;

''(3) to ensure that, in criminal proceedings in which a participating tribe exercises special domestic violence criminal jurisdiction, jurors are summoned, selected, and instructed in a manner consistent with all applicable requirements; and

''(4) to accord victims of domestic violence, dating violence, and violations of protection orders rights that are similar to the rights of a crime victim described in section 3771(a) of title 18, United States Code, consistent with tribal law and custom.

''(h) SUPPLEMENT, NOT SUPPLANT.—Amounts made available under this section shall supplement and not supplant any other Federal, State, tribal, or local government amounts made available to carry out activities described in this section.

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $5,000,000 for each of fiscal years 2012 through 2016 to carry out subsection (g) and to provide training, technical assistance, data collection, and evaluation of the criminal justice systems of participating tribes..''.

SEC. 905. TRIBAL PROTECTION ORDERS.

Section 2265 of title 18, United States Code, is amended by striking subsection (e) and inserting the following:

''(e) TRIBAL COURT JURISDICTION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), for purposes of this section, a court of an Indian tribe shall have full civil jurisdiction to issue and enforce protection orders involving any person, including the authority to enforce any orders through civil contempt proceedings, to exclude violators from Indian land, and to use other appropriate mechanisms, in matters arising anywhere in the Indian country of the Indian tribe (as defined in section 1151) or otherwise within the authority of the Indian tribe.

''(2) APPLICABILITY.—Paragraph (1)—

''(A) shall not apply to an Indian tribe in the State of Alaska, except with respect to the Metlakatla Indian Community, Annette Islands Reserve; and

''(B) shall not limit, alter, expand, or diminish the civil or criminal jurisdiction of the State of Alaska or any subdivision of the State of Alaska.''.

SEC. 906. AMENDMENTS TO THE FEDERAL ASSAULT STATUTE.

(a) IN GENERAL.—Section 113 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

''(1) Assault with intent to commit murder or a violation of section 2241 or 2242, by a fine under this title, imprisonment for not more than 20 years, or both.'';

(B) in paragraph (2), by striking ''felony under chapter 109A'' and inserting ''violation of section 2241 or 2242'';

(C) in paragraph (3) by striking ''and without just cause or excuse,'';

(D) in paragraph (4), by striking ''six months'' and inserting ''1 year'';

(E) in paragraph (7)—

(i) by striking ''substantial bodily injury to an individual who has not attained the age of 16 years'' and inserting ''substantial bodily injury to a spouse or intimate partner, a dating partner, or an individual who has not attained the age of 16 years''; and

(ii) by striking ''fine'' and inserting ''a fine''; and

(F) by adding at the end the following:

''(8) Assault of a spouse, intimate partner, or dating partner by strangling, suffocating, or attempting to strangle or suffocate, by a fine under this title, imprisonment for not more than 10 years, or both.''; and

(2) in subsection (b)—

(A) by striking ''(b) As used in this subsection—'' and inserting the following:

''(b) DEFINITIONS.—In this section—'';

(B) in paragraph (1)(B), by striking ''and'' at the end;

(C) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

''(3) the terms 'dating partner' and 'spouse or intimate partner' have the meanings given those terms in section 2266;

''(4) the term 'strangling' means intentionally, knowingly, or recklessly impeding the normal breathing or circulation of the blood of a person by applying pressure to the throat or neck, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim; and

''(5) the term 'suffocating' means intentionally, knowingly, or recklessly impeding the normal breathing of a person by covering the mouth of the person, the nose of the person, or both, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim.''.

(b) INDIAN MAJOR CRIMES.—Section 1153(a) of title 18, United States Code, is amended by striking ''assault with intent to commit murder, assault with a dangerous weapon, assault resulting in serious bodily injury (as defined in section 1365 of this title)'' and inserting ''a felony assault under section 113''.

(c) REPEAT OFFENDERS.—Section 2265A(b)(1)(B) of title 18, United States Code, is amended by inserting ''or tribal'' after ''State''.

SEC. 907. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST INDIAN WOMEN.

(a) IN GENERAL.—Section 904(a) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 3796gg–10 note) is amended—

(1) in paragraph (1)—

(A) by striking ''The National'' and inserting ''Not later than 2 years after the date of enactment of the Violence Against Women Reauthorization Act of 2011, the National''; and

(B) by inserting ''and in Native villages (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))'' before the period at the end;

(2) in paragraph (2)(A)—

(A) in clause (iv), by striking ''and'' at the end;

(B) in clause (v), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(vi) sex trafficking.'';

(3) in paragraph (4), by striking ''this Act'' and inserting ''the Violence Against Women Reauthorization Act of 2011''; and

(4) in paragraph (5), by striking ''this section $1,000,000 for each of fiscal years 2007 and 2008'' and inserting ''this subsection $1,000,000 for each of fiscal years 2012 and 2013''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 905(b)(2) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (28 U.S.C. 534 note) is amended by striking ''fiscal years 2007 through 2011'' and inserting ''fiscal years 2012 through 2016''.

SEC. 908. EFFECTIVE DATES; PILOT PROJECT.

(a) GENERAL EFFECTIVE DATE.—Except as provided in section 4 and subsection (b) of this section, the amendments made by this title shall take effect on the date of enactment of this Act.

(b) EFFECTIVE DATE FOR SPECIAL DOMESTIC-VIOLENCE CRIMINAL JURISDICTION.—

(1) IN GENERAL.—Except as provided in paragraph (2), subsections (b) through (e) of section 204 of Public Law 90–284 (as added by section 904) shall take effect on the date that is 2 years after the date of enactment of this Act.

(2) PILOT PROJECT.—

(A) IN GENERAL.—At any time during the 2-year period beginning on the date of enactment of this Act, an Indian tribe may ask the Attorney General to designate the tribe as a participating tribe under section 204(a) of Public Law 90–284 on an accelerated basis.

(B) PROCEDURE.—The Attorney General may grant a request under subparagraph (A) after coordinating with the Secretary of the Interior, consulting with affected Indian tribes, and concluding that the criminal justice system of the requesting tribe has adequate safeguards in place to protect defendants' rights, consistent with section 204 of Public Law 90–284.

(C) EFFECTIVE DATES FOR PILOT PROJECTS.—An Indian tribe designated as a participating

tribe under this paragraph may commence exercising special domestic violence criminal jurisdiction pursuant to subsections (b) through (e) of section 204 of Public Law 90–284 on a date established by the Attorney General, after consultation with that Indian tribe, but in no event later than the date that is 2 years after the date of enactment of this Act.

SEC. 909. INDIAN LAW AND ORDER COMMISSION.

(a) IN GENERAL.—Section 15(f) of the Indian Law Enforcement Reform Act (25 U.S.C. 2812(f)) is amended by striking ''2 years'' and inserting ''3 years''.

(b) REPORT.—The Attorney General, in consultation with the Attorney General of the State of Alaska, the Commissioner of Public Safety of the State of Alaska, the Alaska Federation of Natives and Federally recognized Indian tribes in the State of Alaska, shall report to Congress not later than one year after enactment of this Act with respect to whether the Alaska Rural Justice and Law Enforcement Commission established under Section 112(a)(1) of the Consolidated Appropriations Act, 2004 should be continued and appropriations authorized for the continued work of the commission. The report may contain recommendations for legislation with respect to the scope of work and composition of the commission.

TITLE X—OTHER MATTERS

SEC. 1001. CRIMINAL PROVISIONS RELATING TO SEXUAL ABUSE.

(a) SEXUAL ABUSE OF A MINOR OR WARD.—Section 2243(b) of title 18, United States Code, is amended to read as follows:

''(b) OF A WARD.—

''(1) OFFENSES.—

''(A) IN GENERAL.—It shall be unlawful for any person to knowingly engage, or knowingly attempt to engage, in a sexual act with another person who is—

''(i) in official detention or under official supervision or other official control of, the United States—

''(I) during or after arrest;

''(II) after release pretrial;

''(III) while on bail, probation, supervised release, or parole;

''(IV) after release following a finding of juvenile delinquency; or

''(V) after release pending any further judicial proceedings;

''(ii) under the professional custodial, supervisory, or disciplinary control or authority of the person engaging or attempting to engage in the sexual act; and

''(iii) at the time of the sexual act—

''(I) in the special maritime and territorial jurisdiction of the United States;

''(II) in a Federal prison, or in any prison, institution, or facility in which persons are held in custody by direction of, or pursuant to a contract or agreement with, the United States; or

''(III) under supervision or other control by the United States, or by direction of, or pursuant to a contract or agreement with, the United States.

''(B) SEXUAL CONTACT.—It shall be unlawful for any person to knowingly engage in sexual contact with, or cause sexual contact by, another person, if to do so would violate subparagraph (A) had the sexual contact been a sexual act.

''(2) PENALTIES.—

''(A) IN GENERAL.—A person that violates paragraph (1)(A) shall—

''(i) be fined under this title, imprisoned for not more than 15 years, or both; and

''(ii) if, in the course of committing the violation of paragraph (1), the person engages in conduct that would constitute an offense under section 2241 or 2242 if committed in the special maritime and territorial jurisdiction of the United States, be subject to the penalties provided for under section 2241 or 2242, respectively.

''(B) SEXUAL CONTACT.—A person that violates paragraph (1)(B) shall be fined under this title, imprisoned for not more than 2 years, or both.''.

(b) PENALTIES FOR SEXUAL ABUSE.—

(1) IN GENERAL.—Chapter 13 of title 18, United States Code, is amended by adding at the end the following:

''§ 250. Penalties for sexual abuse

''(a) OFFENSE.—It shall be unlawful for any person, in the course of committing an offense under this chapter or under section 901 of the Fair Housing Act (42 U.S.C. 3631) to engage in conduct that would constitute an offense under chapter 109A if committed in the special maritime and territorial jurisdiction of the United States.

''(b) PENALTIES.—A person that violates subsection (a) shall be subject to the penalties under the provision of chapter 109A that would have been violated if the conduct was committed in the special maritime and territorial jurisdiction of the United States, unless a greater penalty is otherwise authorized by law.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 13 of title 18, United States Code, is amended by adding at the end the following:

''250. Penalties for sexual abuse.''.

SEC. 1002. SEXUAL ABUSE IN CUSTODIAL SETTINGS.

(a) SUITS BY PRISONERS.—Section 7(e) of the Civil Rights of Institutionalized Persons Act (42 U.S.C. 1997e(e)) is amended by inserting before the period at the end the following: ''or the commission of a sexual act (as defined in section 2246 of title 18, United States Code)''.

(b) UNITED STATES AS DEFENDANT.—Section 1346(b)(2) of title 28, United States Code, is amended by inserting before the period at the end the following: ''or the commission of a sexual act (as defined in section 2246 of title 18)''.

(c) ADOPTION AND EFFECT OF NATIONAL STANDARDS.—Section 8 of the Prison Rape Elimination Act of 2003 (42 U.S.C. 15607) is amended—

(1) by redesignating subsection (c) as subsection (e); and

(2) by inserting after subsection (b) the following:

''(c) APPLICABILITY TO DETENTION FACILITIES OPERATED BY THE DEPARTMENT OF HOMELAND SECURITY.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2011, the Secretary of Homeland Security shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of aliens detained for a violation of the immigrations laws of the United States.

''(2) APPLICABILITY.—The standards adopted under paragraph (1) shall apply to detention facilities operated by the Department of Homeland Security and to detention facilities operated under contract with the Department.

''(3) COMPLIANCE.—The Secretary of Homeland Security shall—

''(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

''(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Homeland Security.

''(4) CONSIDERATIONS.—In adopting standards under paragraph (1), the Secretary of Homeland Security shall give due consideration to the recommended national standards provided by the Commission under section 7(e).

''(5) DEFINITION.—As used in this section, the term 'detention facilities operated under contract with the Department' includes, but is not limited to contract detention facilities and detention facilities operated through an intergovernmental service agreement with the Department of Homeland Security.

''(d) APPLICABILITY TO CUSTODIAL FACILITIES OPERATED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2011, the Secretary of Health and Human Services shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of unaccompanied alien children (as defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))).

''(2) APPLICABILITY.—The standards adopted under paragraph (1) shall apply to facilities operated by the Department of Health and Human Services and to facilities operated under contract with the Department.

''(3) COMPLIANCE.—The Secretary of Health and Human Services shall—

''(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

''(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Health and Human Services.

''(4) CONSIDERATIONS.—In adopting standards under paragraph (1), the Secretary of Health and Human Services shall give due consideration to the recommended national standards provided by the Commission under section 7(e).''.

SEC. 1003. ANONYMOUS ONLINE HARASSMENT.

Section 223(a)(1) of the Telecommunications Act of 1934 (47 U.S.C. 223(a)(1)) is amended—

(1) in subparagraph (A), in the undesignated matter following clause (ii), by striking ''annoy,'';

(2) in subparagraph (C)—

(A) by striking ''annoy,''; and

(B) by striking ''harass any person at the called number or who receives the communication'' and inserting ''harass any specific person''; and

(3) in subparagraph (E), by striking ''harass any person at the called number or who receives the communication'' and inserting ''harass any specific person''.

SEC. 1004. STALKER DATABASE.

Section 40603 of the Violence Against Women Act of 1994 (42 U.S.C. 14032) is amended by striking ''$3,000,000'' and all that follows and inserting ''$3,000,000 for fiscal years 2012 through 2016.''.

SEC. 1005. FEDERAL VICTIM ASSISTANTS REAUTHORIZATION.

Section 40114 of the Violence Against Women Act of 1994 (Public Law 103–322; 108 Stat. 1910) is amended by striking ''fiscal years 2007 through 2011'' and inserting ''fiscal years 2012 through 2016''.

SEC. 1006. CHILD ABUSE TRAINING PROGRAMS FOR JUDICIAL PERSONNEL AND PRACTITIONERS REAUTHORIZATION.

Subtitle C of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13024) is amended in subsection (a) by striking ''$2,300,000'' and all that follows and inserting ''$2,300,000 for each of fiscal years 2012 through 2016.''.

SEC. 1007. MANDATORY MINIMUM SENTENCE.

Section 2241(a) of title 18, United States Code, is amended in the undesignated matter following paragraph (2), by striking ''any term of years or life'' and inserting ''not less than 5 years or imprisoned for life''.

SEC. 1008. REMOVAL OF DRUNK DRIVERS.

(a) IN GENERAL.—Section 101(a)(43)(F) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)(F)) is amended by striking ''for which the term of imprisonment'' and inserting '', including a third drunk driving conviction, regardless of the States in which the convictions occurred or whether the offenses are classified as misdemeanors or felonies under State or Federal law, for which the term of imprisonment is''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall—

(1) take effect on the date of the enactment of this Act; and

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I am pleased that we are able to move directly to the legislation without a cloture vote.

The Violence Against Women Reauthorization Act is a bipartisan bill. It has 61 cosponsors. I was encouraged yesterday morning to hear the majority leader and the Republican leader discussing moving forward quickly to pass this legislation.

I agree with the majority leader. I don't want to see the bill weakened. I agree with the Republican leader that there is strong bipartisan support for the Leahy-Crapo bill. I look forward to working out an agreement. I have spoken to both of them and told them I will support an agreement that will allow us to consider, and expeditiously approve, the bill in short order. Of course, I will be happy to help in any way I can to facilitate that.

The bipartisan Violence Against Women Act has been the centerpiece of the Federal Government's commitment to combat domestic violence, dating violence, sexual assault, and stalking. The impact of the landmark law has been remarkable. It is one law I can point to and say that it has provided life-saving assistance to hundreds of thousands of women, children, and men.

At a time when we can sometimes be polarized around here, I appreciate the bipartisan support of this bill.

Senator CRAPO and I introduced the reauthorization of the Violence Against Women Act last year. We come from different parts of the country. We come from different parties. We, I think it is safe to say, come from different political philosophies. But we agreed that we all have to work to stop violence against women. In fact, we didn't move forward to do so at all until it had a lot of discussion both with the staff of the ranking member and other Republicans on the Judiciary Committee. We did our best to try to accommodate all points of view.

We continued our outreach after the introduction of the bill, in the hearings and in the committee process. The amendment the Judiciary Committee adopted on February 2 included several additional changes requested by Republican Senators. I made sure they were in there. They are outlined in the committee report.

We eliminated several provisions that would have offered significant assistance to immigrant victims of domestic and sexual violence. It was difficult to remove these provisions, but we earnestly sought compromise, and I was encouraged when in our committee meetings Senator GRASSLEY acknowledged our efforts to reach agreement where we could.

I said then and I now say that we were willing to go as far as we could to accommodate Senators on either side of the aisle. But as chairman of the Judiciary Committee, I cannot abandon core principles of fairness, and I will not. I continue to urge all Senators to join to protect the most vulnerable victims of violence, including battered immigrant women, assisting law enforcement, Native American women who suffer in record numbers, and those who have had trouble accessing services.

I have said so many times on this floor that a victim is a victim is a victim. They all need to be helped. They deserve our attention. They deserve the protection and access to the services our bill provides.

We now have 61 cosponsors, including 8 Republicans; 16 of the 17 women in the Senate, from both parties, have joined as cosponsors. They have been strong supporters from the start, and the bill is better because of their efforts.

There is one purpose, and one purpose alone, for the bill that Senator CRAPO and I have introduced: to help protect victims of domestic and sexual violence. That purpose is reinforced as we turn to this bill during Crime Victims' Rights Week and Sexual Assault Awareness Month.

Our bill is based on months of work with survivors, advocates, and law enforcement officers from all across the country—and I must say from all political persuasions, from the right to the left. the bipartisan bill was developed in an open and democratic process, and it is responsive to the unmet needs of victims.

The New York Times had a column by Dorothy Samuels last Sunday that got it right. She wrote:

> [T]he provisions respond to real humanitarian and law enforcement needs.

When Senator CRAPO and I worked to put this legislation together, we purposely avoided proposals that were extreme or divisive on either the right or the left. We selected only those proposals that law enforcement and survivors and the professionals who work with crime victims every day told us were essential. We did not go for somebody who didn't have firsthand experience. We asked the people who actually have to make the law work. That is actually why every one of these provisions has such widespread support.

In fact, our reauthorization bill is supported by more than 1,000 Federal, State, and local organizations, and they include service providers, law enforcement, religious organizations, and many more.

We have done a good job on the domestic violence front, so sexual assault is where we need to increase our focus. That is what the bill does. The administration is fully onboard, and I welcome their statement of support.

We have to pass this legislation. We have to pass this provision to focus on sexual assault. I think of the advocates in my State of Vermont who work not only in the cities but especially in the rural areas. Mr. President, it is not just those of us from small States; every single State has rural areas. The distinguished Presiding Officer does, the distinguished majority leader does, the distinguished Republican leader does. We all have rural areas.

I think of Karen Tronsgard-Scott of the Vermont Network to End Domestic and Sexual Violence and Jane Van Buren with Women Helping Battered Women. They have helped us put this together. I appreciate the guidance from all across the Nation from such organizations as the National Network to End Domestic Violence, the National Alliance to End Sexual Violence, the National Task Force to End Sexual and Domestic Violence Against Women. The coalition has been maintained and has been valuable in these efforts. It is working with them that we were able to adjust the allocation of funds to increase needed funding for sexual assault efforts, and do it without harming the other coordinated efforts.

We reached our understanding in working with them, not by picking a number out of a hat or trying to outbid some proposal. It wasn't there. Everybody worked together. We only have so many dollars. We tried to do it and use the money where it works the best.

The provision ensuring that services will be available to all victims regardless of sexual orientation and gender identity is supported by the Leadership Conference of Civil Rights and numerous civil rights and crime victim advocates. I was pleased to see a letter from Cindy Dyer, President Bush's Director of the Office of Violence Against Women, in which she writes:

> As criminal justice professionals, our job is to protect the community, but we are not able to do that unless all the tools necessary . . . are available to all victims of crime.

Of course, she is right. A victim is a victim is a victim.

Mr. President, when I was the State's attorney, I went to crime scenes at 3 o'clock in the morning and there was a battered and bloody victim—we hoped alive, but sometimes not. The police never said: Is this victim a Democrat or a Republican? Is this victim gay or straight? Is this victim an immigrant? Is this victim native born?

They said: This is a victim. How do we find the person who did this and stop them from doing it again? A victim is a victim is a victim. Everybody in law enforcement will tell you that.

Because of that, we added a limited number of new visas for immigrant victims of serious crimes who help law enforcement, which is backed only by the immigrants' rights organizations, as one might expect, but it is backed by the Fraternal Order of Police which writes that ''the expansion of the U visa program will provide incalculable benefits to our citizens and our communities at a negligible cost.'' My friends in law enforcement are right, as they so often are.

On Tuesday, in an editorial in our local paper, the Washington Post urged passage of our bipartisan bill, noting:

A comprehensive committee report convincingly details gaps in current programs as identified by law enforcement officers, victim-service providers, judges and health-care professions. No one—gay or straight, man or woman, legal or undocumented—should be denied protections against domestic abuse or sexual violence.

Mr. President, I agree with that editorial because what it says is what we have said over and over on this floor—a victim is a victim is a victim. If you are a victim, you should have somebody ready to help.

They are improvements that are not only reasonable but necessary if we are to fulfill our commitment to victims of domestic and sexual violence. If we say you are a victim of domestic or sexual violence, we can't pick and choose to say this victim will be helped but this one is going to be left on their own. We say we are going to help all of them. A victim is a victim is a victim.

I believe that if Senators of both parties take an honest look at all the provisions in our bipartisan VAWA reauthorization bill, they will find it to be a commonsense measure we can all support. This isn't a Democratic or a Republican measure, this is a good-government measure. This protects the people in our society who sadly need protection. Sixty-one Senators have already reached this conclusion from both parties, so I hope more will join us. I hope the Senate will promptly pass the Leahy-Crapo Violence Against Women Reauthorization Act.

Mr. President, I was going to suggest the absence of a quorum, but I see the distinguished Senator from Texas in the Chamber, so I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I rise to talk about the Violence Against Women Act. Senator LEAHY, the distinguished chairman of the Judiciary Committee, has a bill that has many good parts, and I was listening to the things he said about it and agree with many of them. Because there are some areas of disagreement, I have worked with many of my colleagues to create a substitute that has the same coverage but is better in other ways also. So I hope we will have the ability to look at both and that from that we would be able to pass a bill out of the Senate to address the violence against women we see in our country.

Our bill, as Senator LEAHY's bill does, actually covers men, who we know now are also subject to this kind of violence. So our bill covers men who have suffered the same kinds of victimization as women and whom we covered 16 years ago.

I would like to point out that I have been championing this issue for a very long time. When I was in the Texas Legislature, I learned there were serious problems in the reporting and prosecution of rape in our country. The State statute in Texas in the early 1970s discouraged reporting because of embarrassment to the victim and the difficulty of obtaining convictions because victims were not willing to come forward and report rapes because they felt they were treated like a criminal sometimes. If they actually did report it and agree to help the prosecution, their treatment on the witness stand was so humiliating they often gave up. So the reports of rape were often not made. This was true in Texas, but it was true throughout our country.

I worked with Democratic members in our legislature and led the effort to strengthen victim protection in this area, and it included limiting irrelevant questions asked by law enforcement officials and attorneys and redefining the meaning of consent, all of which enhanced the privacy rights of our victims. We created a statute of limitations that was more in line with other crimes of assault and battery.

Our bill was so good when it passed in 1975 that it became a model for other States that were passing legislation. So this was the beginning of the effort to do just that. It was the model bill many States looked at to adapt and adopt in their States to protect the victims of violent crimes in our country.

In the Senate, it was my bill that created the Amber Alert system that would go across State lines. I worked with Senator FEINSTEIN on that bill, and our bill has saved 550 abducted children. That has been documented. So we have been able to do some things on a bipartisan basis. I have also strongly supported the National Domestic Violence Hotline, and stalking across State lines was also in my bill. So I have been in this effort for a long time.

Of course, 16 years ago when the Violence Against Women Act first passed, we did so unanimously, on a voice vote. Everyone supported it. We now have to renew this bill yet again, and I hope we are going to come together tomorrow to pass it.

I am going to support Senator LEAHY's bill. I like many parts of it. I also think we can improve it in the areas I have included in my substitute, and I hope we will be able to pass that as well. Our bill keeps much of the committee-reported bill intact. For instance, I am cosponsoring Senator KLOBUCHAR's bill to take the stalking bill I passed originally into cyber stalking because that was not a problem when we first passed the Violence Against Women Act but is a problem today.

The current legislation I am going to introduce will update and strengthen current law and fix some weaknesses that I think are in Senator LEAHY's bill. Our bill updates current law by mandating tougher sentences for violent crimes, increasing support for sexual assault investigations and rape kit testing, and requiring more effective Justice Department oversight of grant programs to ensure scarce funds aren't wasted. This was done as a result of the IG in the Justice Department saying there was not enough oversight and not enough auditing of the grants to ensure they go to the victims and victims' rights organizations for which they are intended. Our bill is one I certainly hope we will be able to pass.

One of the trends—and not a good trend—in this country right now is the downward curve of sentences handed out in Federal courts for child pornography. The most recent report to Congress from the U.S. Sentencing Commission notes that child pornography defendants are being sentenced to terms below Federal sentencing guidelines in 45 percent of the cases. Almost half of these defendants are receiving less than the recommended sentences. In one particularly egregious instance, a man was convicted of knowingly possessing hundreds of child pornography pictures and videos of 8- to-10-year-old girls being abused. I can hardly even talk about that, but even worse, the sentencing guidelines called for this man to receive 63 to 78 months of imprisonment, yet he was sentenced to 1 day in prison. That is ridiculous. It is obscene in and of itself.

Our bill would impose a mandatory minimum sentence of 1 year in these cases. If I could have written this bill by myself, it would have been more. So a minimum of 1 year for child pornography showing 8- to-10-year-old girls being violated. That is hard to talk about, and we need to do something about it. Our substitute does create a minimum sentence for this type of violation.

We have many other provisions in our bill that are very strong. My substitute is one I think we can put together with Senator LEAHY's bill when we go to conference. I know the House is going to pass a bill. They are introducing their own. We will go to conference on this bill, and we will come out with a good bill if everyone will cooperate because we are on the same path.

I think our bill is a good and solid one. I am looking forward to talking about it tomorrow, having a vote, and I hope we will be able to go forward with the sincerity I think everyone has on this issue.

I think Senator CORNYN has a wonderful amendment that will also increase getting rid of the backlog in the rape testing kits so that people who are guilty of these crimes can be found through the testing and stopped from committing future crimes on victims. That is the purpose. So Senator CORNYN and I hope to be able to have our amendments brought forward tomorrow—two amendments—and with Senator LEAHY's bill, we can pass this and send it to the House.

Something is going to pass the Senate, and I hope we will just have a minimum ability to move on our very respectable alternatives or amendments and then go to conference, where we can come out with a bill that extends this very important act in our country.

Mr. President, I have four letters of support for our bill. One letter is from a rape prevention and victim protection group. The PROTECT group says

their support is for strengthening Federal sentencing of child sexual exploitation. The Shared Hope International organization is very supportive of the parts of our bill that have gotten into the international realm of trafficking. The Rape Abuse & Incest National Network, which is the largest rape victim organization in America, has written a very strong letter of support, as has the Criminal Justice Legal Foundation.

I hope we will be able to talk again tomorrow about these pieces of legislation.

Mr. President, I ask unanimous consent to have printed in the RECORD the four letters to which I referred.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

PROTECT,
Knoxville, TN, April 23, 2012.

Hon. CHUCK GRASSLEY,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR GRASSLEY: We are writing to enthusiastically endorse your legislation to strengthen federal sentencing of child sexual exploitation.

Your proposed amendments to 18 U.S.C. 2252 and 2252A would create a mandatory minimum sentence of incarceration for any offender who possesses child abuse images of ''a prepubescent minor or a minor who had not attained 12 years of age.''

The Grassley bill stands squarely in the way of a growing movement by federal judges to weaken sentences for child pornography crimes. This judicial movement, given credence and momentum by the U.S. Sentencing Commission, would treat so-called ''simple possession'' as a victimless crime.

This outrageous judicial campaign leaves Congress no choice. With its aggressive criticism of child pornography penalties, the U.S. Sentencing Commission has shot across your bow. We cheer you for returning fire! The federal judiciary must hear loudly and clearly that the values of Americans demand that sexual exploitation be treated as a serious crime.

For the record, we hope to see even more Congressional action, strengthening protections for older children and meaningful restitution and asset forfeiture as well. Your bill is a reasonable but tough step to shore up and strengthen sentencing of child predators.

Never let the apologists for child pornography traffickers deny the pain and harm done by possessors of these images. These are human rights crimes, and should be treated as such. So-called ''simple possessors'' fuel the market for more and more crime scene recordings of children being raped, tortured and degraded. Even those who don't pay for the images they acquire create a crushing market demand for barter and production. Thank you for standing up for these victims.

Sincerely,

GRIER WEEKS,
Executive Director.

SHARED HOPE INTERNATIONAL,
April 24, 2012.

Sen. KAY BAILEY HUTCHISON,
Russell Senate Office Building,
Washington, DC.

DEAR SENATOR HUTCHISON: Shared Hope International supports your proposed VAWA Reauthorization bill. On October 21, 2009, the House Foreign Affairs Subcommittee on International Organizations, Human Rights and Oversight held a hearing on international violence against women at which I testified to the connections between sexual violence against children and women, and the need to view the sex trafficking occurring in the U.S. as part of the widespread crime of international violence against women. We view the inclusion of provisions related to mandatory minimum sentences for possession of pornography when the victim is under 12 and the expansion of the administrative subpoena power for the U.S. Marshals to track unregistered sex offenders as efforts to protect children who are subject to violence through sex trafficking. These provisions bring greater criminal enforcement and deterrence to child sex trafficking crimes. Child pornography is one form of child sex trafficking and is too often intertwined with the other forms of sexual exploitation, which include prostitution and sexual performance. Stiffer penalties will bring greater deterrence and justice for the victims. Prevention of child sex trafficking includes empowering families and communities with the knowledge of the location of sex offenders. Those offenders who fail to register circumvent the purpose of this law. Tools to increase the ability of the U.S. Marshals to track these unregistered sex offenders is important to enforcement of this law.

We commend your leadership in combating child sex trafficking by viewing it as part of the overall violence against women issue and fully support your efforts. Please contact me with any questions and thank you for considering our views on this bill.

Sincerely,

LINDA SMITH,
(U.S. Congress 1995–99, Washington State Senate/House 1983–94), Founder and President.

RAPE, ABUSE & INCEST NATIONAL NETWORK,
Washington, DC, April 24, 2012.

Hon. KAY BAILEY HUTCHISON,
U.S. Senate,
Washington, DC.

DEAR SENATOR HUTCHISON: I am writing to thank you for including the Sexual Assault Forensic Evidence Registry (SAFER) Act in S. 2338, to reauthorize the Violence Against Women Act. The SAFER Act is bipartisan and cost-free, and will help bring more rapists to justice by reducing the rape kit backlog. It is our hope that it will be included as part of the final VAWA reauthorization package.

One out of every six women and one in 33 men are victims of sexual assault—20 million Americans in all, according to the Department of Justice. Rapists tend to be serial criminals, often committing many crimes before they are finally caught; and only about 3% of rapists will ever spend a single day in prison.

We believe it is in the best interests of victims, the criminal justice system, and all Americans to enact the SAFER Act. The SAFER Act will help get an accurate count of the rape kit backlog on a national level, increasing transparency and efficiency and allowing lawmakers to target funding to the areas of greatest need. An accurate count of the backlog will lead to more successful prosecutions, and to more violent criminals behind bars.

RAINN (Rape, Abuse & Incest National Network) is the nation's largest anti-sexual assault organization. RAINN created and operates the National Sexual Assault Hotline (800.656.HOPE and rainn.org), which has helped more than 1.7 million people since 1994. RAINN also carries out programs to prevent sexual assault, help victims, and ensure that rapists are brought to justice. For more information about RAINN, please visit www.rainn.org.

Thank you again for including the SAFER Act in S. 2338. We believe SAFER will greatly enhance VAWA and result in a stronger, more effective bill. We are grateful for your leadership in the battle to prevent sexual violence and prosecute its perpetrators, and we look forward to working with you to encourage passage of this important act and to reauthorize VAWA.

Sincerely,

SCOTT BERKOWITZ,
President and Founder.

CRIMINAL JUSTICE LEGAL FOUNDATION,
Sacramento, CA, April 19, 2012.

Re: S. 1925, Violence Against Women Reauthorization

Hon. CHARLES GRASSLEY,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR GRASSLEY: the Criminal Justice Legal Foundation, an organization supporting the rights of victims of crime in the criminal justice system, supports your efforts to establish a minimum sentence for the crime of aggravated sexual abuse when committed within federal jurisdiction.

The present statute provides that a person who commits this crime, more commonly described as forcible rape, ''shall be fined . . ., imprisoned for any term of years or life, or both.'' (18 U.S.C. §2241(a).) Sentencing laws with such an enormous range of punishments are relics of a bygone era. At one time, it was thought proper to give the trial judge such wide latitude, but the disparate sentences under this system were eventually understood to outweigh the advantages.

In the Sentencing Reform Act of 1984, a bipartisan reform sponsored by Senators Kennedy and Thurmond, the wide-ranging sentences in the statutes were overlaid, and largely replaced, by a set of binding sentencing guidelines. From 1984 to 2005, a good argument against adding statutory mandatory minimums was that they were unnecessary in a properly functioning system of binding guidelines.

Unfortunately, Congress's chosen mechanism for reducing sentencing disparity was declared unconstitutional by the Supreme Court in *Booker* v. *United States*, 543 U.S. 220 (2005). In its place, we have a confusing, one might even say chaotic, system of discretion in the trial court and review in the courts of appeals.

Mr. HATCH. Mr. President, this body has a long tradition of bipartisan support for the Violence Against Women Act. One of the bills before us will continue that tradition. The other will destroy it. The bill introduced by the Senator from Texas, Mrs. HUTCHISON, stays true to the purpose and scope of the legislation that in the past received wide bipartisan support. The other bill introduced by the Senator from Vermont, Mr. LEAHY, deliberately departs from that purpose and scope and introduces divisive and controversial new provisions that, I believe, are designed to shatter that bipartisan support.

The purpose of the Violence Against Women Act is to combat violence against women. The description of the Office on Violence Against Women, currently on the Department of Justice Web site, states the same thing a half dozen times: that this legislation is designed to end violence against women.

The steadily growing bipartisan consensus behind this legislation has made it more important and more effective.

Senator LEAHY's bill, S. 1925, undermines the consensus that has been growing for two decades by introducing controversial and divisive proposals that fundamentally change the focus and scope of this legislation. If those proposals have merit, they should receive their own separate consideration with appropriate legislation introduced and hearings held. But it is inappropriate to use the Violence Against Women Act and the good will that it has attracted as cover for those new and divisive projects.

I support Senator HUTCHISON's bill both for what it contains and what it does not contain. First, it provides stronger penalties for crimes such as forcible rape, aggravated sexual assault, child pornography, and interstate domestic violence resulting in death. The Leahy bill is weaker than Senator HUTCHISON's when it comes to addressing these crimes, and in some instances it does not address them at all. Second, it targets more grant funding to address sexual assault and requires far more funding be used to reduce the backlog in testing rape kits. Third, it requires an audit of the Office for Victims of Crime to ensure that funds from the Crime Victims Fund are reaching those it exists to help. Forth, it addresses problems with inadequate oversight and administration by requiring that 10 percent of grantees be audited each year and by capping the percentage of appropriated funds that may be used for administrative costs.

Senator HUTCHISON's bill does not contain the controversial and divisive provisions that the majority insisted on including. It does not, for example, authorize unused U visas from previous years to be used in the future. This provision in the majority's bill led the Congressional Budget Office to conclude that it will add more than $100 million to the deficit. The Hutchison bill does not extend Indian tribal court criminal jurisdiction to non-Indians. A Congressional Research Service memo outlines a number of constitutional concerns regarding this provision in the majority bill.

Let me conclude by expressing both my disappointment and my thanks. I am truly disappointed that the majority has deliberately politicized the reauthorization of VAWA in a way that they knew would render impossible the kind of bipartisan consensus this legislation has had in the past. It seems that the majority was more interested in having a campaign issue for President Obama than in actually doing the hard work of creating a consensus bill that would protect women from violent crime.

However, I want to thank my colleagues, Senator HUTCHISON and the ranking member of the Judiciary Committee, Senator GRASSLEY, for stepping up and offering this legislation to reauthorize the Violence Against Women Act in a way that can attract that consensus and continue the effort to end violence against women.

Mrs. HUTCHISON. Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

HONORING OUR ARMED FORCES

LANCE CORPORAL ABRAHAM TARWOE

Mr. REED. Mr. President, I rise today, along with my colleague, the Presiding Officer, to pay tribute to Lance Corporal Abraham Tarwoe, a Rhode Islander who served in the U.S. Marine Corps.

On April 12, Lance Corporal Tarwoe was killed while conducting combat operations in Helmand Province, Afghanistan. A memorial service will be held on Saturday in Rhode Island to honor his selfless sacrifice, and he will then be laid to rest in his native home of Liberia.

When he was about 7 years old, Lance Corporal Tarwoe left Liberia and started a new life in the United States. He was one among thousands of Liberians who came to the United States seeking safety from a civil war. We are proud that so many of these brave individuals and their families now call Rhode Island their home, and our State continues to be enriched by this strong community.

Lance Corporal Tarwoe enlisted in the U.S. Marine Corps in June 2009. He was on his second deployment to Afghanistan, assigned to the 2nd Battalion, 9th Marine Regiment, 2nd Marine Division, II Marine Expeditionary Force, where he was serving as a mortarman and had additional duties as a military dog handler.

Each generation of Americans is called upon to protect and sustain our democracy, and among our greatest heroes are the men and women who have worn the uniform of our Nation and have sacrificed for our country to keep it safe and to keep it free.

It is our duty to protect the freedom they sacrificed their lives for through our service, our citizenship. We must continue to keep their memories alive and honor their heroism, not simply by our words but by our deeds as citizens of this great country.

Today, our thoughts are with Lance Corporal Tarwoe's loving family in Liberia, Famatta and Abraham Kar, his brother Randall, his wife Juah, and his son Avant, and all his family, friends, and his comrades-in-arms. We join them in commemorating his sacrifice and honoring his example of selfless service, love, courage, and devotion to the Marines with whom he served and the people of Afghanistan he was trying to help.

Lance Corporal Tarwoe is one among many Rhode Islanders who have proven their loyalty, their integrity, and their personal courage by giving the last full measure of their lives in service to our country in Afghanistan, in Iraq, and elsewhere around the globe.

Today, we honor his memory and the memory of all those who have served and sacrificed as he did. He has joined a distinguished roll of honor, including many Rhode Islanders who have served and sacrificed since September 11, 2001.

All of these men and women who have given their lives in the last decade in Afghanistan and Iraq have done a great service to the Nation. It is a roll of honor. It is a roll that Lance Corporal Tarwoe joins, and it should be for us a roll not just to recognize and remember but to recommit, to try in some small way to match their great sacrifice for this great Nation.

In Lance Corporal Tarwoe's situation, it also should remind us that this young man, born in Liberia, who came as a child and to Rhode Island, demonstrates to us all that being an American is about what is in your heart, not necessarily where you were born or what language you may have spoken as a child. It is about believing in America—believing so much that you would give your life to defend the values that we so much cherish.

TRIBUTE TO SERGEANT MAXWELL R. DORLEY

Mr. REED. Mr. President, I rise today, along with the Presiding Officer, my colleague, Senator WHITEHOUSE, to pay my respect and honor the life of Sergeant Maxwell R. Dorley, a distinguished and beloved member of the Providence Police Department, who passed away tragically in the line of duty.

Sergeant Dorley's personal story, which began in Liberia is another example of the extraordinary contribution of the Liberian community to the State of Rhode Island, along with recently deceased Lance Corporal Tarwoe of the U.S. Marines. Sergeant Dorley's story is also another example of inspiration and hope for all of us.

At the young age of 7, Sergeant Dorley followed his aunt, Hawa Vincent, to Providence, beginning his own chapter of the American dream, and he wrote a remarkable chapter in that great story of America. Sergeant Dorley attended Mount Pleasant High School, and not only graduated at the top of his class earning admission to Brown University, but he also befriended Kou, who would become his wife and partner for 27 years. His love and devotion to his family was so deep and genuine that when their first child, Amanda, was on her way, Sergeant Dorley declined admission to Brown University and began working four jobs so he could support his new family.

At this early stage in his life, Sergeant Dorley chose to prioritize his new family over himself. And as he did

so many times throughout his life, Sergeant Dorley thought about others before he thought of himself. His example of hard work—four jobs to support the family—is the story of America, coming here from someplace else, working as hard as you can to build a strong family and contribute to a strong community.

From helping his family pay off the notes on their cars to gathering old and used police uniforms for his fellow police officers in Liberia, Sergeant Dorley exemplified the best of what we expect from our public servants—a deep commitment to serving others for the greater good.

While terribly tragic, Sergeant Dorley passed away last Thursday doing what he knew best, helping others by trying to come to the aid of his Providence Police Officers, Edwin Kemble and Tony Hampton, who were trying to break up a fight.

Today, we offer our deepest condolences, and our thoughts are with all of Sergeant Dorley's family, friends, and colleagues, but especially with his mother Miatta who is traveling from Liberia, his wife Kou, and daughter Amanda, his son Robert, and all of his beloved family. We join them in celebrating Sergeant Dorley's many contributions.

Despite his short time with us, he gave us much, and we honor his memory and his service to the people of Providence as a Providence Police Officer.

The loss of Sergeant Dorley is also a reminder of the great sacrifice and incredible courage of all of our Police Officers who voluntarily put themselves in harm's way to preserve the peace and stability that allows us to enjoy our own lives. Today, we especially salute the service and sacrifice of Sergeant Dorley, and we honor the legacy he leaves of serving others and prioritizing the greater good over his own personal interest. We have indeed lost a remarkable individual and a great example of selfless service. Again, we offer our deepest condolences to his family.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. REED). The Senator from Rhode Island is recognized.

Mr. WHITEHOUSE. Mr. President, it is an honor to follow my senior Senator, JACK REED, who has been kind enough to preside now for me so that we may deliver these remarks together.

The State of Rhode Island has lost two men in recent days, two men who came from far away to our State to dedicate themselves to its service and to the service of our country, one serving our country with honor and distinction in Afghanistan and the other serving our Ocean State's great capital city of Providence.

U.S. Marine LCpl Abraham Tarwoe, of Providence, was a mortarman with Weapons Company, 2nd Battalion, 9th Marine Regiment of the 2nd Marine Division out of Camp Lejeune, NC. He deployed with the Second Marine Expeditionary Force Forward, where he served as a dog handler in addition to his duties as a mortarman.

Abraham was born in Liberia during a time of civil war. His mother and father sent him to America when he was only 7 years old to find a better life. He joined our Liberian community in Rhode Island, which is an important and valued part of our Rhode Island civic life.

Abraham grew of age and joined the Marines in June of 2009 and was promoted to Lance Corporal in August of 2010. In December he deployed for a second tour of duty to Afghanistan. He had earned the Combat Action Ribbon, the Sea Service Deployment Ribbon, the Afghanistan Campaign Medal, the Global War on Terrorism Service Medal, the National Defense Service Medal, and the NATO Medal.

He died Thursday, April 12, from wounds sustained from an improvised explosive device during a dismounted patrol in support of combat operations in the Marjah district of Helmand Province. He was 25 years old.

His commanding officer, Captain Charles E. Anklam III, said Abraham had an understanding of suffering and sacrifice from his childhood and family ties to Liberia. ''He also knew about disproportionate service,'' Captain Anklam said. ''He held no birth obligation to America; in fact his citizenship was still being processed when he gave his life for his newly adopted country and his brothers-in-arms.''

Abraham leaves behind his wife, Juah Kelly, and their 18-month-old baby boy, Avant Kar, who Abraham would talk to by webcam almost every night. My prayers for comfort and solace go out to them, and to Abraham's mother Famatta Kar, his brother Randall Kar, and to his network of extended family and friends in the United States and Liberia.

A memorial service will be held by Abraham's family and friends in Rhode Island this weekend. And then Abraham will be transported to Liberia, where a funeral will be held and he will be laid to rest.

On Monday, in Afghanistan, the Marines and sailors of Weapons Company gathered around a makeshift battlefield cross for their own memorial service in Abraham's honor. As Abraham's comrades stepped forward one by one to pay their silent respect, Yeager, the black lab who had been Abraham's partner since July 2011, walked to the front and lay down before his handler's cross.

The Marine's Prayer says, in part: ''Protect my family. Give me the will to do the work of a Marine.''

Abraham's wife Juah said that the Marine Corps was Abraham's other love, his second family. Abraham died doing the work of a Marine. And we pray in Abraham's memory for the protection of his brothers and sisters so bravely serving our country in the Marine Corps, and of his beloved family here at home.

Like Lance Corporal Tarwoe, Providence Police Sergeant Maxwell Dorley was also born in Liberia, and came to America as a child. He and his mother settled in Providence and Max attended Mount Pleasant High School where he met his high school sweetheart and wife, Kou. Max worked four jobs to support their young family, and eventually became a Providence police officer, where he would serve the people of Rhode Island's capital city for 15 years.

Max practiced community policing in the truest sense. He went by his first name when he was on patrol. His life experiences growing up in Providence public housing allowed him to relate to the kids in the neighborhoods on his beat.

Max was dedicated to the Police Department, and to the men and women of the force. When a call for back-up came across the radio this past Thursday morning from two officers trying to break up a fight on River Avenue, Max leapt into his cruiser. As he rushed to the aid of his fellow officers, lights and sirens blaring, he swerved to avoid a collision with a car that crossed his path. He lost control and struck a utility pole. He was rushed to Rhode Island Hospital, but his injuries were too great. Maxwell Dorley died at age 41.

He now joins a list of other Providence, Police Officers who have given their lives: Steven Shaw, Cornel Young, and James Allen.

Max is remembered as a devoted husband and loving father, always seeking the best for his children, Amanda and Robert, and encouraging them to follow their dreams. ''Life has no limits,'' he would tell them.

Today, on behalf of the people of Rhode Island and the U.S. Senate, I send my wholehearted condolences to Kou, Amanda, and Robert, to Max's mother, Miatta Dorley, and to the brave men and women of the Providence Police Force who have lost another colleague and friend.

Max gave his life protecting the citizens of our community. And for that, we owe him a gratitude that we cannot repay.

We mourn the loss of two good men. Two men with similar beginnings, and a common calling to serve and protect others. Abraham and Max helped make our neighborhoods, our country, our world a better and safer place to live. They gave their lives, making a real difference in the lives of so many others. We honor them today in the U.S. Senate.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REED. Mr. President, I ask unanimous consent that on Thursday, April 26, 2012, at 11:30 a.m., the Senate proceed to executive session to consider the following nominations: Calendar Nos. 509 and 510; that there be 30 minutes for debate equally divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote without intervening action or debate on the nominations in the order listed; 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; and that any related statements be printed in the RECORD, the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

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

MORNING BUSINESS

Mr. REED. Mr. 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.

STOP THE STUDENT LOAN INTEREST RATE HIKE ACT

Mr. REED. Mr. President, on July 1, approximately 7.4 million college students will see the interest rate double on their student loans unless Congress takes action. For every year we fail to act, borrowers will pay $1,000 more in interest on their loans. In January, I introduced S. 2051, the Student Loan Affordability Act, to maintain the subsidized student loan interest rate at the current 3.4 percent. Today, I am proud to join my colleagues Senator BROWN of Ohio and Senator HARKIN, the chairman of the Health, Education, Labor, and Pensions Committee, in sponsoring the Stop Student Loan Interest Rate Hike Act. This legislation is a fully paid for, 1-year extension of the 3.4-percent interest rate for subsidized student loans.

There is bipartisan support for keeping interest rates low. Governor Romney has endorsed a temporary extension of the current 3.4 percent rate. Two-thirds of Republican Senators voted to cut the interest rate to 3.4 percent under the College Cost Reduction and Access Act of 2007.

The Stop the Student Loan Interest Rate Hike Act will maintain the interest rate at 3.4 percent for another year. The 1-year extension is fully paid for by eliminating a tax loophole that has allowed some shareholder-employees of so-called S corporations to avoid paying their fair share of Social Security and Medicare payroll taxes. This offset will apply only to a subset of S corporations that are professional service businesses—those that derive 75 percent of their gross income from the services of three or fewer shareholders or where the S corporation is a partner in a partnership whose primary activity is professional services. Additionally, the offset only impacts filers with income over $250,000, filing jointly, or $200,000, single filer.

The nonpartisan Government Accountability Office, GAO, found that in the 2003 and 2004 tax years, individuals used S corporations to underreport over $23 billion in wage income. The median misreported amount was $20,127.

Closing this loophole will fully offset the $6 billion cost of a 1-year extension of the interest rate and would make the Tax Code more fair. It is a win-win proposition.

Some may say that the Federal Government cannot afford to forgo the higher interest payments because of the budget deficit. However, this legislation is fully paid for and should garner support from both sides of the aisle.

It is a matter of priorities. We need to put the interests of middle-class Americans ahead of those who would avoid paying their fair share in taxes.

Student loan debt affects millions of Americans. Two-thirds of the class of 2010 graduated owing student loans, with an average debt of over $25,000. Student loan debt has passed the $1 trillion mark—exceeding credit card debt. Moreover, the students and families we are trying to help with the Stop the Student Loan Interest Rate Hike have demonstrated economic need. Indeed, nearly 60 percent of the dependent students who qualify for subsidized loans come from families with incomes of less than $60,000.

The question before us is, Will we make the student loan debt burden worse by allowing interest rates to double or will we take action to protect low and moderate income students?

We need to act fast. July 1 is only 66 days away. I urge all my colleagues to join with Senator SHERROD BROWN, Chairman HARKIN, and me in supporting the Stop the Student Loan Interest Rate Hike Act.

REMEMBERING ROBERT SATTER

Mr. BLUMENTHAL. Mr. President, today I wish to pay tribute to the extraordinary life and immeasurable legacy of long-time Connecticut legislator and Superior Court judge, the Honorable Robert Satter, who passed away on January 16, 2012, Martin Luther King, Jr. Day. The symbolic meaning of this coincidence resonated with many who admired Judge Satter for his crusading work on behalf of civil rights and equal opportunity.

After serving in the Navy during World War II, Bob dedicated himself wholeheartedly to the law, first as a well-known attorney in Hartford where he took on controversial death penalty cases. In 1959, Bob won a seat in the Connecticut Legislature, attributing his successful campaign to the path previously blazed by Democratic Governor Abraham Rubicoff. He served in the Connecticut Legislature until 1961 and then again from 1963 to 1966 where he is known for fighting for society's most marginalized. As a State legislator, he penned Connecticut's first civil rights bill that targeted discrimination in housing sales. Starting in 1966, Bob served as general counsel to the Democratic legislative majority, and was nominated to the bench in 1975 as a Connecticut State judge. Although officially retiring at the age of 70, Bob served as a senior judge and trial referee—only vacating this role when he was too ill to continue serving.

As an attorney, legislator, Superior Court Judge and then as a senior judge, Bob continually challenged himself, presiding in many difficult and controversial cases and always working to make laws to serve the people of Connecticut.

He constantly made the time to give back to future generations of lawyers, teaching courses such as Constitutional Law at Trinity College, Liberties of an American at the University of Hartford, Administrative Law at the University of Connecticut's Graduate School of Political Science, and the Development of Social Policy at Yale University. Bob is a legend at the University of Connecticut Law School, where he taught a Legislative Process course for 27 years.

Bob achieved national renown, but was also well known personally throughout his local community, participating in informal groups, including book, poker, and writing clubs. In his last column for the Connecticut Law Tribune, ''The Last Word on a Long, Rich Life,'' Bob wrote of his appreciation for practicing law in Hartford as opposed to New York City where he started out his legal career. In the greater Hartford area, Bob wrote, ''I found time to participate in the community.'' He created the Hartford Community Renewal Team, which was Hartford's first agency dedicated exclusively to combatting poverty, and in his last published newspaper column, he wrote that he ''would drop any legal matter to come to its assistance.''

This humanity is clearly evident in Bob's essays and books—true gifts to future generations. When he turned 90, he wrote in the Hartford Courant: ''Internally, I am a bunch of memories of people I've known, events I've experienced, books I've read and poems I can still recite. More and more I live in that interior space, recalling the past. When I die, that presence and circuitry will vanish.'' Respectfully, my own view is that his memories will endure through the family and friends that adore him, his legal accomplishments will withstand time, and his ''presence and circuitry'' will be ever vibrant.

Although he served Connecticut for more than 5 decades, Bob's contributions were immeasurable. Connecticut has lost a great mind, teacher, and integral part of its political and progressive infrastructure. Connecticut and the Nation will never forget this great man. He lives on through his words and his tremendous acts of vision and courage as well as his passion for life, the law, and the State of Connecticut.

2012 INTEL SCIENCE TALENT SEARCH

Mr. BLUMENTHAL. Mr. President, today I wish to acknowledge the seven Connecticut students who have been named 2012 Intel Science Talent Search semifinalists. This elite, national competition seeks to honor high school students who excel in a science or math research project in order to ''highlight the need for improved math and science education in the United States.'' Beginning in 1942, the Society for Science and the Public, SSP, has partnered with Westinghouse and then in 1998 with the Intel Corporation to offer this opportunity for young scientists and mathematicians. These 7 students from Connecticut have been selected from over 1,500 applications from around the country, and I am proud that they represent Greenwich, Guilford, Hamden, Lakeville, Wallingford, and Woodbridge Counties. Their hard work, motivation, and curiosity gives me great pride and hope in their ability to change the world. Using their intelligence, ideas, and passion, they can help solve some of our Nation's most pressing issues.

Student Zizi Yu from Amity Regional High School observed the severe food allergies experienced by some of her peers. Through a survey and a case controlled study, she took a closer look at what has been commonly called the hygiene hypothesis, finding a correlation between the age of exposure to certain foods and substances and the prevalence of allergies later in life. After being named a semifinalist on January 25, 2012, Zizi was selected as one of 40 finalists and traveled to Washington, DC, in March to meet with national leaders to present her findings.

William Bennett Hallisey and Ryota Ishizuka took a unique, independent science research class at Greenwich High School, where they were inspired to experiment with the intersection of biology and environmental studies. After learning about research conducted at Stanford University, William adjusted the materials previously used in experimentation and examined how silver nanoparticles and felt substrates could serve as an easily transportable, low-cost, and user-friendly filtration system, removing about 95 percent of a system's bacteria. Ryota Ishizuka looked at ways to harness the potential of microbial fuel cells to generate electricity through hydrogen output. She found that she could create a fully autonomous water treatment system, powering a wastewater treatment reactor, by the reactions of bacteria found in the wastewater itself.

Guilford High School's Yuning Zhang used this competition, in conjunction with work at Yale University's School of Medicine, to express his interest in biomedical research. According to his advanced placement biology teacher, Ruth Heckman, Yuning is ''so excited about doing research and wants to make it his future.'' After isolating kidney cells, growing them in enriched cultures, and staining and characterizing them, he compared these samples to non-selectively grown cells. He found that there was an over 70 percent increase in the amount of stem cells that would grow from selectively grown cells, which has incredible future applications for injury repairing and wound healing.

Aaron Shim of Choate Rosemary Hall used computer models and an opportunity to work alongside Yale chemistry professors to study organometallic complexes and their possible applications for renewable energy. His goal was to further refine the modeling methods of these complexes in order to expedite our understanding and utilization of the way hydrogen is stored in fuel cells. Over the course of his research, Aaron was motivated by and hopes to explore in the future how computers can help ''us understand a little bit more about the natural world around us, helping solve real-world problems through their rather abstract power of mathematics and computation.''

Hailing from Hamden High School, Yiyuan Hu examined MyD88—a protein involved in the body's immune system—and its role in DNA damage response. Through novel research of infectious diseases as part of Dr. Albert Shaw's laboratory at Yale University's School of Medicine, Yiyuan helped discover unexpected new applications for MyD88 to counter diseases tied to chemicals that help kill bacteria but can also damage DNA. Yiyuan has even inspired other students at Hamden High School to become excited about research and involved in the school's science club.

Student Seung Hyun Lee contemplated the Steiner ratio problem as part of an independent study project in conjunction with his math instructor at his high school, the Hotchkiss School, and Hofstra University's Professor Dan Ismailescu. Seung experimented with the field of combination optimization, a study that combines math and theoretical computer science, with the aim to advance our understanding of the Steiner ratio problem.

The success of these talented young adults is a testament to the care and dedication of the teachers, mentors, and administrators who nurtured them and their projects, giving the time and space for creativity, problem-solving, and experimentation. Even though the Intel Science Competition has strict rules about independent student work, these brilliant mentors inspire their students to spend their free time researching new ideas and thinking big thoughts.

Greenwich High School's independent science research class is taught by Andy Bramante, who left a 15-year career as a chemical engineer and chemist to inspire high school students to love research. An advanced placement biology teacher at Guilford High School and educator for 36 years, Ruth Heckman was excited to report that she gets to learn from students like Yuning Zhang. Zizi's research was guided by Deborah Day, science research teacher at Amity Regional High School. Kevin Rogers, the head of the science department and chemistry teacher at Choate Rosemary Hall, helped Aaron Shim work with an outside group at Yale University in furtherance of his research. Similarly, the instructor of mathematics at the Hotchkiss School, Marta Eso, worked with Seung Hyun Lee to complete an independent study research project at his high school and also at Hofstra University. And Sonia Beloin, teacher and adviser to the Science Bowl and Science Olympiad clubs at Hamden High School, mentored Yiyuan Hu, helping to facilitate his successful work at the Section of Infectious Diseases at Yale School of Medicine and supporting him to improve his presentation over time.

Several of these students were invited to join high-level study on their chosen topics at several select universities. Yuning Zhang, Aaron Shim, and Yiyuan Hu were invited into cutting-edge laboratories at Yale University. Yuning worked with Dr. Gilbert Moeckel, the director of the Renal Pathology and Electron Microscopy Laboratory at Yale University's School of Medicine. After reading some of their papers, Aaron was invited to join Professor Victor S. Batista's research team at Yale University's Department of Chemistry. Yiyuan Hu assisted Dr. Albert Shaw's laboratory in the Section of Infectious Diseases at the Yale School of Medicine, and Seung Hyun Lee worked in conjunction with Professor Dan Ismailescu from Hofstra University. I applaud this fruitful and nurturing relationship between high school students and universities.

I wish the best of luck to the seven Connecticut 2012 Intel Science Talent Search semifinalists as they continue to inspire others to dedicate their brilliance to STEM fields. I know my colleagues will join me in honoring these impressive accomplishments of our Nation's young people.

TRIBUTE TO SALVATORE PRINCIOTTI

Mr. BLUMENTHAL. Mr. President, today I rise to recognize the Stamford Young Artists Philharmonic, SYAP, and most especially, Salvatore

Princiotti, SYAP's beloved founder and conductor, who is retiring after 52 years.

Currently, SYAP runs eight different ensembles for a wide range of ages, including the advanced Young Artists Philharmonic, an intermediate level orchestra, a string ensemble, flute choirs, jazz groups, and a Summer Jazz Workshop that draws student musicians from around the country.

SYAP has become closely connected to the Stamford area community. Its members are artistic ambassadors, sharing their love of music as a common language and source of connection with all of Connecticut. Through both classical and jazz programming, the SYAP shares different styles of music in venues around Stamford—outreach through plush melodies and moving rhythms—holding performances, for example, at Stamford Town Center, such as the popular outdoor concert series, Jazz on the Plaza.

Committed to a strong tradition of giving back to the less fortunate, the SYAP has partnered with the Union Baptist Church in Stamford where, in exchange for rehearsal space, it held an annual holiday concert whose proceeds benefited the church's senior members. In addition, the Philharmonic partners with the Waterside School in their Outreach String Program, offering lessons to students who cannot afford instruments.

SYAP's level of musicianship is first-rate as demonstrated by its relationship with the Stamford Symphony, which mentors the young musicians, sharing performances and giving workshops. However, the surest indicator of the high level of musicianship is the leadership and 52 dedicated years of the enormously talented violinist and conductor, Maestro Princiotti.

Sal Princiotti, or ''the Prince,'' as he is called by the orchestra members, has dedicated a half a century to enhancing the lives of young musicians, inspiring a passion for melody with specific performances as temporary goals, but with overall experience as his motivating principle. Mr. Princiotti brings enormous talent to the SYAP as a graduate of the Juilliard School and past soloist at Tanglewood Music Festival under world-renown conductors Leonard Bernstein and Charles Munch. In addition to founding and leading the SYAP, and conducting the Ridgefield Symphony and Stamford Symphony, Mr. Princiotti maintains a busy, private teaching practice and has directed the string programs for the Greenwich and Darien school systems.

Under Mr. Princiotti's baton, the SYAP has performed for many significant commemorations, including the New York World's Fair in 1964, the rededication of the Statue of Liberty, and a program for President George H.W. Bush. In addition to enriching our Nation's history, Mr. Princiotti has ensured that his groups of musicians give back to their country through annual holiday concerts at Grand Central Station for AmeriCares. He has also expanded the horizons of the SYAP, bringing them to Italy in 2001 and 2006 on an international tour. He is the author of a book—The Heart of Music—which explores the art of music education.

I am in the company of many others who have demonstrated their appreciation of Mr. Princiotti. He was the 2000 recipient of the Film and Arts Bravo Network Award, the 1987 Stamford Community Arts Council Arts Award, and has been inducted into the Stamford High School Wall of Fame. Mr. Princiotti holds the keys to the City of Stamford, and is a most treasured member of the Stamford area and the State of Connecticut.

''The Prince's'' final concert will be held on May 6, 2012, at the Palace Theater in Stamford, CT, where friends, family, alumni of the orchestra, and current young artists of this esteemed group will spend hours wrapped in melodic memory in celebration of more than 50 years of artistry, education, and true connection. At this event, a scholarship fund and chair will be dedicated in Mr. Princiotti's honor. I can say with certainty that there is no need for a chair for the Maestro to be remembered for decades to come.

ADDITIONAL STATEMENTS

TRIBUTE TO JEROME D. SCHNYDMAN

• Mr. CARDIN. Mr. President, today I wish to recognize Jerome D. Schnydman who will be retiring on June 30 from Johns Hopkins University. Jerome has spent his adult years at Johns Hopkins, first as a student and All-American lacrosse player, graduating in 1967, then as an assistant lacrosse coach from 1968 until 1978, when he rose from assistant director to become the director of undergraduate admissions for the schools of Arts and Sciences and Engineering. He went on to serve as executive director of the Office of Alumni Relations and, most recently, as the secretary to the board of trustees and executive assistant to the president of Johns Hopkins.

If you count Jerome's stint as captain of the 1967 National Championship Lacrosse Team, he has served Johns Hopkins University for 4½ decades and he has done so with grace, intelligence, compassion, and distinction. He received the Alexander K. Barton Cup for ''strong character, high ideals, and effective moral leadership'' upon graduating. In 1998, he was inducted into the Johns Hopkins Athletic Hall of Fame. In 2003, he was inducted into the National Lacrosse Hall of Fame.

There will be 10 different disciplines at the University honoring Jerome Schnydman for his distinguished service. That is no surprise: he has been the ''go-to'' guy for everyone and everything. Generations of Hopkins students, faculty, and staff on any of the University's campuses—from Homewood to East Baltimore; from Bayview to SAIS in Washington, D.C.; from Bologna to Shanghai—all know of Jerome and the fine work he has done on their behalf and on behalf of the University. Whether someone works in the Homewood garage or is a Nobel Laureate exploring the cure for cancer, he or she counts Jerome as a friend. He has great respect for the institution, and especially for those who work each day to create and sustain the ''Hopkins family.''

I am proud to say that Jerome and his wife Tammy, a special education teacher, are personal friends. Their children—Becky and her husband Larry, and Andy and his wife Nancy—and their grandchildren—Sophie, Jason, Tucker, and Cassidy—are an integral part of Baltimore. When Jerome retires from Johns Hopkins University, he is excited about serving as the president of his synagogue, Beth El, and spending more time with his family and friends in Baltimore and Bethany Beach.

I ask my colleagues to recognize the enormous contributions that Jerome has made to the Johns Hopkins University and Baltimore communities and to wish him well in his well-deserved retirement.•

RECOGNIZING THE GELATO FIASCO

• Ms. SNOWE. Mr. President, in anticipation of the warm spring weather upon us and the long summer days ahead in my home State of Maine, our thoughts quickly turn towards fun in the sun and cool refreshing treats. Today, I rise to commend and recognize The Gelato Fiasco, located in Brunswick, ME, for developing and growing a niche market serving delectable frozen gelato treats while expanding and creating economic opportunities across the State.

In 2002, the founders of The Gelato Fiasco, Josh Davis and Bruno Tropeano, were students at Bentley University in Waltham, MA, and dreamed of starting their own company and becoming successful entrepreneurs. As the two students spent their time exploring various ventures, this team decided to open a homemade gelato store as a result of being dissatisfied with the gelato options available to them throughout the Northeast.

Made mostly from milk and sugar, gelato has less fat than standard ice cream and also contains less air, making the final product denser. Taking advantage of the small gelato market that existed with an estimated 1,500 gelaterias total in the United States Bruno and Josh saw an opportunity to market a superior version of the delicious Italian treat. Determined to serve a top quality gelato, The Gelato Fiasco features only the best local ingredients available.

In these uncertain economic times, as young entrepreneurs, Josh and

Bruno faced unique challenges while attempting to accomplish their dream and receive funding for their first store. Initially, they pursued loans from about 20 banks but were turned down by all of them. However, with persistence and determination, they were able to acquire a $225,000 SBA-backed loan which covered the majority of their startup costs.

Their premier store, The Gelato Fiasco, opened in 2007, and has served more than 450 flavors since its start. Even with the complex challenges of trying to grow during these tough economic times, Bruno and Josh's initial success allowed them to garner additional support from Coastal Enterprises Inc., CEI, a local community development financial institution. CEI granted this small business a $140,000 loan through a new crowdfunding initiative established by Starbucks CEO Howard Schultz called ''Create Jobs for USA.'' The Gelato Fiasco utilized these critical funds to expand to a second location in Portland, ME, buy equipment, and hire at least 10 new employees to help staff it.

As this small firm continues to grow, introducing more customers to their gelato treat, the shop diligently produces 25 to 35 different flavors each morning in their store. Despite the tumultuous economy, Josh and Bruno remain focused on ensuring the fun-loving experience and quality of their gelato are consistent. Their remarkable vision has become a reality as their Italian style ice cream has continued to find its way throughout Maine and New England in various coffeehouses, restaurants, and grocery freezer cases.

Despite difficult economic times and the obstacles faced by young entrepreneurs, the dynamic duo of Bruno Tropeano and Josh Davis has clearly fostered a winning strategy. I am proud to extend my praise to Josh and Bruno and everyone at The Gelato Fiasco for their entrepreneurial spirit and successful company. I offer my best wishes for their future endeavors.●

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 10:58 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 491. An act to modify the boundaries of Cibola National Forest in the State of New Mexico, to transfer certain Bureau of Land Management land for inclusion in the national forest, and for other purposes.

H.R. 2157. An act to facilitate a land exchange involving certain National Forest System lands in the Inyo National Forest, and for other purposes.

H.R. 2947. An act to provide for the release of the reversionary interest held by the United States in certain land conveyed by the United States in 1950 for the establishment of an airport in Cook County, Minnesota.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and ordered placed on the calendar:

S. 2366. A bill to extend student loan interest rates for undergraduate Federal Direct Stafford Loans.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 491. An act to modify the boundaries of Cibola National Forest in the State of New Mexico, to transfer certain Bureau of Land Management land for inclusion in the national forest, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 2157. An act to facilitate a land exchange involving certain National Forest System lands in the Inyo National Forest, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 2947. An act to provide for the release of the reversionary interest held by the United States in certain land conveyed by the United States in 1950 for the establishment of an airport in Cook County, Minnesota; to the Committee on Energy and Natural Resources.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–5807. A communication from the Acting Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, Selected Acquisition Reports (SARs) for the quarter ending December 31, 2011 (DCN OSS 2012–0567); to the Committee on Armed Services.

EC–5808. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Marc E. Rogers, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–5809. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Richard Y. Newton III, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–5810. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General William T. Lord, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–5811. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Donald J. Hoffman, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–5812. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–5813. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting legislative proposals and accompanying reports relative to the National Defense Authorization Act for Fiscal Year 2013; to the Committee on Armed Services.

EC–5814. A communication from the Acting Assistant Secretary of Defense (Reserve Affairs), transmitting, pursuant to law, the 2011 annual report relative to the STARBASE Program; to the Committee on Armed Services.

EC–5815. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to the stabilization of Iraq that was declared in Executive Order 13303 of May 22, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC–5816. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency declared in Executive Order 12978 of October 21, 1995, with respect to significant narcotics traffickers centered in Colombia; to the Committee on Banking, Housing, and Urban Affairs.

EC–5817. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Addition of Certain Persons to the Entity List'' (RIN0694–AF61) received in the Office of the President of the Senate on April 24, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–5818. A communication from the Director of Congressional Affairs, Office of Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Condition-Monitoring Techniques for Electric Cables Used in Nuclear Plants'' (Regulatory Guide 1.218) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Environment and Public Works.

EC–5819. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Interpretations; Removal of Part 8'' (RIN3150–AJ02) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Environment and Public Works.

EC–5820. A communication from the Director of Congressional Affairs, Nuclear Reactor

Regulation, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Notice of Availability of Revision 4 to the Standard Technical Specifications'' (NUREG–1430, –1431, –1432, –1433, and –1434) received in the Office of the President of the Senate on April 23, 2012; to the Committee on Environment and Public Works.

EC–5821. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the Hawaii State Implementation Plan'' (FRL No. 9634–1) received in the Office of the President of the Senate on April 24, 2012; to the Committee on Environment and Public Works.

EC–5822. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Maryland; Removal of the 1980 Consent Order for the Maryland Slag Company'' (FRL No. 9664–2) received in the Office of the President of the Senate on April 24, 2012; to the Committee on Environment and Public Works.

EC–5823. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the Unregulated Contaminant Monitoring Regulation (UCMR 3) for Public Water Systems'' (FRL No. 9660–4) received in the Office of the President of the Senate on April 24, 2012; to the Committee on Environment and Public Works.

EC–5824. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Arizona; Update to Stage II Gasoline Vapor Recovery Program; Change in the Definition of 'Gasoline' to Exclude 'E85' '' (FRL No. 9661–3) received in the Office of the President of the Senate on April 24, 2012; to the Committee on Environment and Public Works.

EC–5825. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Underground Storage Tank Program: Approved State Program for the State of Oregon'' (FRL No. 9615–4) received in the Office of the President of the Senate on April 24, 2012; to the Committee on Environment and Public Works.

EC–5826. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Georgia; Approval of Substitution for Transportation Control Measures'' (FRL No. 9662–8) received in the Office of the President of the Senate on April 24, 2012; to the Committee on Environment and Public Works.

EC–5827. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Direct Final Approval of Hospital/Medical/Infectious Waste Incinerators State Plan for Designated Facilities and Pollutants: Illinois'' (FRL No. 9663–4) received in the Office of the President of the Senate on April 24, 2012; to the Committee on Environment and Public Works.

EC–5828. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Direct Final Approval of Hospital/Medical/Infectious Waste Incinerators State Plan for Designated Facilities and Pollutants: Indiana'' (FRL No. 9663–2) received in the Office of the President of the Senate on April 24, 2012; to the Committee on Environment and Public Works.

EC–5829. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Modification of Significant New Uses of Tris Carbamoyl Triazine; Technical Amendment'' (FRL No. 9344–7) received in the Office of the President of the Senate on April 24, 2012; to the Committee on Environment and Public Works.

EC–5830. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Significant New Use Rules on Certain Chemical Substances'' (FRL No. 9345–4) received in the Office of the President of the Senate on April 24, 2012; to the Committee on Environment and Public Works.

EC–5831. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Significant New Use Rules on Certain Chemical Substances'' (FRL No. 9343–4) received in the Office of the President of the Senate on April 24, 2012; to the Committee on Environment and Public Works.

EC–5832. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Interim Final Determination to Stay and Defer Sanctions, San Joaquin Valley Unified Air Pollution Control District'' (FRL No. 9665–5) received in the Office of the President of the Senate on April 24, 2012; to the Committee on Environment and Public Works.

EC–5833. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan, Antelope Valley Air Quality Management District and Eastern Kern and Santa Barbara County Air Pollution Control Districts'' (FRL No. 9652–4) received in the Office of the President of the Senate on April 24, 2012; to the Committee on Environment and Public Works.

EC–5834. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans and Designations of Areas for Air Quality Planning Purposes; Missouri and Illinois; St. Louis; Determination of Attainment by Applicable Attainment Date for the 1997 Ozone National Ambient Air Quality Standard (NAAQS)'' (FRL No. 9666–2) received in the Office of the President of the Senate on April 24, 2012; to the Committee on Environment and Public Works.

EC–5835. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Massachusetts; Determination of Attainment of the One-hour Ozone Standard for the Springfield Area'' (FRL No. 9664–8) received in the Office of the President of the Senate on April 24, 2012; to the Committee on Environment and Public Works.

EC–5836. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Guidelines Establishing Test Procedures for the Analysis of Pollutants Under the Clean Water Act; Analysis and Sampling Procedures'' (FRL No. 9664–6) received in the Office of the President of the Senate on April 24, 2012; to the Committee on Environment and Public Works.

EC–5837. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Guidance on Reporting Interest Paid to Nonresident Aliens'' ((RIN1545–BJ01) (TD 9584)) received in the Office of the President of the Senate on April 23, 2012; to the Committee on Finance.

EC–5838. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Application of the Normal Retirement Age Requirements to Governmental Plans'' (Notice 2012–29) received in the Office of the President of the Senate on April 23, 2012; to the Committee on Finance.

EC–5839. A communication from the Board of Trustees of the Federal Old-Age and Survivors Insurance and Federal Disability Insurance Trust Funds, transmitting, pursuant to law, a report relative to the Federal Disability Insurance (DI) Trust Fund becoming inadequate within the next 10 years; to the Committee on Finance.

EC–5840. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 12–019, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC–5841. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 12–023, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC–5842. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 12–007, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC–5843. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, a report prepared by the Department of State on progress toward a negotiated solution of the Cyprus question covering the period December 1, 2011 through January 31, 2012; to the Committee on Foreign Relations.

EC–5844. A communication from the Presiding Governor of the Broadcasting Board of Governors, transmitting, pursuant to law, the Board's Annual Report for 2011; to the Committee on Foreign Relations.

EC–5845. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Fourth Biennial Report to Congress on Evaluation, Research, and Technical Assistance Activities Supported by the Promoting

Safe and Stable Families Program''; to the Committee on Health, Education, Labor, and Pensions.

EC–5846. A communication from the Secretary of Health and Human Services, transmitting, a report relative to the Administration's proposal for the reauthorization of the Medical Device User Fee Act (MDUFA); to the Committee on Health, Education, Labor, and Pensions.

EC–5847. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, reports entitled ''The National Healthcare Quality Report 2011'' and ''The National Healthcare Disparities Report 2011''; to the Committee on Health, Education, Labor, and Pensions.

EC–5848. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Disclosure of Information for Certain Intellectual Property Rights Enforced at the Border'' (RIN1515–AD87) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC–5849. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, a report entitled ''Executive Summary'' of the ''2011 Annual Report of the Director of the Administrative Office of the U.S. Courts'' and ''Judicial Business of the United States Courts'' and the Uniform Resource Locators (URL) for the complete copies of those reports; to the Committee on the Judiciary.

EC–5850. A communication from the Chairman, Dwight D. Eisenhower Memorial Commission, transmitting, pursuant to law, a report relative to the memorial construction; to the Committee on Rules and Administration.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–76. A joint resolution adopted by the Legislature of the State of Maine urging the President of the United States and the United States Congress to review portions of the National Defense Authorization Act; to the Committee on Armed Services.

HOUSE PAPER NO. 1397

We, your Memorialists, the Members of the One Hundred and Twenty-fifth Legislature of the State of Maine now assembled in the Second Regular Session, most respectfully present and petition the President of the United States and the United States Congress as follows:

Whereas, the United States Congress passed the National Defense Authorization Act for fiscal year 2012 on December 15, 2011, and the President of the United States signed the Act into law on December 31, 2011; and

Whereas, the Act directs the Armed Forces of the United States to detain any person who is captured in the course of hostilities authorized by the federal Authorization for Use of Military Force Against Terrorists and who is determined to be a member of or part of al-Qaeda or an associated force that acts in coordination with or pursuant to the direction of al-Qaeda and to have participated in the course of planning or carrying out an attack against the United States or its coalition partners; and

Whereas, the disagreements and uncertainty in interpretation of the law has raised significant concerns about due process for United States citizens; and

Whereas, the prospect of the indefinite detention of United States citizens violates, without due process of law, basic rights enshrined in the United States Constitution, such as the right to seek a writ of habeas corpus, the right to petition for a redress of grievances, the right to be free from unreasonable searches and seizures and the right to counsel; and

Whereas, it is crucial to national security that funding contained in the National Defense Authorization Act for the Department of Defense and members of the military and their dependents remain intact; and

Whereas, the members of this Legislature have taken an oath to uphold the United States Constitution and the Constitution of Maine: Now, therefore, be it

Resolved, That We, your Memorialists, most respectfully urge and request that the President of the United States and the United States Congress amend the National Defense Authorization Act to clarify that any provisions contained within will not deprive United States citizens of the rights of due process; and be it further

Resolved, That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable Barack H. Obama, President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives and to each Member of the Maine Congressional Delegation.

POM–77. A resolution adopted by the House of Representatives of the State of Michigan memorializing Congress to reject the recommendations of the United States Department of Defense to remove the A–10 Thunderbolt II force from the 127th Wing of the Air National Guard at Selfridge Air National Guard Base; to the Committee on Armed Services.

HOUSE RESOLUTION NO. 211

Whereas, The federal mission of the Air National Guard is to maintain well-trained, well-equipped units available for prompt mobilization during war and to provide assistance during national emergencies; and

Whereas, The Michigan Air National Guard exemplifies this federal mission and provides well-trained citizen-airmen to the United States Air Force; and

Whereas, Utilizing the highly-trained and experienced citizen-airmen of the Michigan Air National Guard is significantly more economical for the United States Department of Defense than utilizing active military units; and

Whereas, The Michigan Air National Guard provides protection of life and property, and preserves peace, order, and public safety in the state of Michigan, by providing emergency relief support during natural disasters; conducting search and rescue operations; providing support to civil defense authorities; and maintaining vital public services and counterdrug operations in the state; and

Whereas, The Michigan Air National Guard, being the air force militia of the state, has a long and proud history with the state of Michigan; and

Whereas, The Selfridge Air National Guard Base dates back to 1917, and currently hosts 20 units from all branches of the United States military, as well as the United States Coast Guard and the United States Customs and Border Patrol; and

Whereas, The 127th Wing flies KC–135 Stratotankers, which provide aerial refueling capabilities around the globe in support of Air Mobility Command, and A–10 Thunderbolt 11, which provide support to Air Combat Command. Additionally, the 127th Wing supports the Air Force Special Operations Command with its 107th Weather Flight; and

Whereas, The A–10 Thunderbolt II mission was transferred to Selfridge Air National Guard Base from the Battle Creek Air National Guard Base following the 2005 Base Realignment and Closure Commission recommendations; and

Whereas, The Department of Defense has proposed the removal of all 24 of the A–10 Thunderbolt II aircraft from the 127th Wing and replacing them with four additional KC–135 Stratotankers; and

Whereas, Approximately 650 personnel are attached to the A-I0 Thunderbolt 11 mission; and

Whereas, It is unknown how many support personnel will be necessary to service the additional KC–35 Stratotankers; and

Whereas, Removing the A–10 Thunderbolt II mission could affect more than 600 families in and around Macomb County; and

Whereas, The removal of the A–10 Thunderbolt 11 mission could make the Selfridge Air National Guard Base vulnerable to closure in future Base Realignment and Closure Commission recommendations; and

Whereas, The Selfridge Air National Guard Base is one of the busiest, most diverse military installations in the United States, encompassing approximately 680 buildings, runways measuring 9,000 and 4,870 feet, over a million square yards of taxiway and paved aircraft parking ramps, 39 miles of paved roads, and seven miles of railroad track; and

Whereas, Recent military construction improvements to Selfridge include $5.2 million to replace the Control Tower/Radar Approach Control Center and $9.8 million for an infrastructure upgrade; and

Whereas, The Selfridge Air National Guard Base is essential to the local economy, as nearly 3,000 full-time civilian and military personnel work at the base, in addition to approximately 3,000 members of the Air and Army National Guard and the reserve components of the United States military who are stationed at the base; and

Whereas, Portions of the Selfridge Air National Guard Base have previously been targeted for closure in 1995 and 2005; and

Whereas, The defense industry is vital to the economy of Macomb County; and

Whereas, The loss of the Selfridge Air National Guard Base will have a significant impact on the local community, with the loss of employment positions, local revenue, and a significant source of community pride; and

Whereas, The military presence in Michigan has already been significantly reduced by the United States Department of Defense with the 1977 decision to close Kincheloe Air Force Base in Chippewa County, the 1991 decision to close the Wurtsmith Air Force Base in Iosco County, the 1993 decision to close the K.I. Sawyer Air Force Base in Marquette County, and the 2005 decision to close the United States Army Garrison at Selfridge Air National Guard Base; and

Whereas, Losses to the 127th Wing of the Air National Guard at Selfridge Air National Guard Base will have immeasurable consequences for the state of Michigan, both in terms of economic ramifications, as well as in terms of community pride and disaster readiness: Now, therefore, be it

Resolved by the House of Representatives, That we urge the Congress of the United States to reject the United States Department of Defense recommendations to remove the A–10 Thunderbolt II aircraft from the 127th Wing of the Air National Guard at Selfridge Air National Guard Base; and be it further

Resolved, That copies of this resolution be transmitted to the United States Secretary of Defense, President of the United States Senate, the Speaker of the United States

House of Representatives, and the members of the Michigan congressional delegation.

POM–78. A memorial adopted by the Legislature of the State of Florida, memorializing Congress to repeal the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010; to the Committee on Banking, Housing, and Urban Affairs.

SENATE MEMORIAL NO. 1778

Whereas, Congress enacted the Dodd-Frank Wall Street Reform and Consumer Protection Act in 2010, and

Whereas, the stated purposes of the act are ''To promote the financial stability of the United States by improving accountability and transparency in the financial system, to end 'too big to fail,' to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial Services practices . . .,'' and

Whereas, the act's almost 2,400 pages of federal legislation increases the size of the Federal Government by creating 13 new regulatory agencies requiring 2,600 new positions while abolishing only one agency, and

Whereas, the Congressional Budget Office predicts that the cost for companies to implement the act over the next 5 years will be approximately $2.9 billion, and other groups estimate that the broader economic costs of the act could approach $1 trillion, and

Whereas, the extensive regulations imposed by the Dodd-Frank Wall Street Reform and Consumer Protection Act will severely damage the ability of American companies to compete internationally with foreign companies or even create American jobs, and

Whereas, the Dodd-Frank Wall Street Reform and Consumer Protection Act is an inadequate response to the financial devastation that began in 2008, in part because it has given unfair advantages to the Federal Home Loan Mortgage Corporation (''Freddie Mac'') and the Federal National Mortgage Association (''Fannie Mae''), institutions that were substantial contributors to the financial crisis, and,

Whereas, the Dodd-Frank Wall Street Reform and Consumer Protection Act was championed as creating the most significant financial regulatory reform since the Great Depression, but, in contrast, it has become a radical expansion of federal regulation, vests unprecedented power in the hands of unelected bureaucrats, increases the likelihood that there will be more taxpayer bailouts, has not strengthened the economy or brought stability to the troubled housing market, and does nothing to address the most elemental causes that created the financial crisis of 2008: Now, therefore, be it

Resolved, by the Legislature of the State of Florida: That the Congress of the United States is urged to repeal the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010; be it further

Resolved, that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

POM–79. A concurrent memorial adopted by the Legislature of the State of Arizona memorializing the United States Congress enact legislation exempting United States military bases and training facilities from the regulations and restrictions of the Endangered Species Act; to the Committee on Environment and Public Works.

SENATE CONCURRENT MEMORIAL NO. 1008

Whereas, the mission of the United States Department of Defense is ''to provide the military forces needed to deter war and to protect the security of our country''; and

Whereas, according to the Department of Defense and the Government Accountability Office (GAO), a fundamental principle of military readiness is that the military must train as it intends to fight; and

Whereas, the Department of Defense has established military training facilities in Arizona, including Luke Air Force Base, Fort Huachuca and the Barry M. Goldwater range, among others, to accomplish this goal; and

Whereas, Department of Defense officials indicate that heightened focus on the application of environmental statutes has affected the use of its training areas; and

Whereas, compliance with environmental regulations, especially the Endangered Species Act (ESA), has caused some training activities to be canceled, postponed or modified; and

Whereas, compliance with environmental regulations, particularly the ESA, has forced military officials to make adjustments to training regimens, including requiring units in training to avoid areas with ESA restrictions; and

Whereas, since 2003, the Department of Defense has obtained exemptions from three environmental laws and sought exemptions from three others; and

Whereas, these exemptions allow the military to maintain its high state of readiness and help to ensure its ability to meet unexpected threats; and

Whereas, these exemptions are under increased scrutiny by environmental groups and federal officials who would rather protect wildlife than allow the military to maintain its readiness; and

Whereas, a GAO report found no instances in which the Department of Defense's use of exemptions from the ESA or the Migratory Bird Treaty Act has adversely affected the environment; and

Whereas, the United States military has proven itself to be a responsible and effective steward of the land and environment.

Wherefore your memorialist, the Senate of the State of Arizona, the House of Representatives concurring, prays:

1. That the United States Congress enact legislation exempting United States military bases and training facilities from the regulations and restrictions of the Endangered Species Act.

2. That the Secretary of State of the State of Arizona transmit a copy of this Memorial to the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM–80. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing the United States Congress to review the Government Pension Offset and the Windfall Elimination Provision Social Security benefit reductions and to consider eliminating or reducing them; to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION NO. 57

Whereas, the Congress of the United States has enacted both the Government Pension Offset (GPO), reducing the spousal and survivor Social Security benefit, and the Windfall Elimination Provision (WEP), reducing the earned Social Security benefit for any person who also receives a public pension benefit; and

Whereas, the intent of Congress in enacting the GPO and the WEP provisions was to address concerns that a public employee who had worked primarily in federal, state, or local government employment might receive a public pension in addition to the same Social Security benefit as a person who had worked only in employment covered by Social Security throughout his career; and

Whereas, the purpose of Congress in enacting these reduction provisions was to provide a disincentive for public employees to receive two pensions; and

Whereas, the GPO negatively affects a spouse or survivor receiving a federal, state, or local government retirement or pension benefit who would also be entitled to a Social Security benefit earned by a spouse; and

Whereas, the GPO formula reduces the spousal or survivor Social Security benefit by two-thirds of the amount of the federal, state, or local government retirement or pension benefit received by the spouse or survivor, in many cases completely eliminating the Social Security benefit; and

Whereas, nine out of ten public employees affected by the GPO lose their entire spousal benefits, even though their spouses paid Social Security taxes for many years; and

Whereas, the GPO often reduces spousal benefits so significantly it makes the difference between self-sufficiency and poverty; and

Whereas, the GPO has a harsh effect on thousands of citizens and undermines the original purpose of the Social Security dependent/survivor benefit; and

Whereas, the GPO negatively impacts approximately 28,825 Louisianians; and

Whereas, the WEP applies to those persons who have earned federal, state, or local government retirement or pension benefits, in addition to working in employment covered under Social Security and paying into the Social Security system; and

Whereas, the WEP reduces the earned Social Security benefit using an averaged indexed monthly earnings formula and may reduce Social Security benefits for affected persons by as much as one-half of the retirement benefit earned as a public servant in employment not covered under Social Security; and

Whereas, the WEP causes hardworking individuals to lose a significant portion of the Social Security benefits that they earn themselves; and

Whereas, the WEP negatively impacts approximately 27,755 Louisianians; and

Whereas, because of these calculation characteristics, the GPO and the WEP have a disproportionately negative effect on employees working in lower-wage government jobs, like policemen, firefighters, teachers, and state employees; and

Whereas, these provisions also have a greater adverse effect on women than on men because of the gender differences in salary that continue to plague our nation and because of the longer life expectancy of women; and

Whereas, Louisiana is making every effort to improve the quality of life of its citizens and to encourage them to live here lifelong, yet the current GPO and WEP provisions compromise that quality of life; and

Whereas, retired individuals negatively affected by GPO and WEP have significantly less money to support their basic needs and sometimes have to turn to government assistance programs; and

Whereas, the GPO and the WEP penalize individuals who have dedicated their lives to public service by taking away benefits they have earned; and

Whereas, our nation should respect, not penalize, public servants; and

Whereas, the number of people affected by GPO and WEP is growing every day as more and more people reach retirement age;

Whereas, the GPO and WEP are established in federal law, and repeal of the GPO and the WEP can only be enacted by the United States Congress: Now, therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the Congress of the United States to review the Government

Pension Offset and the Windfall Elimination Provision Social Security benefit reductions and to consider eliminating or reducing them by enacting the Social Security Fairness Act of 2011 (H.R. 1332), the Public Servant Retirement Protection Act of 2011 (S. 113), or a similar instrument; and be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM–81. A memorial adopted by the Legislature of the State of Florida memorializing Congress to initiate and support nationwide efforts to commemorate the 40th anniversary of the end of the United States' involvement in the Vietnam War and demonstrate the nation's appreciation for the honorable service and sacrifice of Vietnam veterans; to the Committee on Foreign Relations.

SENATE MEMORIAL NO. 1080

Whereas, the Vietnam War was a Cold War military conflict that occurred in Vietnam, Laos, and Cambodia from November 1, 1955, until the United States Congress passed the Case-Church amendment in 1973 which prohibited the further use of American military forces in the conflict, and

Whereas, 2013 marks the 40th anniversary of the end of the United States' involvement in the Vietnam War, and

Whereas, there are an estimated 650,000 Vietnam veterans in the State of Florida, and

Whereas, because of the intense public opposition to the war that existed at the time, members of the United States Armed Services returned home to an unprecedented lack of formal positive recognition of the honorable service they had provided on behalf of their country and the tremendous sacrifices they had made, and

Whereas, the lack of formal ''Welcome Home'' parades and other traditional celebrations for returning soldiers that were common in previous military conflicts in which the United States was engaged, coupled with verbal and sometimes physical abuse, resulted in great disillusionment, undeserved indignity, and often great suffering and anguish among returning Vietnam veterans, and

Whereas, many of these brave men and women are now reaching an advanced age, and

Whereas, March 30, 2013, will mark the official date of the 40th anniversary of the end of the United States' involvement in the Vietnam War, and

Whereas, on that date this nation will be presented with a unique and historic opportunity to hold appropriate observances and long-overdue recognition ceremonies that will honor our nation's aging Vietnam War veterans and that may finally provide these brave men and women a fitting expression of gratitude and a measure of healing and official closure that has been denied them for decades and that they so greatly deserve, and

Whereas, the importance of the commemoration of the 40th anniversary of the end of the United States' involvement in the Vietnam War and the opportunity that such an historical anniversary presents to attempt to rectify past injustices and ingratitude cannot be stressed strongly enough, and

Whereas, it is fitting and appropriate that the United States Congress initiate and support efforts at the national level to mark this historic anniversary and to attempt to redress the lack of appropriate recognition and undeserved ingratitude that so many of these brave servicemen and servicewomen received upon returning home, and

Whereas, as part of a national effort, it is also requested that the United States Congress authorize the minting of a 40th anniversary commemorative medal expressing the nation's appreciation for the honorable service of Vietnam veterans, and

Whereas, for this historic opportunity to be fully realized, the United States Congress should act promptly and decisively: Now, therefore, be it

Resolved by the Legislature of the State of Florida: That the Congress of the United States is urged to initiate and support nationwide efforts to commemorate the 40th anniversary of the end of the United States' involvement in the Vietnam War and demonstrate the nation's appreciation for the honorable service and sacrifice of Vietnam veterans; and be it further

Resolved, That, as part of such national effort, the United States Congress is requested to authorize the minting of a 40th anniversary commemorative medal expressing the nation's appreciation for the honorable service of Vietnam veterans; and be it further

Resolved, That copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, to each member of the Florida delegation to the United States Congress, and to the legislative governing body of each of the other 49 states of the United States.

POM–82. A joint resolution adopted by the Legislature of the State of Wyoming memorializing the United States Congress, the United States Department of Health and Human Services, and the President of the United States reverse the mandate that virtually all private health care plans must cover sterilization, abortifacients and contraception; to the Committee on Health, Education, Labor, and Pensions.

HOUSE JOINT RESOLUTION NO. 5

Whereas, on January 20, 2012 the U.S. Department of Health and Human Services reaffirmed a rule that virtually all private health care plans must cover sterilization, abortifacients and contraception; and

Whereas, there are religious faiths in the United States that view sterilization, abortifacients and contraception as immoral and view paying for them as against their religion; and

Whereas, the administration is attempting to force those religious faiths and their institutions, including schools and hospitals to violate the commandments of their faith by paying for this mandate; and

Whereas, this mandate violates the First Amendment to the Constitution of the United States by denying these faiths the free exercise of their religion; and

Whereas, this mandate sets a precedent that would allow for an opposite law forbidding the coverage of these items thus denying faiths with opposing views the free exercise of their religion; and

Whereas, the mandate threatens the religious freedoms of all Americans; and

Whereas, it is an injustice to force Americans to choose between violating their consciences and forgoing their healthcare; and

Whereas, longstanding federal laws expressing the decided opinion of Congress and the American people have protected Constitutional conscience rights: Now therefore, be it

Resolved by the Members of the Legislature of the State of Wyoming:

Section 1. That the Wyoming Legislature call on all Americans to defend our freedom of religion by opposing this mandate.

Section 2. That the Wyoming Legislature calls upon The President to reverse the mandate of the U.S. Department Human Services.

Section 3. That the Wyoming Legislature calls upon Congress to act in defense of First Amendment rights, states' rights, rights of conscience and freedom of religion.

Section 4. That the Secretary of State of Wyoming transmit copies of this resolution to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the United States Congress and to the Wyoming Congressional Delegation.

POM–83. A concurrent resolution adopted by the Legislature of the State of Arizona memorializing its support of increasing Border Patrol personnel; to the Committee on Homeland Security and Governmental Affairs.

SENATE CONCURRENT RESOLUTION NO. 1014

Whereas, the United States Customs and Border Protection service (CBP) of the United States Department of Homeland Security is vested with a priority mission of enforcing immigration and drug laws and the responsibility for securing and facilitating trade; and

Whereas, the CBP includes both Border Patrol and Customs Field Office personnel; and

Whereas, the need to increase CBP personnel in the Tucson sector along the border between the United States and Mexico is critical to increasing border security as well as economic stability in our border communities; and

Whereas, the need to increase the number of Customs Field Office personnel who work at the port of entry in Nogales, Douglas and Yuma, Arizona is a vital component of the economic stability in our border communities and will increase border security between the United States and Mexico; and

Whereas, an integrated approach to securing the border and increasing economic stability along the border and in our border communities is important to residents living along the border and in our border communities, and

Whereas, increasing the number of Customs Field Office personnel at the port of entry in Nogales, Douglas and Yuma, Arizona will allow increased commercial traffic and will result in increased economic growth and stability for Arizona; and

Whereas, all of the benefits of increased economic stability in Arizona can be realized if the port of entry's workload capacity is increased and less congestion and delay result; and

Whereas, increasing the number of Customs Field Office personnel at the port of entry in Nogales, Douglas and Yuma, Arizona should be part of the infrastructure improvements that are occurring at the port of entry: Therefore be it

Resolved by the Senate of the State of Arizona, the House of Representatives concurring:

A. That, in order to secure the border between the United States and Mexico, to enhance the security of people and their property in the currently unsecure regions of the border and to increase economic growth and stability for the residents of Arizona, the Legislature:

1. Supports the increase of Border Patrol personnel as called for in the Restore Our Border (ROB) Security Plan in the Tucson sector along the border between the United States and Mexico.

2. Supports the increase of Customs Field Office personnel at the ports of entry in Nogales, Douglas and Yuma, Arizona.

B. That the Secretary of State of the State of Arizona transmit a copy of this resolution

to the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM–84. A concurrent memorial adopted by the Legislature of the State of Arizona urging Congress to adopt a Veterans Remembered Flag; to the Committee on Rules and Administration.

SENATE CONCURRENT MEMORIAL NO. 1007

Whereas, there are flags for all branches of the armed services and there is a flag for POWs and MIAs, but there is no flag to honor the millions of former military personnel who have served our nation; and

Whereas, a flag is a symbol of recognition for a group or an ideal. Veterans comprise a group and certainly represent an ideal, and surely they deserve their own symbol; and

Whereas, it is estimated that 20,400,000 veterans, affiliated and unaffiliated with veterans' organizations, who have served in our nation's military comprise a significant portion of our country's population; and

Whereas, a Veterans Remembered Flag would memorialize and honor all past, present and future veterans and provide an enduring symbol to support tomorrow's veterans today; and

Whereas, displaying and flying this flag would validate the lives of millions of individuals who have served our country in times of war, peace and national crisis; and

Whereas, the Veterans Remembered Flag would fill the void of a flag to honor all veterans who have served in our country's armed forces; and

Whereas, the symbolism of this unique flag's design would be all-inclusive and would pay respect to the history of our nation and to all branches of the military, and would honor those who have served or died in the service of our nation; and

Whereas, the design of the Veterans Remembered Flag does all of the following:

1. Depicts the founding of our nation through the 13 stars that emanate from the hoist of the flag and march to the large red star that represents our nation and the five branches of our country's military that defend her: the Army, Navy, Air Force, Marines and Coast Guard.

2. The white star indicates a veteran's dedication to service.

3. The blue star honors all men and women who have ever served in our country's military.

4. The gold star memorializes those who have fallen while defending our nation.

5. The blue stripe that bears the title of the flag honors the loyalty of veterans to our nation, flag and government.

6. The green field represents the hallowed ground where all rest eternally.

Wherefore your memorialist, the Senate of the State of Arizona, the House of Representatives concurring, prays:

1. That the United States Congress adopt a Veterans Remembered Flag as described in this Memorial.

2. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM–85. A resolution adopted by the California State Lands Commission memorializing its opposition to enactment of any bill that reverses President Obama's Offshore Moratorium Act; to the Committee on Energy and Natural Resources.

POM–86. A resolution adopted by the Lauderdale Lakes City Commission, Lauderdale Lakes, Florida memorializing condolences to the family of Trayvon Martin and calling upon all authorities to see that justice is served; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. INOUYE, from the Committee on Appropriations:

Special Report entitled ''Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2013.'' (Rept. No. 112–160).

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1119. A bill to reauthorize and improve the Marine Debris Research, Prevention, and Reduction Act, and for other purposes (Rept. No. 112–161).

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 1952. A bill to improve hazardous materials transportation safety and for other purposes (Rept. No. 112–162).

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

H.R. 298. A bill to designate the facility of the United States Postal Service located at 500 East Whitestone Boulevard in Cedar Park, Texas, as the ''Army Specialist Matthew Troy Morris Post Office Building''.

H.R. 1423. A bill to designate the facility of the United States Postal Service located at 115 4th Avenue Southwest in Ardmore, Oklahoma, as the ''Specialist Micheal E. Phillips Post Office''.

H.R. 2079. A bill to designate the facility of the United States Postal Service located at 10 Main Street in East Rockaway, New York, as the ''John J. Cook Post Office''.

H.R. 2213. A bill to designate the facility of the United States Postal Service located at 801 West Eastport Street in Iuka, Mississippi, as the ''Sergeant Jason W. Vaughn Post Office''.

H.R. 2244. A bill to designate the facility of the United States Postal Service located at 67 Castle Street in Geneva, New York, as the ''Corporal Steven Blaine Riccione Post Office''.

H.R. 2660. A bill to designate the facility of the United States Postal Service located at 122 North Holderrieth Boulevard in Tomball, Texas, as the ''Tomball Veterans Post Office''.

H.R. 2767. A bill to designate the facility of the United States Postal Service located at 8 West Silver Street in Westfield, Massachusetts, as the ''William T. Trant Post Office Building''.

H.R. 3004. A bill to designate the facility of the United States Postal Service located at 260 California Drive in Yountville, California, as the ''Private First Class Alejandro R. Ruiz Post Office Building''.

H.R. 3246. A bill to designate the facility of the United States Postal Service located at 15455 Manchester Road in Ballwin, Missouri, as the ''Specialist Peter J. Navarro Post Office Building''.

H.R. 3247. A bill to designate the facility of the United States Postal Service located at 1100 Town and Country Commons in Chesterfield, Missouri, as the ''Lance Corporal Matthew P. Pathenos Post Office Building''.

H.R. 3248. A bill to designate the facility of the United States Postal Service located at 112 South 5th Street in Saint Charles, Missouri, as the ''Lance Corporal Drew W. Weaver Post Office Building''.

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment and with a preamble:

S. Res. 419. A resolution expressing the sense of the Senate that public servants should be commended for their dedication and continued service to the United States during Public Service Recognition week.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. HARKIN for the Committee on Health, Education, Labor, and Pensions.

*Adam Gamoran, of Wisconsin, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2015.

*Judith D. Singer, of Massachusetts, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2014.

*Hirokazu Yoshikawa, of Massachusetts, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2015.

*David James Chard, of Texas, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2015.

*Bonnie L. Bassler, of New Jersey, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2016.

*Deborah S. Delisle, of South Carolina, to be Assistant Secretary for Elementary and Secondary Education, Department of Education.

By Mr. LIEBERMAN for the Committee on Homeland Security and Governmental Affairs.

*Roy Wallace McLeese III, of the District of Columbia, to be an Associate Judge of the District of Columbia Court of Appeals for the term of fifteen years.

*Tony Hammond, of Missouri, to be a Commissioner of the Postal Regulatory Commission for the remainder of the term expiring October 14, 2012.

*Mark A. Robbins, of California, to be a Member of the Merit Systems Protection Board for the term of seven years expiring March 1, 2018.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. PRYOR (for himself and Mr. BLUNT):

S. 2346. A bill to amend the Farm Security and Rural Investment Act of 2002 to modify the definition of the term ''biobased product''; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CARDIN (for himself and Mr. VITTER):

S. 2347. A bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services; to the Committee on Finance.

By Mr. LEVIN:

S. 2348. A bill to suspend temporarily the duty on cyclopentylpropionyl chloride; to the Committee on Finance.

By Mr. LEVIN:

S. 2349. A bill to suspend temporarily the duty on cyanamide; to the Committee on Finance.

By Mr. LEVIN:

S. 2350. A bill to suspend temporarily the duty on diethylaminoethyl-dextran; to the Committee on Finance.

By Mr. LEVIN:

S. 2351. A bill to suspend temporarily the duty on 3-Phthalimidopropionaldehyde; to the Committee on Finance.

By Mr. LEVIN:

S. 2352. A bill to suspend temporarily the duty on cinnamic acid; to the Committee on Finance.

By Mr. LEVIN:

S. 2353. A bill to suspend temporarily the duty on benzylimidazole phenyl ethanol; to the Committee on Finance.

By Mr. LEVIN:

S. 2354. A bill to extend and modify the temporary reduction of duty on Oxadiazon; to the Committee on Finance.

By Mr. LEVIN:

S. 2355. A bill to extend and modify the temporary reduction of duty on (3-acetoxy-3-cyanopropyl)methylphosphinic acid, butyl ester; to the Committee on Finance.

By Mr. LEVIN:

S. 2356. A bill to reduce temporarily the duty of Glufosinate-ammonium; to the Committee on Finance.

By Mr. LEVIN:

S. 2357. A bill to amend the Harmonized Tariff Schedule of the United States to clarify the tariff rates for carpet cleaners and parts thereof imported into the United States; to the Committee on Finance.

By Mr. LEVIN:

S. 2358. A bill to reduce temporarily the duty on certain pasta tools; to the Committee on Finance.

By Mr. LEVIN:

S. 2359. A bill to reduce temporarily the duty on certain food processors; to the Committee on Finance.

By Mr. LEVIN:

S. 2360. A bill to suspend temporarily the duty on certain food choppers; to the Committee on Finance.

By Mr. LEVIN:

S. 2361. A bill to reduce temporarily the duty on certain coffee makers; to the Committee on Finance.

By Mr. LEVIN:

S. 2362. A bill to suspend temporarily the duty on certain toasters; to the Committee on Finance.

By Mr. LEVIN:

S. 2363. A bill to suspend temporarily the duty on certain handheld food blenders; to the Committee on Finance.

By Ms. SNOWE (for herself, Ms. LANDRIEU, and Mrs. SHAHEEN):

S. 2364. A bill to extend the availability of low-interest refinancing under the local development business loan program of the Small Business Administration; to the Committee on Small Business and Entrepreneurship.

By Mr. HATCH (for himself, Mr. BARRASSO, Mr. MORAN, Mr. CRAPO, and Mr. RISCH):

S. 2365. A bill to promote the economic and energy security of the United States, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. ALEXANDER (for himself, Mr. MCCONNELL, Mr. ENZI, Mr. KYL, Mr. CORNYN, Mr. WICKER, Mr. INHOFE, Mr. BARRASSO, Mrs. HUTCHISON, Mr. BLUNT, Mr. HOEVEN, Mr. JOHANNS, Mr. COATS, and Mr. ISAKSON):

S. 2366. A bill to extend student loan interest rates for undergraduate Federal Direct Stafford Loans; placed on the calendar.

By Mr. CONRAD (for himself and Mr. CRAPO):

S. 2367. A bill to strike the word ''lunatic'' from Federal law, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. JOHNSON of Wisconsin (for himself, Mrs. HUTCHISON, Mr. KYL, Mr. SHELBY, Mr. THUNE, Mr. DEMINT, Mr. PAUL, Ms. AYOTTE, Mr. RISCH, Mr. JOHANNS, Mr. COATS, Mr. CHAMBLISS, Mr. RUBIO, Mr. BOOZMAN, Mr. BARRASSO, Mr. VITTER, Mr. MCCONNELL, Mr. BLUNT, Mr. SESSIONS, Mr. ROBERTS, Mr. INHOFE, Mr. GRAHAM, Mr. TOOMEY, Mr. BURR, Mr. HELLER, Mr. MORAN, Mr. ISAKSON, Mr. CORNYN, Mr. LEE, Ms. COLLINS, Mr. COCHRAN, Mr. HOEVEN, Mr. MCCAIN, Mr. COBURN, and Mr. WICKER):

S. 2368. A bill to ensure economy and efficiency of Federal Government operations by establishing a moratorium on midnight rules during a President's final days in office, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LAUTENBERG (for himself and Mr. BROWN of Ohio):

S. 2369. A bill to establish the American Innovation Bank, to improve science and technology job training, to authorize grants for curriculum development, and for other purposes; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CASEY (for himself and Mr. RUBIO):

S. Res. 435. A resolution calling for democratic change in Syria, and for other purposes; to the Committee on Foreign Relations.

By Mr. BEGICH:

S. Res. 436. A resolution designating the week of April 22 through 28, 2012, as the ''Week of the Young Child''; to the Committee on the Judiciary.

By Mr. KERRY (for himself and Mr. BROWN of Massachusetts):

S. Res. 437. A resolution congratulating the Boston College men's ice hockey team on winning its fifth National Collegiate Athletic Association Division I Men's Hockey Championship; considered and agreed to.

By Mr. LAUTENBERG (for himself, Mr. ROCKEFELLER, Mr. THUNE, and Mr. WICKER):

S. Res. 438. A resolution to support the goals and ideals of National Safe Digging Month; considered and agreed to.

By Mr. BLUMENTHAL (for himself, Mr. KIRK, Mr. WHITEHOUSE, Mr. CORNYN, Mr. LIEBERMAN, Mr. RUBIO, and Mrs. GILLIBRAND):

S. Res. 439. A resolution expressing the sense of the Senate that Village Voice Media Holdings, LLC should eliminate the ''adult entertainment'' section of the classified advertising website Backpage.com; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 57

At the request of Mr. INOUYE, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 57, a bill to amend the Internal Revenue Code of 1986 to modify the application of the tonnage tax on certain vessels.

S. 219

At the request of Mr. TESTER, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 219, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 705

At the request of Mr. CARPER, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 705, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 829

At the request of Mr. CARDIN, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 829, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 1244

At the request of Mr. INOUYE, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1244, a bill to provide for preferential duty treatment to certain apparel articles of the Philippines.

S. 1299

At the request of Mr. MORAN, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 1299, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Lions Clubs International.

S. 1454

At the request of Mr. DURBIN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1454, a bill to amend title XVIII of the Social Security Act to provide for extended months of Medicare coverage of immunosuppressive drugs for kidney transplant patients and other renal dialysis provisions.

S. 1591

At the request of Mrs. GILLIBRAND, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1591, a bill to award a Congressional Gold Medal to Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust.

S. 1935

At the request of Mrs. HAGAN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 1935, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the 75th anniversary of the establishment of the March of Dimes Foundation.

S. 2103

At the request of Mr. LEE, the names of the Senator from Wisconsin (Mr. JOHNSON), the Senator from Texas (Mr. CORNYN), the Senator from Utah (Mr. HATCH), the Senator from Kentucky (Mr. MCCONNELL), the Senator from Indiana (Mr. COATS) and the Senator from North Carolina (Mr. BURR) 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. 2159

At the request of Mr. LEAHY, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 2159, a bill to extend the authorization of the Drug-Free Communities Support Program through fiscal year 2017.

S. 2207

At the request of Mr. SCHUMER, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 2207, a bill to require the Office of the Ombudsman of the Transportation Security Administration to appoint passenger advocates at Category X airports to assist elderly and disabled passengers who believe they have been mistreated by TSA personnel and for other purposes.

S. 2219

At the request of Mr. WHITEHOUSE, the names of the Senator from Wisconsin (Mr. KOHL) and the Senator from Hawaii (Mr. INOUYE) were added as cosponsors 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. 2237

At the request of Mr. REID, the names of the Senator from Illinois (Mr. DURBIN), the Senator from Pennsylvania (Mr. CASEY) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of 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.

S. 2280

At the request of Mr. DURBIN, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 2280, a bill to amend the Truth in Lending Act and the Higher Education Act of 1965 to require certain creditors to obtain certifications from institutions of higher education, and for other purposes.

S. 2288

At the request of Ms. LANDRIEU, the names of the Senator from Maine (Ms. COLLINS), the Senator from Missouri (Mr. BLUNT), the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. 2288, a bill to amend title XXVII of the Public Health Service Act to preserve consumer and employer access to licensed independent insurance producers.

S. 2319

At the request of Ms. COLLINS, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2319, a bill to amend the Homeland Security Act of 2002 to direct the Administrator of the Federal Emergency Management Agency to modernize the integrated public alert and warning system of the United States, and for other purposes.

S. 2320

At the request of Ms. AYOTTE, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 2320, a bill to direct the American Battle Monuments Commission to provide for the ongoing maintenance of Clark Veterans Cemetery in the Republic of the Philippines, and for other purposes.

At the request of Mr. BEGICH, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 2320, supra.

S. 2325

At the request of Mr. NELSON of Florida, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2325, a bill to authorize further assistance to Israel for the Iron Dome anti-missile defense system.

S. 2338

At the request of Mrs. HUTCHISON, the names of the Senator from Kansas (Mr. MORAN), the Senator from Arizona (Mr. KYL) and the Senator from Tennessee (Mr. CORKER) were added as cosponsors of S. 2338, a bill to reauthorize the Violence Against Women Act of 1994.

S. 2342

At the request of Mr. TESTER, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 2342, a bill to reform the National Association of Registered Agents and Brokers, and for other purposes.

S. 2343

At the request of Mr. REID, the names of the Senator from Rhode Island (Mr. REED), the Senator from Iowa (Mr. HARKIN), the Senator from Ohio (Mr. BROWN), the Senator from Illinois (Mr. DURBIN), the Senator from Michigan (Ms. STABENOW) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 2343, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans, and for other purposes.

S. RES. 380

At the request of Mr. GRAHAM, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor 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. 419

At the request of Mr. AKAKA, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. Res. 419, a resolution expressing the sense of the Senate that public servants should be commended for their dedication and continued service to the United States during Public Service Recognition week.

S. RES. 430

At the request of Mr. WICKER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. Res. 430, a resolution recognizing the 75th anniversary of the founding of Ducks Unlimited, Incorporated, the achievements of the organization in habitat conservation, and the support of the organization for the waterfowling heritage of the United States.

AMENDMENT NO. 2032

At the request of Mr. TESTER, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of amendment No. 2032 proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

AMENDMENT NO. 2073

At the request of Mr. CARDIN, his name was added as a cosponsor of amendment No. 2073 proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. SNOWE (for herself, Ms. LANDRIEU, and Mrs. SHAHEEN):

S. 2364. A bill to extend the availability of low-interest refinancing under the local development business loan program of the Small Business Administration; to the Committee on Small Business and Entrepreneurship.

Ms. SNOWE. Mr. President, I rise today to urge my colleagues to support a one-year extension of the Small Business Administration, SBA, 504 loan refinancing program that was originally authorized in the Small Business Jobs Act of 2010. This bill would allow small business owners to use 504 loans to refinance up to 90 percent of existing commercial mortgages.

The 504 loan program provides approved small businesses with long-term, fixed-rate financing used to acquire fixed assets for expansion or modernization. According to the SBA, as of February 15, 2012, the $50 billion in 504 loans has created over 2 million jobs. The refinancing option in the Small Business Jobs Act authorized $7.5 billion in refinancing until September 27, 2012. Unfortunately, because of a delay in promulgating regulations to enable refinancing, the program did not become operational until a few months ago, significantly shortening the period of time that business could refinance existing 504 loans. The 504 loan program also comes at no cost to taxpayers, has created jobs and will provide much needed relief to businesses for one additional year.

America's small business owners face a daunting business life cycle that is volatile at best: according to the SBA, while seven out of 10 new employer firms survive for at least 2 years, only ⅓ of these firms exist after 10 years. These failure rates are quite constant for different industries. Yet one factor that is a bell-weather for success is access to capital. The SBA identifies the

major factors in a firm's survivability as including: an ample supply of capital, being large enough to have employees, the owner's education level, and the owner's reason for starting the firm.

Clearly, the drive of an entrepreneur is a major factor in start-ups where statistics from the 2008 ''Report to the President on the Small Business Economy'' delivered by SBA's Office of Advocacy, show that in 2005, more than 12 million individuals were involved in starting 7 million ventures. After six years, only one third of entrepreneurs have a working business despite the fact that they put in 9.9 billion hours of uncompensated time in 2005 launching their businesses. These uncompensated hours represented 2.7 percent of total paid work in the United States that year and almost one half of the hours for all American self-employed workers. That is an incredible effort of time and talent and a show of great risk taking.

A number of small businesses utilize 504 loans as long-term, fixed-rate financing used to acquire fixed assets for expansion or modernization. These 504 loans are made available through Certified Development Companies, CDCs, SBA's community based partners for providing 504 loans. The 504 loan program offers small businesses both immediate and long-term benefits, so business owners can focus on growing their business. These benefits include 90 percent financing, longer loan amortizations, no balloon payments, fixed-rate interest rates, and savings that result in improved cash flow for small businesses.

Generally, a business must create or retain one job for every $65,000 guaranteed by the SBA under this program. Small manufacturers must create or retain a ratio of one job for every $100,000 guaranteed. In addition, the 504 program serves to revitalize a business district, expand exports, promote small businesses owned and controlled by women, minorities and veterans, especially service-disabled veterans, aid rural development, and increase productivity and competitiveness.

As I mentioned at the outset of my remarks, the 504 program is a job creator that does not receive any appropriated funds. The 1-year extension of the refinancing for the 504 loan program will allow businesses to retain employees and it also comes at zero cost to taxpayers. These are solid measures that will help small businesses at a time when many small enterprises are struggling to keep their employees and run basic operations. I ask my colleagues to support this legislation as swiftly as possible, as our Nation's capital-starved small businesses deserve no less.

By Mr. ALEXANDER (for himself, Mr. MCCONNELL, Mr. ENZI, Mr. KYL, Mr. CORNYN, Mr. WICKER, Mr. INHOFE, Mr. BARRASSO, Mrs. HUTCHISON Mr. BLUNT, Mr. HOEVEN, Mr. JOHANNS, Mr. COATS, and Mr. ISAKSON):

S. 2366. A bill to extend student loan interest rates for undergraduate Federal Direct Stafford Loans; placed on the calendar.

Mr. ALEXANDER. Mr. President, I would like to talk a little bit more specifically this morning about the issue of interest rates on student loans. President Obama is busy this week traveling to campuses across America to talk about student loans. It is a noble goal to talk about making it easier for students to afford college. It is a goal we all share.

But I am afraid the President is not telling the whole story. Because if he were to tell the whole story, what he would have to tell the students is that the principal reason for the rise in tuition at public colleges and universities and community colleges across America and the principal reason for the increase in student loans is President Obama himself and his own health care policies.

To be fair, he did not start many of these policies. They have been going on for a good while. But he has made them worse over the last several years. When the new health care law goes into effect in 2014, with its new mandates on States, we will find an exaggeration of what has already been happening, which is that Federal health care mandates on States are soaking up the money States otherwise would spend on the University of Oklahoma, and Tennessee, and the State University of New York.

When States do not support their public colleges and universities, which is where approximately three-quarters of our college students attend, then their only choice is either to become more efficient, to decrease their quality or to raise tuition. Most of them are trying to do all three.

So Federal health care policies are the main reason tuition is up, and the reason tuition is up is the main reason debt is up. Specifically, what we are talking about, and what the President has been talking about, is a 3.4-percent interest rate for some student loans.

Here are some facts about that. The President has proposed that for 1 year, for new Stafford subsidized loans, rates would remain at 3.4 percent. Governor Romney agrees with him. I agree with him. So there is substantial support from both the President and his probable Republican opponent in the Presidential race for this next year. New loans, after July 1, which are now at 3.4 percent, would stay at 3.4 percent. The benefit to students who get the advantage of that lower rate—most other loans are at 6.8 percent by law—is about $7 a month, according to the Congressional Research Service.

All this talk is about offering students the benefit of about $7 a month for new loans. It is important to notice that no student who has a 3.4-percent loan today will see his or her interest rate go up. I will say that again. If you have a loan and you are going to the University of North Carolina and are paying 3.4 percent today, your rate will not go up on July 1. The law only affects new loans, and it doesn't affect 60 percent of loans. For 60 percent of those getting new loans after July 1, they will continue to pay the 6.8 percent set by Congress a long time ago.

I am glad the President is bringing this issue up, because the real driver of higher tuition and higher interest rates is the President's own policies—in two ways: The government and congressional Democrats who passed the health care law are actually overcharging students—all students—on student loans and using some of the money to pay for the health care law. These aren't just my figures. The CBO said when the new health care law passed, Congress took $61 billion of so-called savings—I call them profits on student loans—and it spent $10 billion to reduce the debt, $8.7 billion on the health care law, and the rest on Pell grants.

How does that work? How could Congress be overcharging students? Well, under the health care law, the government borrows money at 2.8 percent. The government then loans to students at 6.8 percent. That produces a profit. The Congressional Budget Office has said that the Congress could have lowered the interest rate from 6.8 to 5.3 percent and save all students $2,200 over the life of their average 10-year loan. I am introducing legislation today on my behalf and on behalf of others called the Student Interest Rate Reduction Act. This law proposes to keep the interest rate at 3.4 percent for subsidized Stafford loans beginning July 1 of this year, just as the President and Governor Romney proposed. We will pay for that by taking back the money that the Congress overcharged students on their student loans under the health care law.

This 1-year solution, as I said, will save students about $7 a month on interest payments on their new loans, or about $83 a year. It will cost the taxpayers about $6 billion, which will be paid for by reductions in savings from the new health care law.

Let's talk a moment about the real cost of tuition and student debt going up—that is, Federal health care policies. When I was Governor of Tennessee in the 1980s, the same thing would happen every year as I made up my State budget, and it is happening today in every State capital in America. I would work through all the things we had to fund with State tax dollars—the roads, the schools, the prisons, and the various State agencies. Then I would get down to the end of the budgeting process and have some money left. The choice would always be between Medicaid and higher education—our public colleges and universities. I spent my whole 8 years as Governor trying to keep the amount we gave to Medicaid down so that I could increase the

amount for colleges and universities, because I thought that was the future of our State.

In fact, we had a formula then that said if you went to a public college or university, the taxpayer would pay for 70 percent of it and the student would pay for 30 percent. If we raised your tuition, we would raise the State's share. We kept that 70/30. That is now turned completely around in Tennessee, where it is closer to 30/70 now; the student pays 30 percent and the taxpayers pay nearly 70 percent. This shift is because Medicaid mandates from Washington on every State have forced Governors and legislatures to take the money they would otherwise spend for public colleges and universities and spend it instead for Medicaid. As a result, State colleges and universities have less money, and to get more money, they must raise tuition.

When tuition goes up at the University of California, and you see students protesting, the reason is because of Washington. As I said, President Obama didn't invent this problem—this is a 30-year old problem—but he has made it worse. He made it worse with laws that say when States have less money, they have to spend more on Medicaid. If they are told from Washington to spend more on Medicaid, even though they have less revenues, they are going to spend less on something else. So they spend less on the University of California, or the State University of New York, or the University of Tennessee.

Last year in Tennessee, State funding for Medicaid went up 16 percent in actual dollars; as a result, State funding for community colleges and the University of Tennessee went down 15 percent in real cuts. That was not a cut in growth. That was a real cut. What did the state colleges and universities do? They raised tuition 8 percent. What did students do? They borrowed more money.

I have been trying to get this point across ever since I became a Senator. I said during the health care debate that everybody who voted for it ought to be sentenced to serve as Governor for 8 years in his or her State so they would understand this problem.

We cannot continue to order the States to spend more for Medicaid and expect our great colleges and universities to be affordable and continue to be the best in the world. That is the real reason why tuition is going up and loans are going up.

Here are the facts. There are still good options for students. I mentioned earlier that the average cost of tuition at a 4-year public university in America is about $8,200. For a community college, it is around $3,000. There are many scholarships to help them go there. It is true that loans are going up to very high levels. It is true that there are some abuses here and there—within the for-profit and other parts of the higher education system. But it is also true that in the United States we not only have some of the best colleges and universities in the world, we have almost all of them. Many of them are public colleges and universities. They are at risk today. Why? Because of Federal health care policies that are hamstringing States and soaking up the money that States should be using to fund the universities of this country and the community colleges of this country.

Mr. President, again, I am introducing today the Student Loan Interest Rate Reduction Act. It addresses exactly the subject President Obama is talking about on the campaign trail these days. How do we keep the interest rate on subsidized Stafford loans, the new loans that began July 1—how do we keep that at 3.4 percent for 1 year? Governor Romney supports that. President Obama supports that. I support that. The only difference is how we pay for it. It will cost $6 billion.

Our friends on the Democratic side have come up with their usual methods of paying for it: They are going to raise taxes on small business and people who create jobs.

We have a little better idea on this side, which is, let's take the $8.7 billion back that the Federal Government overcharges students on student loans today to help pay for the health care law and give it back to the students, and let's extend this for 1 year. That will leave nearly $3 billion extra, which we can use to shore up the Pell grant funding gap that is expected over the next couple of years.

Respectfully, I say to President Obama, when you visit the next college campus, tell the whole story. It is hard to attend and pay for college. There are many good options. Debt is up. But in fairness, the principal reason tuition is rising, and therefore debt is rising, is because of President Obama's own health care policy. He didn't start it, but he made it worse. What he has done is put into place a set of policies that are soaking up the money States would use to fund public colleges and universities and community colleges across this country, forcing them to use that money for Medicaid. As a result, the universities and community colleges have less money, they raise tuition, and that is the principal reason why we have higher tuition and higher interest rates.

The way to stop that would be to either repeal the health care law or repeal the Medicaid mandates. That would improve the quality of American public higher education, and it would improve access to higher education. It would slow down the rising of tuition and slow down the rising of student debt.

By Mr. CONRAD (for himself and Mr. CRAPO):

S. 2367. A bill to strike the word ''lunatic'' from Federal law, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. CONRAD. Mr. President, today I am pleased to be joined by Senator CRAPO in introducing the 21st Century Language Act of 2012. This bipartisan legislation updates federal law by eliminating references that contribute to the stigmatization of mental health conditions. Specifically, this legislation removes the word ''lunatic'' from several sections of the United States Code to reflect our nation's modern understanding of mental health conditions.

Recently, a North Dakota constituent contacted my office to express support for legislative efforts to remove this outdated and inappropriate language from federal law. Senator CRAPO and I agree that federal law should reflect the 21st century understanding of mental illness and disease, and that the continued use of this pejorative term has no place in the U.S. Code.

Senator CRAPO and I have worked with the Senate Banking Committee to confirm that ''lunatic'' is an unnecessary term and that its removal will have no impact on the broader federal law. This legislation enjoys strong support from a number of mental health advocates across the nation, including the National Alliance on Mental Illness, Mental Health America, National Council on Community Behavioral Healthcare, and the Clinical Social Work Association. I hope my colleagues will join me in working to pass this overdue update to the U.S. Code.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 435—CALLING FOR DEMOCRATIC CHANGE IN SYRIA, AND FOR OTHER PURPOSES

Mr. CASEY (for himself and Mr. RUBIO) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 435

Whereas the Republic of Syria is a party to the International Covenant on Civil and Political Rights (ICCPR), adopted at New York December 16, 1966, and the United Nations Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York December 10, 1984, and voted in favor of the Universal Declaration of Human Rights, adopted at Paris December 10, 1948;

Whereas, since March 2011, the Government of Syria has engaged in a sustained campaign of violence and gross human rights violations against civilians in Syria, including the use of weapons of war, torture, extrajudicial killings, arbitrary executions, sexual violence, and interference with access to medical treatment;

Whereas the United Nations estimated that, as of April 16, 2012, at least 10,000 people had been killed in Syria since the violence began in March 2011;

Whereas, on August, 18, 2011, President Barack Obama called upon President Bashar al Assad to step aside;

Whereas, in November 2011 and February 2012, the United Nations Commission of Inquiry released reports documenting gross human rights violations committed in Syria;

Whereas the League of Arab States deployed a team of international monitors to Syria on December 26, 2011;

Whereas, on January 28, 2012, the League of Arab States suspended its monitoring mission in Syria in response to an escalation in violence;

Whereas, on March 16, 2012, United Nations and League of Arab States Special Envoy Kofi Annan presented a six-point peace plan for Syria that called on the Government of Syria to, among other things: commit to stop the fighting and urgently achieve a United Nations-supervised cessation of violence; work with the Envoy in an inclusive Syrian-led political process; cease military activity in and around civilian population centers; ensure timely provision of humanitarian assistance; release arbitrarily detained persons; ensure freedom of movement for journalists; and respect the freedom of association and the right to demonstrate peacefully;

Whereas, on March 21, 2012, the United Nations Security Council unanimously adopted a Presidential Statement giving full support to the efforts of Joint Special Envoy Annan and calling on the Government of Syria and the opposition in Syria to work in good faith to fully and immediately implement Mr. Annan's six point proposal;

Whereas, on April 1, 2012, the group Friends of the Syrian People met in Istanbul and announced measures to increase the pressure on the Assad regime, provide greater humanitarian relief to people in need, and support the Syrian opposition as it works toward an inclusive democratic transition.

Whereas, as of April 1, 2012, the United States Government had pledged $25,000,000 in humanitarian assistance, as well as non-lethal communications equipment, to activists inside Syria;

Whereas, on April 5, 2012, the United Nations Security Council adopted a Presidential Statement calling on the Government of Syria to implement urgently and visibly its commitments to Mr. Annan, including ceasing armed violence within 48 hours;

Whereas, on April 14, 2012, the United Nations Security Council adopted Resolution 2042, which authorized the deployment of an advance team of United Nations military observers to monitor adherence to a ceasefire in the country;

Whereas the Governments of Turkey, Jordan, Lebanon, and Iraq have provided refuge for tens of thousands of people displaced by the violence in Syria; and

Whereas the Governments of the Russian Federation and the Islamic Republic of Iran continue to supply military equipment to the Government of Syria notwithstanding that government's violent repression of demonstrators:

Now, therefore, be it

Resolved, That the Senate—

(1) condemns Syrian President Bashar al-Assad's ongoing slaughter of his own people;

(2) reaffirms that it is the policy of the United States that the legitimate aspirations of the Syrian people cannot be realized so long as Bashar al-Assad remains in power and that he must step aside;

(3) recognizes the efforts of the United Nations and the League of Arab States to establish a ceasefire in Syria and to deploy international personnel to observe adherence by the Government of Syria to Special Envoy Kofi Annan's six-point peace plan to bring an end to violence and human rights violations and as a first step toward a full democratic transition in Syria;

(4) urges robust support for the United Nations-administered Emergency Response Fund to ensure the sustained provision of humanitarian and emergency medical support for the population of Syria affected by the conflict;

(5) urges the continued provision of adequate humanitarian assistance to displaced Syrians currently located in Turkey, Jordan, Lebanon, and Iraq;

(6) calls on the President to engage with the League of Arab States, the European Union, and the Government of the Republic of Turkey to explore options to protect civilians in Syria;

(7) demands that the Government of Syria allow additional United Nations personnel into the country, with complete freedom of movement, and take necessary measures to ensure their safety in Syria so that they may observe the ceasefire and the adherence by the Government of Syria to the United Nation six-point peace plan;

(8) urges the Syrian opposition to renew its commitment to a democratic and inclusive society in the post-Assad era based on the rule of law, commitment to universal human rights for all of its people, and protections for religious and ethnic minorities;

(9) calls upon the League of Arab States, the United Nations, the Friends of the Syrian People, and other interested international bodies to continue to exert maximum diplomatic pressure for Assad to step aside and for a political transition in Syria;

(10) urges the Friends of the Syrian People to renew efforts to incentivize the enhanced cohesion of democratically oriented organizations in Syria, and to encourage these groups to make clear their intention to represent and protect the interests of all Syrians;

(11) calls upon the President to continue to provide support, including communications equipment to organizations in Syria that are representative of the people of Syria, make demonstrable efforts to protect human rights and religious freedom, reject terrorism, cooperate with international counterterrorism and nonproliferation efforts, and abstain from destabilizing neighboring countries;

(12) urges the President to develop a plan to identify weapons stockpiles and prevent the proliferation of conventional, biological, chemical, and other types of weapons in Syria; and

(13) strongly condemns the Governments of the Russian Federation and the Islamic Republic of Iran for providing military and security equipment to the Government of Syria, which has been used to repress peaceful demonstrations and commit mass atrocities against unarmed civilian populations in Syria.

SENATE RESOLUTION 436—DESIGNATING THE WEEK OF APRIL 22 THROUGH 28, 2012, AS THE ''WEEK OF THE YOUNG CHILD''

Mr. BEGICH submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 436

Whereas there are 20,000,000 children under the age of 5 in the United States;

Whereas numerous studies show that high-quality early childhood education programs improve the likelihood that children will have success in school and in life by improving their cognitive, social, emotional, and physical development;

Whereas many children eligible for, and in need of, high-quality child care, Early Head Start, Head Start, and other early childhood education programs are not served by such programs;

Whereas child care assistance and other early childhood education programs enable parents to work, go to school, and support their families;

Whereas the individuals who work with young children deserve the respect of the people of the United States, professional support, and fair compensation to reflect the important value of their work;

Whereas economist and Nobel Laureate James Heckman has stated that investment in childhood education reaps economic returns due to outcomes such as lower special education placements, lower juvenile delinquency rates, and greater school graduation rates; and

Whereas the National Association for the Education of Young Children established the ''Week of the Young Child'' to bring attention to the developmental and learning needs of young children: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of April 22 through 28, 2012, as the ''Week of the Young Child'';

(2) encourages the people of the United States to celebrate—

(A) young children and families; and

(B) the individuals who provide high-quality care and early childhood education to the young children of the United States; and

(3) urges the people of the United States to recognize the importance of—

(A) high-quality, comprehensive early childhood education programs; and

(B) the value of those programs for preparing children to—

(i) experience positive development and education; and

(ii) enjoy lifelong success.

Mr. BEGICH. Mr. President, today I rise to submit a resolution to recognize the Week of the Young Child.

My resolution recognizes April 22 to 28 as the Week of the Young Child. This week in Alaska, and in States and communities across the Nation, we celebrate and bring greater awareness to the importance of the early years of children's lives.

The Week of the Young Child officially began in 1971 as an annual observance and public education effort of the National Association for the Education of Young Children, the Nation's oldest and recognized leader in early childhood education for children from birth through age 8, to reach out to families and communities and to emphasize the crucial role adults play in giving children the foundation they need to succeed in school and beyond.

This week focuses attention on the importance of children's early years. Early childhood educators, librarians, United Ways, and other organizations provide a range of activities to highlight how each of us can help children and families thrive. This is a national issue as well as local issue. Federal policy and funding is a significant component of early childhood education in this country, from Early Head Start and Head Start to the Child Care and Development Block Grant as well as Title I and even higher education financial aid and teacher support programs for the early childhood education workforce. Yet our investments remain inadequate, especially when you consider the work of noted economists such as James Heckman on the return on investment to our Nation's economy. Today, not quite half of the poorest preschoolers in our country

can enroll in Head Start and only 3 percent of the babies and toddlers who could benefit from Early Head Start can attend because of inadequate resources. Child care assistance reaches only one in seven eligible children, making it harder for families to have stable jobs and for children to have safe and nurturing places to grow and learn. The committed individuals who work in child care earn woefully inadequate salaries, often without health care or retirement support.

I hope all of my colleagues will find out more about the activities celebrating the Week of the Young Child in their States and can show their support for families and the professionals who work with young children every day.

SENATE RESOLUTION 437—CONGRATULATING THE BOSTON COLLEGE MEN'S ICE HOCKEY TEAM ON WINNING ITS FIFTH NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I MEN'S HOCKEY CHAMPIONSHIP

Mr. KERRY (for himself and Mr. BROWN of Massachusetts) submitted the following resolution; which was considered and agreed to:

S. RES. 437

Whereas, on April 7, 2012, Boston College won the 2012 National Collegiate Athletic Association (referred to in this preamble as the ''NCAA'') Division I Men's Hockey Championship;

Whereas the 2012 NCAA Division I Men's Hockey Championship is the fifth national championship for the Boston College Eagles men's ice hockey team;

Whereas the 2012 NCAA Division I Men's Hockey Championship is the third national championship in the last 5 years for Boston College and its head coach, Jerry York;

Whereas Jerry York has the most wins of any active coach in NCAA Division I Men's Hockey;

Whereas Father William P. Leahy, S.J., the President of Boston College, and Gene DeFilippo, the Athletic Director of Boston College, have shown great leadership in bringing athletic success to Boston College;

Whereas the semifinal games and final game of the NCAA Division I Men's Hockey Tournament are known as the ''Frozen Four'';

Whereas junior goaltender Parker Milner was named the Most Outstanding Player of the Frozen Four after allowing only 2 goals during the entire NCAA Division I Men's Hockey Tournament;

Whereas Boston College finished the 2011–2012 men's hockey season on a 19-game winning streak, which is a single-season team record;

Whereas, on February 13, 2012, Boston College won its third consecutive Beanpot Championship, defeating Boston University in sudden death overtime by a score of 3 to 2;

Whereas, on March 17, 2012, Boston College won its third consecutive Hockey East Championship, defeating the University of Maine by a score of 4 to 1;

Whereas, on April 5, 2012, Boston College defeated the University of Minnesota in a Frozen Four semifinal game by a score of 6 to 1 to advance to the national championship game; and

Whereas Boston College won the Frozen Four championship game with a victory over Ferris State University by a score of 4 to 1:

Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the achievements of the players, coaches, students, and staff whose hard work and dedication helped Boston College win the 2012 National Collegiate Athletic Association Division I Men's Hockey Championship; and

(2) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to—

(A) Father William P. Leahy, S.J., the President of Boston College;

(B) Gene DeFilippo, the Athletic Director of Boston College; and

(C) Jerry York, the head coach of the Boston College men's ice hockey team.

SENATE RESOLUTION 438—TO SUPPORT THE GOALS AND IDEALS OF NATIONAL SAFE DIGGING MONTH

Mr. LAUTENBERG (for himself, Mr. ROCKEFELLER, Mr. THUNE, and Mr. WICKER) submitted the following resolution; which considered and agreed to:

S. RES. 438

Whereas each year, the underground utility infrastructure of the United States, including pipelines, electric, gas, telecommunications, water, sewer, and cable television lines, is jeopardized by unintentional damage caused by those who fail to have underground lines located prior to digging;

Whereas some utility lines are buried only a few inches underground, making the lines easy to strike, even during shallow digging projects;

Whereas digging prior to locating underground utility lines often results in unintended consequences, such as service interruption, environmental damage, personal injury, and even death;

Whereas the month of April marks the beginning of the peak period during which excavation projects are carried out around the United States;

Whereas in 2002, Congress required the Department of Transportation and the Federal Communications Commission to establish a 3-digit, nationwide, toll-free number to be used by State ''One Call'' systems to provide information on underground utility lines;

Whereas in 2005, the Federal Communications Commission designated ''811'' as the nationwide ''One Call'' number for homeowners and excavators to use to obtain information on underground utility lines before conducting excavation activities;

Whereas ''One Call'' has helped reduce the number of digging damages caused by failure to call before digging from 48 percent in 2004 to 32 percent in 2010;

Whereas the 1,400 members of the Common Ground Alliance, who are dedicated to ensuring public safety, environmental protection, and the integrity of services, promote the national ''Call Before You Dig'' campaign to increase public awareness about the importance of homeowners and excavators calling 811 to find out the exact location of underground lines; and

Whereas the Common Ground Alliance has designated April as ''National Safe Digging Month'' to increase awareness of safe digging practices across the United States and to celebrate the anniversary of 811, the national ''Call Before You Dig'' number:

Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Safe Digging Month; and

(2) encourages all homeowners and excavators throughout the United States to call 811 before digging.

SENATE RESOLUTION 439—EXPRESSING THE SENSE OF THE SENATE THAT VILLAGE VOICE MEDIA HOLDINGS, LLC SHOULD ELIMINATE THE ''ADULT ENTERTAINMENT'' SECTION OF THE CLASSIFIED ADVERTISING WEBSITE BACKPAGE.COM

Mr. BLUMENTHAL (for himself, Mr. KIRK, Mr. WHITEHOUSE, Mr. CORNYN, Mr. LIEBERMAN, Mr. RUBIO, and Mrs. GILLIBRAND) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 439

Whereas, according to the Department of Justice, there was a 59 percent increase in identified victims of human trafficking worldwide between 2009 and 2010;

Whereas, according to the Department of Health and Human Services, human trafficking is the fastest-growing criminal enterprise in the world;

Whereas experts estimate that up to 300,000 children are at risk of sexual exploitation each year in the United States;

Whereas experts estimate that the average female victim of sex trafficking is forced into prostitution for the first time between the ages of 12 and 14, and the average male victim of sex trafficking is forced into prostitution for the first time between the ages of 11 and 13;

Whereas the Bureau of Justice Statistics found that 40 percent of incidents investigated by federally-funded task forces on human trafficking between 2008 and 2010 involved prostitution of a child or the sexual exploitation of a child;

Whereas, according to the classified advertising consultant Advanced Interactive Media Group (referred to in this preamble as ''AIM Group''), Backpage.com is the leading United States website for prostitution advertising;

Whereas Backpage.com is owned by Village Voice Media Holdings, LLC (referred to in this preamble as ''Village Voice Media'');

Whereas the National Association of Attorneys General tracked more than 50 cases in which charges were filed against persons who were trafficking or attempting to traffic minors on Backpage.com;

Whereas Myrelle and Tyrelle Locket—

(1) in February 2011 were each sentenced to 4 years in prison on charges of trafficking of persons for forced labor or services for operating an Illinois sex trafficking ring that included minors; and

(2) used Backpage.com to facilitate the prostitution;

Whereas Arthur James Chappell—

(1) in March 2011 was sentenced to 28 years in prison on charges of sex trafficking of a minor for running a prostitution ring with at least 1 juvenile victim in Minnesota; and

(2) used Backpage.com to facilitate the prostitution;

Whereas Brandon Quincy Thompson—

(1) in April 2011 was sentenced to life imprisonment on charges of sex trafficking a child by force for running a South Dakota prostitution ring that involved multiple underage girls; and

(2) used Backpage.com to facilitate the prostitution;

Whereas Clint Eugene Wilson—

(1) in May 2011 was sentenced to 20 years in prison on charges of sex trafficking of a minor by force, fraud, or coercion for forcing a 16-year-old Dallas girl into prostitution, threatening to assault her, and forcing her to get a tattoo that branded her as his property; and

(2) used Backpage.com to facilitate the prostitution;

Whereas Demetrius Darnell Homer—

(1) in August 2011 was sentenced to 20 years in prison on charges of sex trafficking of a minor for violently forcing a 14-year-old Atlanta girl into prostitution, controlling her through beatings, threatening her with a knife, shocking her with a taser in front of another underage girl whom he had placed in prostitution, and forcing her to engage in prostitution while she was pregnant with his child; and

(2) used Backpage.com to facilitate the prostitution;

Whereas Leighton Martin Curtis—

(1) in February 2012 was sentenced to 30 years in prison on charges of sex trafficking of a minor and production of child pornography for pimping a 15-year-old girl throughout Florida, Georgia, and North Carolina to approximately 20 to 35 customers each week for more than a year; and

(2) used Backpage.com to facilitate the prostitution;

Whereas Ronnie Leon Tramble—

(1) in March 2012 was sentenced to 15 years in prison on charges of sex trafficking through force, fraud, and coercion for forcing more than 5 young women and minors into prostitution over a period of at least 5 years throughout the State of Washington, during which time period he constantly subjected the victims to brutal physical and emotional abuse; and

(2) used Backpage.com to facilitate the prostitution;

Whereas, according to AIM Group, 80 percent of online prostitution advertising revenue for the month of February 2012 was attributed to Backpage.com;

Whereas, according to AIM Group, the number of Backpage.com advertisements for ''escorts'' and ''body rubs'', a thinly veiled code for prostitution, increased by nearly 5 percent between February 2011 and February 2012;

Whereas, according to AIM Group, Backpage.com earned an estimated $26,000,000 from prostitution advertisements between February 2011 and February 2012;

Whereas Backpage.com vice president Carl Ferrer acknowledged to the National Association of Attorneys General that the company identifies more than 400 ''adult entertainment'' posts that may involve minors each month;

Whereas the actual number of ''adult entertainment'' posts on Backpage.com each month that involve minors may be far greater than 400;

Whereas, according to the National Association of Attorneys General, Missouri investigators found that the review procedures of Backpage.com are ineffective in policing illegal activity;

Whereas, in September 2010, Craigslist.com removed the ''adult services'' section of its website following calls for removal from law enforcement and advocacy organizations;

Whereas, by September 16, 2011, 51 attorneys general of States and territories of the United States had called on Backpage.com to shut down the ''adult entertainment'' section of its website;

Whereas, on September 16, 2011, the Tri-City Herald of the State of Washington published an editorial entitled ''Attorneys general target sexual exploitation of kids'', writing, ''. . . we'd also encourage the owners of Backpage.com to give the attorneys general what they are asking for'';

Whereas, on October 25, 2011, 36 clergy members from across the United States published an open letter to Village Voice Media in the New York Times, calling on the company to shut down the ''adult entertainment'' section of Backpage.com;

Whereas, on December 2, 2011, 55 anti-trafficking organizations called on Village Voice Media to shut down the ''adult entertainment'' section of Backpage.com;

Whereas, on December 29, 2011, the Seattle Times published an editorial entitled ''Murders strengthen case against Backpage.com'', writing, ''Backpage.com cannot continue to dismiss the women and children exploited through the website, nor the 3 women in Detroit who are dead possibly because they were trafficked on the site. Revenue from the exploitation and physical harm of women and minors is despicable. Village Voice Media, which owns Backpage.com, must shut this site down. Until then, all the pressure that can be brought to bear must continue.'';

Whereas, on March 18, 2012, Nicholas Kristof of the New York Times wrote in an opinion piece entitled ''Where Pimps Peddle Their Goods'' that ''[t]here are no simple solutions to end sex trafficking, but it would help to have public pressure on Village Voice Media to stop carrying prostitution advertising.'';

Whereas, on March 29, 2012, Change.org delivered a petition signed by more than 240,000 individuals to Village Voice Media, calling on the company to shut down the ''adult entertainment'' section of Backpage.com;

Whereas, on January 12, 2012, John Buffalo Mailer, son of Village Voice co-founder Norman Mailer, joined the Change.org petition to shut down the ''adult entertainment'' section of Backpage.com, stating, ''For the sake of the Village Voice brand and for the sake of the legacy of a great publication, take down the adult section of Backpage.com, before the Village Voice must answer for yet another child who is abused and exploited because you did not do enough to prevent it.'';

Whereas, on March 30, 2012, a private equity firm owned by Goldman Sachs Group, Inc. completed a deal to sell its 16 percent ownership stake in Village Voice Media back to management;

Whereas, in M.A. ex rel. P.K. v. Village Voice Media Holdings, LLC (809 F. Supp. 2d 1041 (E.D. Mo. 2011)), the United States District Court for the Eastern District of Missouri held that section 230 of the Communications Act of 1934 (47 U.S.C. 230) (as added by section 509 of the Communications Decency Act of 1996 (Public Law 104–104; 110 Stat. 137)) protects Backpage.com from civil liability for the ''horrific victimization'' the teenage plaintiff suffered at the hands of the criminal who posted on the website to perpetrate her vicious crimes; and

Whereas the Communications Decency Act of 1996 (Public Law 104–104; 110 Stat. 56) and the amendments made by that Act do not preclude a service provider from voluntarily removing a portion of a website known to facilitate the sexual exploitation of minors in order to protect children in the United States: Now, therefore, be it

Resolved, That the Senate—

(1) supports the efforts of law enforcement agencies to provide training to law enforcement agents on how to identify victims of sex trafficking, investigate cases of sex trafficking, prosecute sex trafficking offenses, and rescue victims of sex trafficking;

(2) supports services for trafficking victims provided by the Federal Government, State and local governments, and non-profit and faith-based organizations, including medical, legal, mental health, housing, and other social services; and

(3) calls on Village Voice Media Holdings, LLC to act as a responsible global citizen and immediately eliminate the ''adult entertainment'' section of the classified advertising website Backpage.com to terminate the website's rampant facilitation of online sex trafficking.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2085. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table.

SA 2086. Mr. CORNYN (for himself, Mr. KIRK, Mr. BENNET, Mr. MCCONNELL, and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill S. 1925, supra; which was ordered to lie on the table.

SA 2087. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 1925, supra; which was ordered to lie on the table.

SA 2088. Mr. CRAPO submitted an amendment intended to be proposed by him to the bill S. 1925, supra; which was ordered to lie on the table.

SA 2089. Mr. CRAPO submitted an amendment intended to be proposed by him to the bill S. 1925, supra; which was ordered to lie on the table.

SA 2090. Mr. CRAPO submitted an amendment intended to be proposed by him to the bill S. 1925, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2085. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. IDENTIFYING UNNECESSARY DUPLICATION WITHIN THE DEPARTMENT OF JUSTICE.

(a) REQUIREMENT TO IDENTIFY AND DESCRIBE PROGRAMS.—Each fiscal year, for purposes of the report required by subsection (c), the Attorney General shall—

(1) identify and describe every program administered by the Department of Justice;

(2) for each such program—

(A) determine the total administrative expenses of the program;

(B) determine the expenditures for services for the program;

(C) estimate the number of clients served by the program and beneficiaries who received assistance under the program (if applicable); and

(D) estimate—

(i) the number of full-time employees who administer the program; and

(ii) the number of full-time equivalents (whose salary is paid in part or full by the Federal Government through a grant or contract, a subaward of a grant or contract, a cooperative agreement, or another form of financial award or assistance) who assist in administering the program; and

(3) identify programs within the Federal Government (whether inside or outside the agency) with duplicative or overlapping missions, services, and allowable uses of funds.

(b) RELATIONSHIP TO CATALOG OF DOMESTIC ASSISTANCE.—With respect to the requirements of paragraphs (1) and (2)(B) of subsection (a), the Attorney General may use the same information provided in the catalog of domestic and international assistance programs in the case of any program that is a domestic or international assistance program.

(c) REPORT.—Not later than February 1 of each fiscal year, the Attorney General shall publish on the official public website of the agency a report containing the following:

(1) The information required under subsection (a) with respect to the preceding fiscal year.

(2) The latest performance reviews (including the program performance reports required under section 1116 of title 31, United States Code) of each program of the agency identified under subsection (a)(1), including performance indicators, performance goals, output measures, and other specific metrics used to review the program and how the program performed on each.

(3) For each program that makes payments, the latest improper payment rate of the program and the total estimated amount of improper payments, including fraudulent payments and overpayments.

(4) The total amount of unspent and unobligated program funds held by the Department and grant recipients (not including individuals) stated as an amount—

(A) held as of the beginning of the fiscal year in which the report is submitted; and

(B) held for five fiscal years or more.

(5) Such recommendations as the Attorney General considers appropriate—

(A) to consolidate programs that are duplicative or overlapping;

(B) to eliminate waste and inefficiency; and

(C) to terminate lower priority, outdated, and unnecessary programs and initiatives.

(d) CONSOLIDATING UNNECESSARY DUPLICATION WITHIN THE DEPARTMENT OF JUSTICE.—Notwithstanding any other provision of law and not later than 150 days after the date of enactment of this section, the Attorney General shall—

(1) use available administrative authority to eliminate, consolidate, or streamline Government programs and agencies with duplicative and overlapping missions identified in—

(A) the February 2012 Government Accountability Office report to Congress entitled ''2012 Annual Report: Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue'' (GAO 12 342SP); and

(B) subsection (a);

(2) identify and report to Congress any legislative changes required to further eliminate, consolidate, or streamline Government programs and agencies with duplicative and overlapping missions identified in—

(A) the February 2012 Government Accountability Office report to Congress entitled ''2012 Annual Report: Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue'' (GAO 12 342SP); and

(B) subsection (c); and

(3) develop a plan that would result in financial cost savings of no less than 20 percent of the nearly $3,900,000,000 in duplicative grant programs identified by the Government Accountability Office as a result of the actions required by paragraph (1).

(e) ELIMINATING THE BACKLOG OF UNANALYZED DNA FROM SEXUAL ASSAULT, RAPE, KIDNAPPING, AND OTHER CRIMINAL CASES.—Notwithstanding any other provision of law and not later than 1 year after the enactment of this section, the Director of the Office of Management and Budget in consultation with Attorney General shall—

(1) rescind from the appropriate accounts the total amount of cost savings from the plan required in subsection (d)(3);

(2) apply as much as 75 percent of the savings towards alleviating any backlogs of analysis and placement of DNA samples from rape, sexual assault, homicide, kidnapping and other criminal cases, including casework sample and convicted offender backlogs, into the Combined DNA Index System; and

(3) return the remainder of the savings to the Treasury for the purpose of deficit reduction.

(f) REPORTING THE SAVINGS RESULTING FROM CONSOLIDATING UNNECESSARY DUPLICATION.—Notwithstanding any other provision of law, the Attorney General shall post a report on the public Internet website of the Department of Justice detailing—

(1) the programs consolidated as a result of this section, including any programs eliminated;

(2) the total amount saved from reducing such duplication;

(3) the total amount of such savings directed towards the analysis and placement of DNA samples into the Combined DNA Index System;

(4) the total amount of such savings returned to the Treasury for the purpose of deficit reduction; and

(5) additional recommendations for consolidating duplicative programs, offices, and initiatives within the Department of Justice.

(g) DEFINITIONS.—In this section:

(1) ADMINISTRATIVE EXPENSES.—The term ''administrative expenses'' has the meaning as determined by the Director of the Office of Management and Budget under section 504(b)(2) of Public Law 111–85 (31 U.S.C. 1105 note), except the term shall also include, for purposes of that section and this section—

(A) costs incurred by the Department as well as costs incurred by grantees, subgrantees, and other recipients of funds from a grant program or other program administered by the Department; and

(B) expenses related to personnel salaries and benefits, property management, travel, program management, promotion, reviews and audits, case management, and communication about, promotion of, and outreach for programs and program activities administered by the Department.

(2) PERFORMANCE INDICATOR; PERFORMANCE GOAL; OUTPUT MEASURE; PROGRAM ACTIVITY.—The terms ''performance indicator'', ''performance goal'', ''output measure'', and ''program activity'' have the meanings provided by section 1115 of title 31, United States Code.

(3) PROGRAM.—The term ''program'' has the meaning provided by the Director of the Office of Management and Budget in consultation with the Attorney General and shall include any organized set of activities directed toward a common purpose or goal undertaken by the Department of an agency that includes services, projects, processes, or financial or other forms of assistance, including grants, contracts, cooperative agreements, compacts, loans, leases, technical support, consultation, or other guidance.

(4) SERVICES.—The term ''services'' has the meaning provided by the Attorney General and shall be limited to only activities, assistance, and aid that provide a direct benefit to a recipient, such as the provision of medical care, assistance for housing or tuition, or financial support (including grants and loans).

SA 2086. Mr. CORNYN (for himself, Mr. KIRK, Mr. BENNET, Mr. MCCONNELL, and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE XI—THE SAFER ACT

SECTION 1101. SHORT TITLE.

This title may be cited as the ''Sexual Assault Forensic Evidence Registry Act of 2012'' or the ''SAFER Act of 2012''.

SEC. 1102. DEBBIE SMITH GRANTS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.

Section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135) is amended—

(1) in subsection (a), by adding at the end the following new paragraph:

''(6) To conduct an audit consistent with subsection (n) of the samples of sexual assault evidence that are in the possession of the State or unit of local government and are awaiting testing.'';

(2) in subsection (c), by adding at the end the following new paragraph:

''(4) ALLOCATION OF GRANT AWARDS FOR AUDITS.—For each of fiscal years 2012 through 2016, not less than 7 percent of the grant amounts distributed under paragraph (1) shall be awarded for the purpose described in subsection (a)(6).''; and

(3) by adding at the end the following new subsection:

''(n) USE OF FUNDS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.—

''(1) ELIGIBILITY.—The Attorney General may award a grant under this section to a State or unit of local government for the purpose described in subsection (a)(6) only if the State or unit of local government—

''(A) submits a plan for performing the audit of samples described in such subsection; and

''(B) includes in such plan a good-faith estimate of the number of such samples.

''(2) GRANT CONDITIONS.—A State or unit of local government receiving a grant for the purpose described in subsection (a)(6) shall—

''(A) not later than 1 year after receiving such grant—

''(i) complete the audit referred to in paragraph (1)(A) in accordance with the plan submitted under such paragraph; and

''(ii) for each sample of sexual assault evidence identified in such audit, subject to paragraph (4), enter into the Sexual Assault Forensic Evidence Registry established under subsection (o) the information listed in subsection (o)(2);

''(B) not later than 21 days after receiving possession of a sample of sexual assault evidence that was not in the possession of the State or unit of local government at the time of such audit, subject to paragraph (4), enter into the Sexual Assault Forensic Evidence Registry the information listed in subsection (o)(2) with respect to the sample; and

''(C) not later than 30 days after a change in the status referred to in subsection (o)(2)(A)(v) of a sample with respect to which the State or unit of local government has entered information into such Registry, update such status.

''(3) EXTENSION OF INITIAL DEADLINE.—The Attorney General may grant an extension of the deadline under paragraph (2)(A) to a State or unit of local government that demonstrates that more time is required for compliance with such paragraph.

''(4) SAMPLES EXEMPT FROM REGISTRY REQUIREMENT.—A State or unit of local government is not required under paragraph (2) to enter into the Registry described in such paragraph information with respect to a sample of sexual assault evidence if—

''(A) the sample is not considered criminal evidence (such as a sample collected anonymously from a victim who is unwilling to make a criminal complaint); or

''(B) the sample relates to a sexual assault for which the prosecution of each perpetrator is barred by a statute of limitations.

''(5) DEFINITIONS.—In this subsection:

''(A) AWAITING TESTING.—The term 'awaiting testing' means, with respect to a sample of sexual assault evidence, that—

''(i) the sample has been collected and is in the possession of a State or unit of local government;

''(ii) DNA and other appropriate forensic analyses have not been performed on such sample; and

''(iii) the sample is related to a criminal case or investigation in which final disposition has not yet been reached.

''(B) FINAL DISPOSITION.—The term 'final disposition' means, with respect to a criminal case or investigation to which a sample of sexual assault evidence relates—

''(i) the conviction or acquittal of all suspected perpetrators of the crime involved;

''(ii) a determination by the State or unit of local government in possession of the sample that the case is unfounded; or

''(iii) a declaration by the victim of the crime involved that the act constituting the basis of the crime was not committed.

''(C) POSSESSION.—

''(i) IN GENERAL.—The term 'possession', used with respect to possession of a sample of sexual assault evidence by a State or unit of local government, includes possession by an individual who is acting as an agent of the State or unit of local government for the collection of the sample.

''(ii) RULE OF CONSTRUCTION.—Nothing in clause (i) shall be construed to create or amend any Federal rights or privileges for non-governmental vendor laboratories described in regulations promulgated under section 210303 of the DNA Identification Act of 1994 (42 U.S.C. 14131).''.

SEC. 1103. SEXUAL ASSAULT FORENSIC EVIDENCE REGISTRY.

(a) IN GENERAL.—Section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135), as amended by section 1102 of this title, is further amended by adding at the end the following new subsection:

''(o) SEXUAL ASSAULT FORENSIC EVIDENCE REGISTRY.—

''(1) IN GENERAL.—Subject to subsection (j), not later than 1 year after the date of enactment of the SAFER Act of 2012, the Attorney General shall establish a Sexual Assault Forensic Evidence Registry (in this subsection referred to as the 'Registry') that—

''(A) allows States and units of local government to enter information into the Registry about samples of sexual assault evidence that are in the possession of such States or units of local government and are awaiting testing; and

''(B) tracks the testing and processing of such samples.

''(2) INFORMATION IN REGISTRY.—

''(A) IN GENERAL.—A State or unit of local government that chooses to enter information into the Registry about a sample of sexual assault evidence shall include the following information:

''(i) The date of the sexual assault to which the sample relates.

''(ii) The city, county, or other appropriate locality in which the sexual assault occurred.

''(iii) The date on which the sample was collected.

''(iv) The date on which information relating to the sample was entered into the Registry.

''(v) The status of the progression of the sample through testing and other stages of the evidentiary handling process, including the identity of the entity in possession of the sample.

''(vi) The date or dates after which the State or unit of local government would be barred by any applicable statutes of limitations from prosecuting a perpetrator of the sexual assault for the sexual assault.

''(vii) Such other information as the Attorney General considers appropriate.

''(B) PERSONALLY IDENTIFIABLE INFORMATION.—The Attorney General shall ensure that the Registry does not include personally identifiable information or details about a sexual assault that might lead to the identification of the individuals involved, except for the information listed in subparagraph (A).

''(3) SAMPLE IDENTIFICATION NUMBER.—

''(A) IN GENERAL.—A State or unit of local government that chooses to enter information about a sample of sexual assault evidence into the Registry shall assign to the sample a unique numeric or alphanumeric identifier.

''(B) UNIQUE IDENTIFIER REQUIRED.—In assigning the identifier under subparagraph (A), a State or unit of local government may use a case-numbering system used for other purposes, but the Attorney General shall ensure that the identifier assigned to each sample is unique with respect to all samples entered by all States and units of local government.

''(4) UPDATE OF INFORMATION.—A State or unit of local government that chooses to enter information about a sample of sexual assault evidence into the Registry shall, not later than 30 days after a change in the status of the sample referred to in paragraph (2)(A)(v), update such status.

''(5) INTERNET ACCESS.—The Attorney General shall make publicly available aggregate non-individualized and non-personally identifying data gathered from the Registry, to allow for comparison of backlog data by State and unit of local government, on an appropriate Internet website.

''(6) TECHNICAL ASSISTANCE.—The Attorney General shall—

''(A) provide a means by which an entity that does not have access to the Internet may enter information into the Registry; and

''(B) provide the technical assistance necessary to allow States and units of local government to participate in the Registry.''.

(b) FUNDING.—Section 2(j) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(j)) is amended—

(1) by inserting ''and for carrying out subsection (o)'' after ''for grants under subsection (a)''; and

(2) by adding at the end the following new sentence: ''For each of fiscal years 2012 through 2016, not less than 1 percent of the amount authorized to be appropriated under the previous sentence for such fiscal year shall be for carrying out subsection (o).''

SEC. 1104. REPORTS TO CONGRESS.

Not later than 90 days after the end of each fiscal year for which a grant is made for the purpose described in section 2(a)(6) of the DNA Analysis Backlog Elimination Act of 2000, as added by section 1102 of this title, the Attorney General shall submit to Congress a report that—

(1) lists the States and units of local government that have been awarded such grants and the amount of the grant received by each such State or unit of local government;

(2) states the number of extensions granted by the Attorney General under section 2(n)(3) of the DNA Analysis Backlog Elimination Act of 2000, as added by section 1102 of this title; and

(3) summarizes the processing status of the samples of sexual assault evidence about which information has been entered into the Sexual Assault Forensic Evidence Registry established under section 2(o) of the DNA Analysis Backlog Elimination Act of 2000, as added by section 1103(a) of this title, including the number of samples that have not been tested.

TITLE XII—JUSTICE FOR VICTIMS

SEC. 1201. REDUCING THE RAPE KIT BACKLOG.

Section 2(c)(3) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(c)(3)) is amended by adding at the end the following:

''(C) For each of fiscal years 2012 through 2014, not less than 75 percent of the total grant amounts shall be awarded for a combination of purposes under paragraphs (2) and (3) of subsection (a).''.

SEC. 1202. ENHANCED PENALTIES FOR AGGRAVATED INTERSTATE DOMESTIC VIOLENCE.

Section 2261(b) of title 18, United States Code, is amended—

(1) in paragraph (1), by inserting ''not less than 15 years'' after ''any term of years'';

(2) in paragraph (2), by striking ''20 years'' and inserting ''25 years''; and

(3) in paragraph (3), by striking ''10 years'' and inserting ''15 years''.

SEC. 1203. ENHANCED PENALTIES FOR AGGRAVATED SEXUAL ABUSE.

Section 2241 of title 18, United States Code, is amended—

(1) in subsection (a), in the undesignated matter following paragraph (2), by striking ''any term of years or life'' and inserting ''not less than 10 years or imprisoned for life''; and

(2) in subsection (b), in the undesignated matter following paragraph (2), by striking ''any term of years or life'' and inserting ''not less than 5 years or imprisoned for life''.

SEC. 1204. ENHANCED PENALTIES FOR INTERSTATE TRANSPORTATION OF CHILD PROSTITUTES.

Section 2423(a) of title 18, United States Code, is amended by striking the period at the end and inserting the following: '', but if the individual who was transported in interstate or foreign commerce had not attained 12 years of age, imprisoned not less than 20 years or for life.''.

SEC. 1205. FINDING FUGITIVE SEX OFFENDERS.

(a) SUBPOENA AUTHORITY FOR THE UNITED STATES MARSHALS SERVICE.—Section 566(e)(1) of title 28, United States Code, is amended—

(1) in subparagraph (A), by striking ''and'' at the end;

(2) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(C) issue administrative subpoenas in accordance with section 3486 of title 18 solely for the purpose of investigating unregistered sex offenders (as that term is defined in section 3486 of title 18).''.

(b) CONFORMING AMENDMENT TO ADMINISTRATIVE SUBPOENA STATUTE.—

(1) IN GENERAL.—Section 3486(a)(1) of title 18, United States Code, is amended—

(A) in subparagraph (A)—

(i) in clause (i)(II), by striking ''or'' at the end;

(ii) by redesignating clause (ii) as clause (iii); and

(iii) by inserting after clause (i) the following:

''(ii) an unregistered sex offender conducted by the United States Marshals Service, the Director of the United States Marshals Service; or''; and

(B) by striking subparagraph (D) and inserting the following:

''(D) As used in this paragraph—

''(i) the term 'Federal offense involving the sexual exploitation or abuse of children' means an offense under section 1201, 1591, 2241(c), 2242, 2243, 2251, 2251A, 2252, 2252A, 2260, 2421, 2422, or 2423, in which the victim is an individual who has not attained the age of 18 years; and

''(ii) the term 'sex offender' means an individual required to register under the Sex Offender Registration and Notification Act (42 U.S.C. 16901 et seq.).''.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—Section 3486(a) of title 18, United States Code, is amended—

(A) in paragraph (6)(A), by striking ''United State'' and inserting ''United States'';

(B) in paragraph (9), by striking ''or (1)(A)(ii)'' and inserting ''or (1)(A)(iii)''; and

(C) in paragraph (10), by striking ''paragraph (1)(A)(ii)'' and inserting ''paragraph (1)(A)(iii)''.

(c) REPORT.—Section 3486 of title 18, United States Code, is amended by adding at the end the following:

''(f) REPORTS.—The Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives an annual report containing—

''(1) the number of subpoenas issued by the United States Marshals pursuant to section 566(e)(1)(C) of title 28;

''(2) the crime being investigated pursuant to the issuance of each subpoena; and

''(3) the number of unregistered sex offenders arrested by the United States Marshals subsequent to the issuance of a subpoena pursuant to section 566(e)(1)(C) of title 28 and the information that led to each individual's arrest.''.

SEC. 1206. REPORT ON COMPLIANCE WITH THE DNA FINGERPRINT ACT OF 2005.

Not later than 180 days after date of the enactment of this Act, the Secretary of Homeland Security shall prepare and submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that—

(1) describes, in detail, the measures and procedures taken by the Secretary to comply with any regulation promulgated pursuant to section 3(e)(1) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135a(e)(1)); and

(2) provides a detailed explanation of the circumstances and specific cases, if available, in which—

(A) the Secretary failed to comply with any regulation promulgated pursuant to such section 3(e)(1);

(B) the Secretary requested the Attorney General approve additional limitations to, or exceptions from, any regulation promulgated pursuant to such section 3(e)(1); or

(C) the Secretary consulted with the Attorney General to determine that the collection of DNA samples is not feasible because of operational exigencies or resource limitations.

SEC. 1207. SENSE OF CONGRESS.

(a) FINDINGS.—Congress finds the following:

(1) According to the Department of Justice, there was a 59 percent increase in identified victims of human trafficking worldwide between 2009 and 2010.

(2) According to the Department of Health and Human Services, human trafficking is the fastest growing criminal enterprise in the world.

(3) Experts estimate that up to 300,000 children are at risk of sexual exploitation each year in the United States.

(4) Experts estimate that the average female victim of sex trafficking is forced into prostitution for the first time between the ages of 12 and 14 and the average male victim is forced into prostitution for the first time between the ages of 11 and 13.

(5) The Bureau of Justice Statistics found that 40 percent of incidents investigated by federally funded task forces on human trafficking between 2008 and 2010 involved the sexual exploitation of a child.

(6) According to the classified advertising consultant Advanced Interactive Media Group (referred to in this subsection as ''AIM Group''), Backpage.com is the leading United States website for prostitution advertising.

(7) Backpage.com is owned by Village Voice Media Holdings, LLC (referred to in this section as ''Village Voice Media'').

(8) The National Association of Attorneys General has tracked more than 50 cases in which charges were filed against those trafficking or attempting to traffic minors on Backpage.com.

(9) In February 2011, Myrelle and Tyrelle Locket were each sentenced to 4 years in prison on charges of trafficking of persons for forced labor or services for operating an Illinois sex trafficking ring that included minors. The Lockets used Backpage.com to facilitate the prostitution.

(10) In March 2011, Arthur James Chappell was sentenced to 28 years in prison on charges of sex trafficking of a minor for running a prostitution ring with at least 1 juvenile victim in Minnesota. Arthur Chappell used Backpage.com to facilitate the prostitution.

(11) In April 2011, Brandon Quincy Thompson was sentenced to life imprisonment for sex trafficking a child by force and an additional 120 months for soliciting the murder of a Federal witness. Brandon Thompson ran a South Dakota prostitution ring involving multiple underage girls. Brandon Thompson used Backpage.com to facilitate the prostitution.

(12) In May 2011, Clint Eugene Wilson was sentenced to 20 years in prison on charges of sex trafficking of a minor by force, fraud or coercion for forcing a 16-year old Dallas girl into prostitution. Clint Wilson threatened to assault the girl and forced her to get a tattoo that branded her as his property. Clint Wilson used Backpage.com to facilitate the prostitution.

(13) In August 2011, Demetrius Darnell Homer was sentenced to 20 years in prison on charges of sex trafficking of a minor for violently forcing a 14-year-old Atlanta girl into prostitution. Demetrius Homer controlled the girl through beatings, threatened her with a knife, shocked her with a taser in front of another underage girl he placed in prostitution, and forced the girl to engage in prostitution while she was pregnant with his child. Demetrius Homer used Backpage.com to facilitate the prostitution.

(14) In February 2012, Leighton Martin Curtis was sentenced to 30 years in prison on charges of sex trafficking of a minor and production of child pornography for pimping a 15-year- girl throughout Florida, Georgia, and North Carolina for more than a year. Leighton Curtis prostituted the girl to approximately 20 to 35 customers per week through advertisements on Backpage.com. Leighton Curtis used Backpage.com to facilitate the prostitution.

(15) In March 2012, Ronnie Leon Tramble was sentenced to 15 years in prison on charges of sex trafficking through force, fraud and coercion for forcing more than 5 young women and minors into prostitution over a period of at least 5 years throughout the State of Washington. Ronnie Tramble constantly subjected the victims to brutal physical and emotional abuse during this time period. Ronnie Tramble used Backpage.com to facilitate the prostitution.

(16) According to AIM Group, 80 percent of online prostitution advertising revenue for the month of February 2012 was attributed to Backpage.com.

(17) According to AIM Group, the number of Backpage.com advertisements for ''escorts'' and ''body rubs,'' a thinly veiled code for prostitution, increased by nearly 5 percent from February 2011 to February 2012.

(18) According to AIM Group, Backpage.com earned an estimated $26,000,000 between February 2011 and February 2012 from prostitution ads.

(19) Backpage.com vice president, Carl Ferrer acknowledged to the National Association of Attorneys General that the company identifies more than 400 ''adult entertainment'' posts every month that may involve minors. The actual figure could be far greater.

(20) According to the National Association of Attorneys General, Missouri investigators found that Backpage.com's review procedures are ineffective in policing illegal activity.

(21) In September 2010, Craigslist.com removed the adult services section of its website following calls from law enforcement and advocacy organizations.

(22) As of September 16, 2011, 51 Attorneys General of States and territories had called on Backpage.com to shut down the ''adult entertainment'' section of its website.

(23) On September 16, 2011, the Tri-City Herald published an editorial, ''Attorneys general target sexual exploitation of kids,'' writing, ''...we'd also encourage the owners of Backpage.com to give the attorneys general what they are asking for''.

(24) On October 25, 2011, 36 clergy members from across the country published an open letter to Village Voice Media in the New York Times, calling on the company to shut down Backpage.com's ''adult entertainment'' section.

(25) On December 2, 2011, 55 anti-trafficking organizations called on Village Voice Media to shut down Backpage.com's ''adult entertainment'' section.

(26) On December 29, 2011, the Seattle Times published an editorial, ''Murders strengthen case against Backpage.com,'' writing, ''Backpage.com cannot continue to dismiss the women and children exploited through the website, nor the three women in Detroit who are dead possibly because they were trafficked on the site. Revenue from the exploitation and physical harm of women and minors is despicable. Village Voice Media, which owns Backpage.com, must shut this site down. Until then, all the pressure that can be brought to bear must continue.''

(27) On March 18, 2012, Nicholas Kristof of the New York Times wrote in an opinion piece entitled ''Where Pimps Peddle Their Goods,'' that ''[t]here are no simple solutions to end sex trafficking, but it would help to have public pressure on Village Voice Media to stop carrying prostitution advertising.''

(28) On March 29, 2012, Change.org delivered a petition signed by more than 240,000 individuals to Village Voice Media, calling on the company to shut down Backpage.com's ''adult entertainment'' section.

(29) On January 12, 2012, John Buffalo Mailer, son of Village Voice co-founder Norman Mailer, joined the Change.org petition to shut down the adult services section of Backpage.com, stating, ''For the sake of the Village Voice brand and for the sake of the legacy of a great publication, take down the adult section of Backpage.com, before the Village Voice must answer for yet another child who is abused and exploited because you did not do enough to prevent it.''

(30) On March 30, 2012, a private equity firm owned by Goldman Sachs Group, Inc. completed a deal to sell its 16 percent ownership stake in Village Voice Media Holdings, LLC back to management.

(31) In M.A., ex rel. P.K. v. Village Voice Media Holdings (809 F. Supp. 2d 1041 (2011)), the United States District Court for the Eastern District of Missouri held that section 230 of the Communications Act of 1934 (47 U.S.C. 230) (as added by the Communications Decency Act of 1996 (Public Law 104–104; 110 Stat. 56)) protects Backpage.com from civil liability for the ''horrific victimization'' the teenage plaintiff suffered at the hands of the criminal who posted on the website to perpetrate her vicious crimes.

(32) The Communications Decency Act of 1996 (Public Law 104–104; 110 Stat. 56)) does

not preclude a service provider from voluntarily removing a portion of a website, known to facilitate the sexual exploitation of minors, in order to protect our children.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Congress—

(1) supports the efforts of law enforcement agencies to provide training on how to identify victims of sex trafficking, investigate cases of sex trafficking, prosecute sex trafficking offenses, and rescue victims of sex trafficking;

(2) supports Federal Government, State and local government, non-profit, and faith-based services for trafficking victims, including medical, legal, mental health, housing and other social services; and

(3) calls on Village Voice Media to act as a responsible global citizen and immediately eliminate the ''adult entertainment'' section of the classified advertising website Backpage.com to terminate the website's rampant facilitation of online sex trafficking.

SA 2087. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. LIMITATION ON DEFENSES.

(a) IN GENERAL.—Chapter 221 of title 18, United States Code, is amended by adding at the end the following:

''§ 3447. Limitation on defenses

''Foreign or religious law or custom shall not be a defense to any offense under this title.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 221 of title 18, United States Code, is amended by inserting after the item relating to section 3446 the following:

''3447. Limitation on defenses.''.

SA 2088. Mr. CRAPO submitted an amendment intended to be proposed by him to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CRIME VICTIMS FUND.

Notwithstanding any other provision of law, amounts deposited or available in the Fund established under section 1402 of the Victims of Crime Act of 1984 (42 U.S.C. 10601) in any fiscal year shall be available for obligation in that fiscal year.

SA 2089. Mr. CRAPO submitted an amendment intended to be proposed by him to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CRIME VICTIMS FUND.

Notwithstanding any other provision of law, amounts deposited or available in the Fund established under section 1402 of the Victims of Crime Act of 1984 (42 U.S.C. 10601) in any fiscal year in excess of $1,000,000,000 shall not be available for obligation until the following fiscal year.

SA 2090. Mr. CRAPO submitted an amendment intended to be proposed by him to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CRIME VICTIMS FUND.

Notwithstanding any other provision of law, amounts deposited or available in the Fund established under section 1402 of the Victims of Crime Act of 1984 (42 U.S.C. 10601) in any fiscal year in excess of 35 percent of the total funds in the Fund shall not be available for obligation until the following fiscal year.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on April 25, 2012, at 9 a.m. in room SR–328A of the Russell Senate Office Building.

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

COMMITTEE ON FINANCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on April 25, 2012, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Tax Reform: What It Means for State and Local Tax and Fiscal Policy.''

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on April 25, 2012, at 10 a.m. in SH–216.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on April 25, 2012, at 9:30 a.m.

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

COMMITTEE ON THE JUDICIARY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on April 25, 2012, at 9:30 a.m. in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Oversight of the Department of Homeland Security.''

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

COMMITTEE ON RULES AND ADMINISTRATION

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on April 25, 2012, at 9:30 a.m.

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

COMMITTEE ON VETERANS' AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session on April 25, 2012 in room 138 of the Senate Dirksen Office Building, beginning at 9:30 am.

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

SUBCOMMITTEE ON HOUSING, TRANSPORTATION, AND COMMUNITY DEVELOPMENT

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs' Subcommittee on Housing, Transportation, and Community Development be authorized to meet during the session of the Senate on April 25, 2012, at 10 a.m., to conduct a hearing entitled ''Helping Responsible Homeowners Save Money Through Refinancing.''

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

SUBCOMMITTEE ON PERSONNEL

Mr. DURBIN. Mr. President, I ask unanimous consent that the Subcommittee on Personnel of the Committee on Armed Services be authorized to meet during the session of the Senate on April 25, 2012, at 2 p.m.

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

SUBCOMMITTEE ON STRATEGIC FORCES

Mr. DURBIN. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on April 25, 2012 at 1 p.m.

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

CONGRATULATING THE BOSTON COLLEGE MEN'S ICE HOCKEY TEAM

Mr. REED. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 437, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 437) congratulating the Boston College men's ice hockey team on winning its fifth National Collegiate Athletic Association Division I Men's Hockey Championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REED. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

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

The resolution (S. Res. 437) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 437

Whereas, on April 7, 2012, Boston College won the 2012 National Collegiate Athletic Association (referred to in this preamble as the ''NCAA'') Division I Men's Hockey Championship;

Whereas the 2012 NCAA Division I Men's Hockey Championship is the fifth national championship for the Boston College Eagles men's ice hockey team;

Whereas the 2012 NCAA Division I Men's Hockey Championship is the third national championship in the last 5 years for Boston College and its head coach, Jerry York;

Whereas Jerry York has the most wins of any active coach in NCAA Division I Men's Hockey;

Whereas Father William P. Leahy, S.J., the President of Boston College, and Gene DeFilippo, the Athletic Director of Boston College, have shown great leadership in bringing athletic success to Boston College;

Whereas the semifinal games and final game of the NCAA Division I Men's Hockey Tournament are known as the ''Frozen Four'';

Whereas junior goaltender Parker Milner was named the Most Outstanding Player of the Frozen Four after allowing only 2 goals during the entire NCAA Division I Men's Hockey Tournament;

Whereas Boston College finished the 2011–2012 men's hockey season on a 19-game winning streak, which is a single-season team record;

Whereas, on February 13, 2012, Boston College won its third consecutive Beanpot Championship, defeating Boston University in sudden death overtime by a score of 3 to 2;

Whereas, on March 17, 2012, Boston College won its third consecutive Hockey East Championship, defeating the University of Maine by a score of 4 to 1;

Whereas, on April 5, 2012, Boston College defeated the University of Minnesota in a Frozen Four semifinal game by a score of 6 to 1 to advance to the national championship game; and

Whereas Boston College won the Frozen Four championship game with a victory over Ferris State University by a score of 4 to 1: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the achievements of the players, coaches, students, and staff whose hard work and dedication helped Boston College win the 2012 National Collegiate Athletic Association Division I Men's Hockey Championship; and

(2) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to—

(A) Father William P. Leahy, S.J., the President of Boston College;

(B) Gene DeFilippo, the Athletic Director of Boston College; and

(C) Jerry York, the head coach of the Boston College men's ice hockey team.

NATIONAL SAFE DIGGING MONTH

Mr. REED. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 438, which was submitted earlier today by Senator LAUTENBERG.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 438) to support the goals and ideals of National Safe Digging Month.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REED. Mr. President, I further ask that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the measure be printed in the RECORD at the appropriate place.

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

The resolution (S. Res. 438) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 438

Whereas each year, the underground utility infrastructure of the United States, including pipelines, electric, gas, telecommunications, water, sewer, and cable television lines, is jeopardized by unintentional damage caused by those who fail to have underground lines located prior to digging;

Whereas some utility lines are buried only a few inches underground, making the lines easy to strike, even during shallow digging projects;

Whereas digging prior to locating underground utility lines often results in unintended consequences, such as service interruption, environmental damage, personal injury, and even death;

Whereas the month of April marks the beginning of the peak period during which excavation projects are carried out around the United States;

Whereas in 2002, Congress required the Department of Transportation and the Federal Communications Commission to establish a 3-digit, nationwide, toll-free number to be used by State ''One Call'' systems to provide information on underground utility lines;

Whereas in 2005, the Federal Communications Commission designated ''811'' as the nationwide ''One Call'' number for homeowners and excavators to use to obtain information on underground utility lines before conducting excavation activities;

Whereas ''One Call'' has helped reduce the number of digging damages caused by failure to call before digging from 48 percent in 2004 to 32 percent in 2010;

Whereas the 1,400 members of the Common Ground Alliance, who are dedicated to ensuring public safety, environmental protection, and the integrity of services, promote the national ''Call Before You Dig'' campaign to increase public awareness about the importance of homeowners and excavators calling 811 to find out the exact location of underground lines; and

Whereas the Common Ground Alliance has designated April as ''National Safe Digging Month'' to increase awareness of safe digging practices across the United States and to celebrate the anniversary of 811, the national ''Call Before You Dig'' number:

Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Safe Digging Month; and

(2) encourages all homeowners and excavators throughout the United States to call 811 before digging.

MEASURE PLACED ON THE CALENDAR—S. 2366

Mr. REED. Mr. President, I ask unanimous consent that S. 2366, introduced earlier today by Senator ALEXANDER, be considered read twice and placed on the calendar.

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

ORDERS FOR THURSDAY, APRIL 26, 2012

Mr. REED. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until Thursday, April 26, at 9:30 a.m.; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that the Senate resume consideration of S. 1925, the Violence Against Women Reauthorization Act, under the previous order; that after the remarks of the two leaders, the time until 11:30 a.m. be equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first 45 minutes and the majority controlling the second 45 minutes; and that at 11:30 a.m. the Senate proceed to executive session under the previous order; further, that when the Senate resumes legislative session, the majority leader will be recognized.

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

PROGRAM

Mr. REED. Mr. President, there will be two votes tomorrow at noon on confirmation of the Costa and Guaderrama nominations.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:33 p.m., adjourned until Thursday, April 26, 2012, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

TERRENCE G. BERG, OF MICHIGAN, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN, VICE ARTHUR J. TARNOW, RETIRED.

JESUS G. BERNAL, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA, VICE STEPHEN G. LARSON, RESIGNED.

SHELLY DECKERT DICK, OF LOUISIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF LOUISIANA, VICE RALPH E. TYSON, DECEASED.

LORNA G. SCHOFIELD, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK, VICE SHIRA A. SCHEINDLIN, RETIRED.

UNITED STATES SENTENCING COMMISSION

CHARLES R. BREYER, OF CALIFORNIA, TO BE A MEMBER OF THE UNITED STATES SENTENCING COMMISSION FOR A TERM EXPIRING OCTOBER 31, 2015, VICE RUBEN CASTILLO, TERM EXPIRED.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTIONS 531 AND 1211:

To be major

CHADWICK B. FLETCHER

EXTENSIONS OF REMARKS

HONORING UNIVERSITY OF TENNESSEE WOMEN'S BASKETBALL COACH PAT SUMMITT

HON. DAVID P. ROE

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. ROE of Tennessee. Mr. Speaker, I rise today to honor University of Tennessee women's basketball coach Pat Summitt for her hard work, courage, and perseverance. Pat, like me, is from Clarksville, Tennessee. We share a love for basketball, and it has been an honor to watch her lead the Lady Vols for nearly forty years. Pat's commitment to excellence has resulted in almost 1,100 wins, making her the winningest basketball coach in NCAA history.

What is most impressive about Pat isn't her .840 winning percentage or her her eight national championships. Nor is it her ability to run laps with, and sometimes around, her teams, or the intense stare that I am sure is still burned into the minds of some of the ladies on her 1974 inaugural team. What impresses me most about Pat is the way she does everything in her life with heart and to the best of her ability. When she announced her condition last August, I was impressed both by her courage to fight Alzheimer's in a very public way, as well as her leadership in founding the Pat Summitt Foundation Fund. According to the Alzheimer's Association, 5.4 million Americans are currently living with Alzheimer's. By sharing her story, Pat has undoubtedly helped to bring awareness to this disease. I'd be one sorry fan if I didn't also point out that, despite her condition, last season Pat still led the Lady Vols to the NCAA tournament.

Pat Summitt has left the UT community with an amazing legacy and I have no doubt she will continue to faithfully serve the University in her new role as head coach emeritus. I also look forward to seeing great things from her son, Tyler, as he follows in his mother's footsteps. My thoughts and prayers are with Pat and Tyler as they move forward on this journey together.

PERSONAL EXPLANATION

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. GERLACH. Mr. Speaker, unfortunately, on April 24, 2012, I missed one recorded vote on the House floor. I ask that the RECORD reflect that had I been present, I would have voted "aye" on Rollcall 178.

CONGRATULATIONS TO COMBAT MEDICAL SYSTEMS

HON. RENEE L. ELLMERS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mrs. ELLMERS. Mr. Speaker, I rise today to offer my congratulations to the Men and Women of Combat Medical Systems on the opening of their new office in Fayetteville, North Carolina.

One year ago this month, Fayetteville suffered from a sudden and devastating outbreak of tornadoes. These storms ripped through our region and caused horrendous damage to homes, businesses, and personal property. I was told of the bravery of their staff and President, Corey Russ, who, as a retired Delta Force medic, began treating casualties and handing out thousands of dollars of company equipment to strangers so that they could help others in the area and transport casualties to nearby hospitals.

One year later, our communities continue to rebuild and we can take pride in the new homes and buildings that have been erected. We must continue to remember the individuals that perished in this disaster and honor their legacy through the care and rebuilding of our community.

Combat Medical Systems and its employees show the dedication and determination we all aspire to as we rebuild and survive in the face of unforeseen obstacles. This courage embodies the spirit of our nation and fuels our economy. I commend them on their willingness to give back to the community and on the successes they have rightly earned.

Again, I congratulate them on the opening of their new office. May God bless them, their families, and our great nation.

AUJANAE VALDEZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Aujanae Valdez for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Aujanae Valdez is a 12th grader at Jefferson Senior High and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Aujanae Valdez is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Aujanae Valdez for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

HONORING ROBERTA ROPER

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. HOYER. Mr. Speaker, today I rise to honor the work of a remarkable woman from Maryland, Roberta Roper, and to express to her the appreciation felt by so many across our state and throughout the country.

In 1982, Roberta and her family faced their darkest days when they learned that their daughter, Stephanie—a talented artist and college student—had been kidnapped, raped, and murdered. While struggling with her own personal pain and grief, Roberta learned that there were no supportive services for her and her family as they struggled with the loss of their daughter. Even more devastating was that the criminal justice system lacked the rights and support they needed as family members of a murder victim.

That same year, to honor the memory of their daughter and to address the inadequacies between the rights of a defendant and those of a victim of crime, Roberta and her husband, Vince, founded the Stephanie Roper Foundation. The Foundation's mission has been to provide supportive services to crime victims across Maryland for thirty years. They also established the Stephanie Roper Committee, the Foundation's legislative arm, which has resulted in over sixty laws enacted to create new or improved crime-victim rights and services.

With Roberta's active encouragement, the Maryland General Assembly created the State Board of Victim Services in 1988. This Board offers recommendations to the legislature and to the Governor on matters concerning state and local efforts to assist victims of crime. In 1994, Roberta was appointed as Chair of the Board, a position she held until her retirement last October.

In 2002, the Foundation merged with the Maryland Crime Victim Resource Center, a one-stop, statewide non-profit that provides victim services, crisis assistance, legal help, victim notification, financial help, social services, and links to national victim resources.

Roberta's activism since her daughter's tragic death in 1982 led her to so many important accomplishments benefitting my home state. These include the creation of the Maryland Victims of Crime Fund, legislation ensuring victims and their families a place in the courtroom and a voice during the sentencing process, the creation of new support and services for victims and their loved ones, as well as the ratification of an amendment to the Maryland Constitution guaranteeing crime victims the right to be informed, present, and heard throughout the investigatory and judicial process.

In addition to her tireless efforts to improve victims' treatment, Roberta serves as Co-Chair of the National Victims Constitutional Amendment Network—a network of states working with Congress to enact a Constitutional amendment establishing meaningful and enforceable rights for every crime victim in this country.

Today, I join in honoring Roberta Roper for turning a deeply saddening and difficult tragedy into a thirty-year movement to provide crime victims and their families a greater voice.

Stephanie Roper once said: "One person can make a difference, and every person should try." Roberta Roper has built a lasting legacy in her daughter's name by doing just that—and we are all better off for it.

PERSONAL EXPLANATION

HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. JOHNSON of Illinois. Mr. Speaker, on Tuesday April 24, 2012 I had obligations that necessitated my attention in my district and missed a suspension vote on H.R. 2157, to facilitate a land exchange involving certain National Forest System lands in the Inyo National Forest. Had I been present for this vote, I would have cast an "aye" vote for this piece of legislation.

Again, had I been present, I would have voted "aye" on H.R. 2157.

THE HOLOCAUST

SPEECH OF

HON. SHELLEY BERKLEY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Ms. BERKLEY. Mr. Speaker, I rise today to mark Yom HaShoah, Holocaust Remembrance Day. Each year on the 27th day of the Jewish month of Nisan, we remember the victims whose lives were destroyed, and who suffered unspeakable brutalities at the hands of their Nazi tormentors. We all know the number six million far too well, but we must always remember that each of those six million—along with so many others—was an individual whose life was snuffed out because of baseless, senseless hatred.

We should also remember that the date for Yom HaShoah was also chosen to coincide with the anniversary of the Warsaw Ghetto Uprising of 1943, perhaps the most famous example of Jewish resistance to the Nazis. When the Germans came to liquidate the last remaining inhabitants of the Warsaw Ghetto in order to murder them at the Treblinka extermination camp, these brave, untrained, overmatched and starving souls fought back. Though they were ultimately crushed, they held out against the Nazis for nearly a month, forcing the German army to divert thousands of troops, as well as air force, artillery, armed vehicles, minethrowers, and machine guns in order to put down the rebellion.

While the Holocaust is the greatest of Jewish tragedies, the Warsaw Ghetto Uprising stands as a moment of pride for the Jewish people, and a foreshadowing of the new Jewish spirit that would rise with the State of Israel just a few years later. Never again would Jews give up without a fight. With a state and an army, the Jewish people would finally have a refuge to run to in their time of need.

While we commemorate the Holocaust today, I call on my colleagues to join me in reaffirming our connection to the State of Israel, and our responsibility to help Israel through its most difficult times. The Jewish State ensures the survival of the Jewish people in a dangerous and often anti-Semitic world, which is one of the many reasons we in the United States have stood by Israel for so many years and will continue to stand by Israel for as long as they need our help.

The memory of the six million killed by the Nazis demands no less. We in Congress stand with the entire Jewish people in saying Never Again.

AUDREY ARAGON

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Audrey Aragon for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Audrey Aragon is a 12th grader at Jefferson Senior High and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Audrey Aragon is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Audrey Aragon for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

IN HONOR OF MR. JIM SCHLECHT

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Mr. Jim Schlecht, who is being recognized for his work serving the homeless.

Born and raised in Euclid, Ohio, Jim has been a lifelong Cleveland area resident. While attending Cleveland State University, he and a group of progressive Catholics joined together at Merton Community's Houses of Hospitality in Cleveland's Near West Side neighborhood to begin serving the community's less fortunate.

Throughout the years, Jim has become one of Ohio City's most well-known residents. He has worked to establish health centers, schools, book stores, social service agencies and community organizations, such as Near West Neighbors in Action, which cater to the homeless. He has also worked at the Rose Mary Center, West Side Community House, West Side Catholic Center and currently, Care Alliance.

Because of his relentless work to support those in need, today, at the Bishop Cosgrove Center, the Cleveland Tenants Organization and the Northeast Ohio Coalition for the Homeless are coming together to honor his lifetime of service.

Mr. Speaker and colleagues, please join me in congratulating Mr. Jim Schlecht. His faith has guided him into a life of service which is unparalleled.

HONORING JOHN "JAY" DALICANDRO

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. QUIGLEY. Mr. Speaker, I rise today to recognize the long and distinguished career of John "Jay" Dalicandro. Mr. Dalicandro, who honorably serves the Village of Elmwood Park as village manager, plans to retire this June after 23 years of service.

A native of Elmwood Park, Jay has remained a part of the community throughout his life. To date Mr. Dalicandro is the longest-serving Village Manager Elwood Park has ever had and his retirement will leave some big shoes to fill. Jay is admired by those in his community for his enduring devotion to the Village of Elmwood Park and his service is to be commended.

During his tenure as Village Manager, Jay has done a tough job very well. He has been responsible for day-to-day operations of the Village of Elmwood Park. Most people in Jay's position remain as Village Manager for a short stint before moving on to another position, but Jay's commitment to the people of Elmwood Park for the past 23 years demonstrates his sincere devotion to the wellbeing of the community.

Mr. Dalicandro's vision for the Village of Elmwood Park has impressed his peers and ensured a bright future for the Village. Jay's accomplishments as Village Manager include establishing the Village's first tax increment finance district, superb handling of the Villages finances, and a commitment to establishing new parkland for the Village. In addition to these accomplishments, Mr. Dalicandro has succeeded in ensuring the Village's fiscal stability by consistently staying under budget.

Jay is credited as being the man who brought the Village of Elmwood Park into the 21st century. His colleagues recognize the hard work he has invested into the community. Undoubtedly, the impact Jay has had on the Village of Elmwood Park will be seen for years and decades to come.

Mr. Speaker, I ask my colleagues to join me in recognizing Jay Dalicandro and his commitment to public service in his community. The devotion he has demonstrated to his work in the Village serves as an example to us all.

PERSONAL EXPLANATION

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. SCHIFF. Mr. Speaker, I was unavoidably absent from the House on April 24, 2012 due to important commitments in my district.

On rollcall 178, had I been present I would have voted "yea" on H.R. 2157, to facilitate a land exchange involving certain National Forest System lands in the Inyo National Forest.

IN RECOGNITION OF DAVE CSINTYAN IN HONOR OF HIS SERVICE TO THE COLORADO SPRINGS CHAMBER OF COMMERCE

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. LAMBORN. Mr. Speaker, I rise today to pay tribute and say thank you to the outgoing President and CEO of the Greater Colorado Springs Chamber of Commerce, Dave Csintyan.

Dave has been a dedicated and devoted servant to our region and our Chamber since 2002. He has also loyally served our country for 28 years as an officer in the United States Air Force. The culmination of that career was in Colorado Springs serving as the Air Base Wing Commander at the Air Force Academy.

Dave accepted new challenges this year in guiding the merger of the Springs Chamber and the Economic Development Corporation. He is a passionate worker and advocate for the Pikes Peak Region and I offer him my sincerest thanks and wish he and his wife Margo the best of success in their future service.

BAILEY BATISTE

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Bailey Batiste for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Bailey Batiste is a 7th grader at Mandalay Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Bailey Batiste is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Bailey Batiste for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

HONORING BIRUTA STAKLE McSHANE

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor the life of a beloved mother and wife, Biruta Stakle McShane. She was born Biruta Isolda Stakle in Riga, Latvia April 21, 1940, and passed away surrounded by her family on April 14, 2012, in Cupertino, California.

Biruta immigrated to Oklahoma following the close of World War II after living for some time in Germany. Raised in Stillwater, she attended Oklahoma State University, where she graduated with honors in Mathematics. Shortly thereafter, she moved to Dallas, Texas, where she met and married Thomas McShane.

Biruta and Tom moved to Burlingame, California and started a family. During her career, Biruta worked in various marketing roles for several Silicon Valley Companies, before ultimately starting her own businesses, Meetings & Incentives Group and Bimark Incorporated. Meetings and Incentives Group is one of the leading event planning groups in Silicon Valley and Bimark Inc. specializes in advertising specialty items. Biruta served as president of the Northern California Chapter of the Business Marketing Association and was honored repeatedly as owner of one of Silicon Valley's top twenty women-owned businesses.

Biruta is remembered for her love of travel and cooking. She explored the globe and planned exotic events for some of Silicon Valley's most successful businesses. She was famous for her endless energy, creativity and zest for making other people's lives unforgettable through her event planning.

Biruta is survived by her husband, Tom McShane, her daughter Laura Powers of San Ramon, daughter Alison Aarts of Millbrae and son Steve McShane of Salinas. Biruta is also survived by her four grandchildren, Jack Powers, Shane Powers, Cooper Powers and Aidan Aarts.

Mr. Speaker, please join me in honoring Biruta Stakle McShane for her accomplishments and contributions. The life of Biruta Stakle McShane serves as an example of excellence to those in her life, and her legacy will not be soon forgotten.

MARQUIS ALEXANDER, FUTURE COMMANDER OF TEXAS A&M UNIVERSITY'S CORPS OF CADETS

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today to acknowledge a milestone reached by Marquis Alexander. He is the first African-American to become commander of Texas A&M's Corps of Cadets. Currently Marquis is a Corporal in the U.S. Marine Reserves and a rising senior majoring in International Studies.

HISTORY OF AFRICAN-AMERICANS AT TAMU

The history of African-Americans at Texas A&M University dates back to the founding of the institution. African-Americans in the Texas Legislature advocated for and supported the passage of the Morrill Land-Grant Act in 1866, which established the A&M College of Texas between 1876 and 1963. African-Americans worked at A&M as laborers, maids, custodians and various other support staff; however they were prohibited from attending as students and faculty.

The history of African-Americans at A&M has been shaped by decades of racial segregation, quiet desegregation, and attempts to redress historical wrongs. It has been filled with lifelong struggles and determination to fulfill a dream which was accomplished when A&M opened the doors in 1963 to African Americans. The past 37 years have been a continuing struggle by African-Americans and A&M to ensure that the dream is kept alive.

The first African-Americans joined the corps in 1964. The first female cadets came a decade later. In A&M's centennial year, Fred McClure won election as body president, making him the first to be equal to that of Corps Commander and Aggie Yell Leader.

CIVIL RIGHTS

Civil rights is a subject that cannot be ignored or taken lightly, even in this day of progressive movement toward tolerance. We must not lose sight of the continued need for civil rights. We must not relax our initiatives which build greater racial, ethnic, and religious tolerance. While I believe that there is still work to be done on the issue of civil rights and hurdles to overcome, we cannot ignore the progress that has been made as the result of decades of hard work, diligence, the sweat and tears of many of our country's civil rights trailblazers.

This is evidenced by an increase in the numbers of minorities attaining leadership positions in the private and public sectors for example: Ken Chenault, an African American who currently serves as the CEO of American Express; Ursula Burns, who became the first African American woman to serve as Chairman and CEO of Xerox, a Fortune 500 Company; and Antonio Perez, the first Latino American to serve as CEO of Eastman Kodak Corporation to name a few.

BACKGROUND ON MARQUIS ALEXANDER

He is the oldest of 10 children and the first in his family to go to college. He is said to be an admirable and mature young man. Mr. Alexander is currently a Corporal in the Marine Reserves. He has become the first person with military experience to head the Corps. Texas A&M University has the proud distinction of having the most graduates to enlist in our nation's armed forces when compared to other non-military academies.

Marquis Alexander grew up in my home city of Houston. And our city is proud of his achievements. Marquis has always wanted to attend Texas A&M. He was so "gung-ho" military that he participated in Texas A&M's Junior Cadet Accessions Program while still in high school. A week after enlisting in the Marine Corps, he received his letter of acceptance to Texas A&M University.

Yet, true to his word and commitment, Alexander attended boot camp at the Marine Corps Recruit Depot in San Diego and spent a year and a half on active duty. He subsequently reverted from active duty status and is serving the remainder of his enlistment commitment in the Marine Corps Reserves. He reapplied for admission to Texas A&M in 2009 and was promptly accepted.

He was selected following a rigorous review process in which a host of cadets are considered when leadership selections are made each year. Soon he will assume duties as Cadet Colonel of the Corps, the 2,100 member organization's top leadership position, also known as Corps Commander, and one of the three top positions on campus, along with that of student body President and Yell Leader.

Mr. Speaker, I commend Mr. Alexander for aiming high and continuing to strive above and beyond his primary goals of joining the military. He is a mentor and guiding light to those who know him. I congratulate Marquis on his achievement. He has indeed risen to the top and I hope he keeps on rising. In my office, I have an intern named Ashley Hawkes whose family has also dedicated their lives to the military. Marquis Alexander stands as a role to young people like Ashley. Ashley was honored to work on this statement, and was inspired by his story. That is why I stand here today to spread the word about his tremendous achievement to not only honor Marquis Alexander but to inspire young people like Ashley to realize that they must continue to advance.

BRUGETTE THOMPSON

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Brugette Thompson for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Brugette Thompson is a 12th grader at Pomona High and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Brugette Thompson is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Brugette Thompson for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

THE HOLOCAUST

SPEECH OF

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Mrs. LOWEY. Mr. Speaker, I rise today in solemn recognition of Holocaust Remembrance Day. Today marks the passage of almost 70 years since the unfathomable annihilation of six million Jewish men, women, and children from Europe. In addition to working to systematically eliminate the Jewish people, the Nazis also targeted other marginalized groups such as political opponents, the LGBT community, the Roma, Soviet prisoners of war, the disabled, and other religious minorities.

The effort to remove, wholly and completely, from society certain categories of human beings because of their ethnic, political, religious, cultural, and biological characteristics was atrocious. While we honor the memory of the millions lost during the Holocaust and the millions more who were never born because of this unparalleled crime against humanity, we must learn from the past in order to ensure that the worst actions in history are never again repeated.

On this Holocaust Remembrance Day, it is important not only to commemorate those who perished, but also those who refused to be bystanders to this grave human tragedy. We may take heart from the brave efforts of those who resisted the Nazi reign of terror, in the ghettos and the camps, from the cities to the countryside. We stand in awe of the rescuers who, against all odds and at great personal risk, demonstrated moral courage the world must honor, remember, and uphold as a model for ourselves, our children, and our grandchildren.

As individuals, communities, and as a nation, we must rededicate ourselves to ensuring that the world will never stand idly by in the face of mass atrocity. We must work to extinguish the sparks of hatred, intolerance, and violence wherever they may be found, while nurturing in ourselves and others the seeds of empathy and a resistance to the indifference that enabled the unthinkable destruction of human life 70 years ago.

Mr. Speaker, may we let this be our monument to the millions who perished in the Holocaust.

IN RECOGNITION OF NANCY DOUTT

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of Nancy Doutt and to acknowledge her receipt of the 2012 Grindstone Award by the Berea Chamber of Commerce. Nancy has dedicated her life to her community through volunteerism.

A lifelong resident of Berea, Nancy was an active member of 4–H and graduated from Berea High School in 1976. Today, Nancy is married to Steve. She works at Medical Mutual and is a member of the New Century Beatniks.

As a young child, her parents ingrained a sense of selflessness in Nancy that has translated into a lifelong commitment to her community. She is an active member of the American Legion Post 91 Auxiliary and Auxiliary Color Guard. She is involved with St. Mary's Church, where she is a member of the choir and a Eucharistic Minister. Additionally, Nancy spends countless hours as a volunteer with Berea Arts Fest, Southwest General Health Center's Community Outreach Program and the Berea Children's Home. She is fundamental in the work done by Coats for Kids, Dress for Success, Pajama Walk and the Hand-to-Hand leaf raking projects. Nancy also personally participates in Relay for Life, Pedal to the Point, numerous walk-a-thons and has donated more than 18 gallons of blood to the Red Cross.

Because of her relentless work on behalf of her community, the City of Berea honored Nancy with the 2012 Spirit of Community Award.

Mr. Speaker and colleagues, please join me in congratulating Nancy Doutt as she is honored by the Berea Chamber of Commerce.

HONORING THE WORLD WAR II VETERANS OF ILLINOIS

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. QUIGLEY. Mr. Speaker, I rise to honor the World War II veterans who traveled to Washington, DC on April 25, 2012 with Honor Flight Chicago, a program that provides World War II veterans the opportunity to visit the World War II Memorial on the National Mall in Washington, DC. This memorial was built to honor their courage and service to their country.

The American Veteran is one of our greatest treasures. The Soldiers, Airmen, Sailors, Marines, and Coast Guardsmen who traveled here on April 25 answered our Nation's call to service during one of its greatest times of need. From the European Campaign to the Pacific Asian Theatre to the African Theater, these brave Americans risked life and limb, gave service and sacrificed much, all while embodying what it is to be a hero. We owe them more gratitude than can ever be expressed.

I welcome these brave veterans to Washington and to their memorial. I am proud to submit the names of these men and women for all to see, hear, and recognize, and I call on my colleagues to rise and join me in expressing gratitude.

John Abraham, Jr.; Fred Alpern; Arthur L. Barron; Elizabeth H. Bartolich; Philip Bartolotta; John N. Basic; Robert R. Beazley; Jerry S. Benesh; Francis J. Bialas; Victor N. Bonneau; Robert D. Brakley; Stanley A. Branauskas; LeRoy Matthias Braun; Leo B. Braun, Jr.; Francis Brogan; Laveryl Williams Brown; Roy V. Carlson; Gabriel A. Casalino; Josephine E. Chandler.

Melvin Chesler; Melvin A. Conviser; Ned L. Crandall; Wanda Ann Cukla; Anthony A. Czarnowski; Harry Dandelles; Carl William Davis; Jerome Dribin; George Druktenis, Sr.; Melvin A. Ehlers; Forrest J. Fischer; William Fisher; Edward Fox; Harvey Fritz; Paul A. Genova; Charles C. Giovannini; Donald L. Glasgow; Joseph Goldenberg; Edward J. Gorczowski; Harvey Gossell.

Nikles K. Hagopian; LeRoy J. Hankins; Howard Roy Heckmann; Arthur P. Heminger; Joseph Hojdik; Donald Hoskinson; John S. Houston; Colin S. Howat; Charles G. Hunt; David Johnson; Thomas Jundanian; Irving K. Kannett; Lloyd L. Keiber; Joseph A. Marthaler; John H. McCollom; Donald T. McCollom; Kenneth Joseph McDonough; Thomas P. McKale; Mavis L. McNamara; Robert E. Morin; Irene L. Mostek; Clarence O. Norman; Stanley T. Oboy; Robert T. Olson; Joseph Leo O'Mara, Sr.; Elijah Ostrander, Jr.; Joseph J. Paladino; Robert Pankau; Donald B. Patterson, Jr.; James D. Patton; Emanuel T. Petrakis; Veronica S. Potter; William J. Prindiville; Ernest M. Reynolds; Ernest E. Rittenhouse; Walter C. Russell; Walter Jerome Sawkiw.

John F. Schmaling; William F. Schmidt; Melvin Schneider; Milton Schwartz; Harry Silver; Richard J. Small; Delmar J. Smith; Jarmila V.

Stark; Cecil O. Swanson; Earl G. Thompson; Stanley A. Thompson, Jr.; Clyde A. Voigt; Bernard J. Warchol; William K. Watson; William J. Weldon; Fred Wolf; Myron Wolff; Donald R. Zirzow.

BOBBY ROBERTS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Bobby Roberts for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Bobby Roberts is an 8th grader at Wheat Ridge Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Bobby Roberts is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Bobby Roberts for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

H.R. 4483, THE ''BROADENING PARTICIPATION IN STEM EDUCATION ACT''

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, today I am introducing H.R. 4483, the ''Broadening Participation in STEM Education Act.'' This bill aims to increase the number of students from underrepresented minority groups who receive undergraduate degrees in science, technology, engineering, and mathematics, or STEM, disciplines. It also seeks to increase the number of STEM faculty members from underrepresented minority groups at institutions of higher education.

The U.S. faces a severe shortfall in students graduating with degrees in STEM fields. With approximately 20 percent of our undergraduate degrees awarded in science and engineering disciplines, we rank 27th among developed nations in producing graduates qualified for 21st Century STEM careers. Statistics become even more alarming when you look at the number of students from underrepresented minority groups who receive degrees in STEM disciplines. As of 2011, only about 8 percent of 24 years-olds from these groups had obtained a bachelor's degree in a science or engineering discipline.

This is more than just a question of equity. We have a vast, untapped pool of talent in America, and this pool is continuing to grow. It is estimated that, by 2050, 52 percent of the U.S. population will be from underrepresented minority groups. We have to drastically increase the number of students from these groups receiving degrees in STEM disciplines or we will undoubtedly relinquish our global leadership in innovation and job creation.

There are many reasons why the number of underrepresented minority students receiving degrees in STEM fields is so appallingly low. It starts at the K–12 level, where too many of our teachers are not well prepared to teach math and science and too many of our schools lack even basic science laboratory equipment. But even those minority students who enter college intending to major in a STEM discipline abandon science and engineering for other fields at a much higher rate than their peers. These young people are smart and motivated and small steps such as improved mentorship and increased access to research experiences have proven to keep students from all backgrounds on track to complete their STEM degrees.

Statistics are equally troubling when it comes to underrepresented minorities and their pursuit of academic careers in STEM disciplines. Underrepresented minorities currently make up about 29 percent of the U.S. population, but only about 8 percent of tenure-track science and engineering faculty members at universities and four-year colleges. Less than one percent of tenure-track science and engineering faculty members at the nation's top 100 research universities are from underrepresented groups. One consequence of having such a low number of minority faculty, among other things, is that they are called on much more frequently than their peers to serve on commissions, committees, and the like as a way of showing that a college or university is committed to diversity in their administrative procedures. As a result, minority faculty have less time to conduct research, publish papers, mentor students, and do other work that is required for them achieve tenure status and otherwise thrive in their research careers. More fundamentally, the low number of minority faculty is another indicator of the untapped potential that we have in the STEM disciplines.

Passing the ''Broadening Participation in STEM Education Act'' will help address both of these issues. By authorizing the Director of NSF to award grants to colleges and universities that want to implement or expand innovative, research-based approaches to recruit and retain students from underrepresented minority groups, we will take a necessary step toward increasing the number of students from these groups who successfully complete undergraduate degrees in STEM fields. Similarly, by making grants available to colleges and universities to allow them to make an effort to increase the number of faculty members from underrepresented minority groups, we will take a necessary step toward achieving equality at our institutions of higher education. These are admittedly small steps toward maintaining American leadership in innovation, but they are necessary and achievable steps and we need to act now. I hope my colleagues will join me in supporting H.R. 4483.

A LIFE WELL LIVED

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. WOLF. Mr. Speaker, I rise today to pay tribute to Chuck Colson who this past Saturday, ''slipped the surly bonds of earth'' to ''touch the face of God.'' I also submit for the RECORD his official obituary.

Chuck's family has lost a husband, father and grandfather. Many of us have lost a dear friend and brother. And, the Nation has lost a compelling, often-times prophetic voice with a winsome ability to speak truth with grace about some of the most challenging issues of the day.

Chuck's political instincts gave him a keen ability to effectively communicate with policymakers and politicians alike about matters of utmost import that are rarely given their due in the halls of Congress or the White House.

Chuck's personal journey, marked by redemption and grace, gave him a heart beyond pale for the prisoner, the down-trodden, and the forgotten among us.

Chuck's faith defined him—and inspired countless others.

He possessed a passion for shaping the next generation of leaders, for equipping them with the tools to articulate and defend a Christian worldview in the public square. This is among his greatest legacies.

In short, we have lost a giant.

As we mourn his loss, we take comfort in knowing that the heavens rejoice and Chuck is most assuredly hearing the words, ''well done, good and faithful servant.''

CHUCK COLSON, FOUNDER OF PRISON FELLOWSHIP & COLSON CENTER FOR CHRISTIAN WORLD VIEW, DIES AT AGE 80

LANSDOWNE, VA., April 21, 2012.—Evangelical Christianity lost one of its most eloquent and influential voices today with the death of Charles W. ''Chuck'' Colson. The Prison Fellowship and Colson Center for Christian Worldview founder died at 3:12 p.m. ET today at the age of 80. After a brief illness, Colson passed away at a Northern Virginia hospital with his wife, Patty, and family at his bedside.

On March 30, Colson became ill while speaking at a Colson Center for Christian Worldview conference in Lansdowne. The following morning he had surgery to remove a pool of clotted blood on the surface of his brain, and doctors determined he had suffered an intracerebral hemorrhage. Though Colson remained in intensive care, doctors and family were optimistic for a recovery as he showed some signs of improvement. However, Tuesday (April 17) Colson became gravely ill when further complications developed.

A Watergate figure who emerged from the country's worst political scandal, a vocal Christian leader and a champion for prison ministry, Colson spent the last years of his life in the dual role of leading Prison Fellowship, the world's largest outreach to prisoners, ex-prisoners and their families, and the Colson Center, a research and training center focused on Christian worldview teaching.

Colson has been a central figure in the evangelical Christian community since he shocked the Washington establishment in 1973 by revealing his new Christian commitment in the midst of the Watergate inquiry. In later years Colson would say that because he was known primarily as Nixon's ''Hatchet Man,'' the declaration that '''I've been born again and given my life to Jesus Christ' kept the political cartoonists of America clothed and fed for a solid month.'' It also gave new visibility to the emerging movement of ''born-again'' Christians.

PUT PRISON MINISTRY ON THE CHURCH'S AGENDA

In 1974 Colson entered a plea of guilty to Watergate-related charges; although not implicated in the Watergate burglary, he voluntarily pleaded guilty to obstruction of justice in the Daniel Ellsberg Case, which was prosecuted in the acutely sensitive Watergate atmosphere. He entered Maxwell Federal Prison Camp in Alabama in 1974 as a new Christian and as the first member of the Nixon administration to be incarcerated for Watergate-related charges. He served seven months of a one- to three-year sentence.

Colson emerged from prison with a new mission: mobilizing the Christian Church to minister to prisoners. He founded Prison Fellowship in 1976; this would become perhaps his greatest contribution to the Church and the world. Although many local churches had ministered in nearby prisons for many years, most observers would affirm that Colson and Prison Fellowship truly put prison ministry on the agenda of the church in a substantial way.

Colson's personal prison experience and his frequent ministry visits to prisons also developed in him new concerns about the efficacy of the American criminal justice system. His founding of Justice Fellowship in 1983 helped make Colson one of the nation's most influential voices for criminal justice reform. His call for alternative punishments for non-violent offenders was often effective because Colson's conservative credentials enabled him to line up conservative legislators in support of what had traditionally been seen as a liberal set of reforms.

That passion and sense of obligation to God's calling and to his fellow inmates took Colson into prisons several times a year. He visited some 600 prisons in the U.S. and 40 other countries, and built a movement that at one time extended to more than 50,000 prison ministry volunteers. Often, particularly in the early days of Prison Fellowship, he was vocal in his disgust over the terrible conditions in the prisons and the need for more humane conditions and better access to religious programs.

Colson's advocacy for prisoners' religious rights took an additional form in the late 1990s when he and Justice Fellowship were at the forefront, lobbying legislators to support the Religious Freedom Restoration Act and the Religious Land Use and Institutionalized Persons Act (RLUIPA), both nationally and state by state. Colson's and Justice Fellowship's work to bring an end to the national scourge and shame of prison rape culminated with the passage of the Prison Rape Elimination Act in 2003.

His 1987 book, Kingdoms in Conflict, was a best-selling directive to the Christian community on the proper relationships of church and state, and it positioned Colson as centrist evangelical voice for balanced Christian political activism. Although not as visible as others in the frontline battles, Colson provided counsel to many of the most-evident activists and had a strong influence on Christian politicians who went to Washington in the 80s, 90s and into the new millennium.

RECIPIENT OF THE TEMPLETON PRIZE

In recognition of his work among prisoners, Colson received the prestigious Templeton Prize for Progress in Religion in 1993, donating the $1 million prize to Prison Fellowship. In perhaps his most-eloquent and well-known speech, The Enduring Revolution, given at acceptance ceremonies at the University of Chicago, Colson encouraged the Church in the face of troubling times:

''For history's cadence is called with a confident voice. The God of Abraham, Isaac and Jacob reigns. His plan and purpose rob the future of its fears. By the cross He offers hope, by the resurrection He assures His triumph. This cannot be resisted or delayed. Mankind's only choice is to recognize Him now or in the moment of ultimate judgment. Our only decision is to welcome His rule or to fear it.''

Colson's other awards included the Presidential Citizens Medal (2008, the second-highest U.S. civilian honor), Humanitarian Award from Domino's Pizza Corporation (1991), The Others Award from the Salvation Army (1990), several honorary doctorates from various colleges and universities (1982–1995), and Outstanding Young Man of Boston from the Chamber of Commerce (1960).

Recognized as a champion for historic orthodoxy, Colson ignited a controversy in the Protestant world in the mid-1990s with his initiative to declare common ground with conservative Roman Catholics in two documents called Evangelicals and Catholics Together.

PROVIDED INTELLECTUAL SUPPORT TO MODERN EVANGELICALISM

The evangelical-Catholic issue was just one in which Colson brought intellectual vitality to popular Evangelicalism in the last three decades. Many considered him a prophetic voice for the evangelical community, and, perhaps, an intellectual successor to theologian/sociologist Francis Schaeffer. Perhaps in open recognition of that legacy, his magnum opus was titled How Now Shall We Live? after Schaeffer's How Then Shall We Live?

In all, Colson wrote more than 30 books, which have sold more than five million copies. His autobiographical book, Born Again, was one of the nation's best-selling books of all kinds in 1976 and was made into a feature-length film. His last book, The Faith, is a powerful appeal to the Church to re-embrace the foundational truths of Christianity.

Colson was one of the Christian community's most sought-after speakers, but he resolutely refused to establish a speaker's fee. Colson donated all speaking honoraria and book royalties to the ministry and accepted the salary of a mid-range ministry executive.

In 1991 Colson launched BreakPoint, a unique radio commentary that provides a Christian perspective on today's news and trends. BreakPoint was aired weekdays on some 1,400 outlets nationwide with an audience of 8 million listeners. But his heart was ever with the prisoner. He clearly never forgot the promise he'd made to his fellow inmates during his brief stay in prison that he would never forget those behind bars.

In his later years, Colson focused full time on developing other Christian leaders who could influence the culture and their communities through their faith. The capstone of this effort was The Chuck Colson Center for Christian Worldview, a research and training center launched in 2009 for the promotion of Christian worldview teaching. In addition to a vast library of worldview materials, the Colson Center provides online courses and serves as a catalyst for a growing movement of Christian organizations dedicated to impacting the culture.

In 2009, Colson was a principal writer of the Manhattan Declaration, which calls on Christians to defend the sanctity of human life, traditional marriage and religious freedom. More than half a million people have signed the Manhattan Declaration. Collaborating with other Christian leaders, Colson aimed to launch other ecumenical grassroots movements around moral and ethical issues of great concern.

Colson was born in Boston in 1931 and received a scholarship to Brown University and went on to earn his law degree at George Washington University in Washington. He served in the Marine Corps from 1953–1955, becoming what was at the time its youngest captain. He began his political career in 1956, when he was the youngest administrative assistant in the Senate, working for Massachusetts Senator Leverett Saltonstall.

Although God worked through Colson to encourage Christians around the world and serve many whom society would often neglect, his greatest love and focus were his family. Colson is survived by his wife of 48 years, Patty; three children, Wendell, Christian and Emily; and five grandchildren.

AUSTIN CLARK

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Austin Clark for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Austin Clark is a 7th grader at Mandalay Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Austin Clark is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Austin Clark for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

HONORING THE VALENTINES FOR TROOPS PROGRAM

HON. CHRISTOPHER S. MURPHY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. MURPHY of Connecticut. Mr. Speaker, I rise today to honor the students and adults involved in the Valentines for Troops program in Connecticut and around the nation. The students involved in this program wrote over 4,000 letters for our servicemembers this year.

This program seeks to give thanks to the most deserving among us, the men and women of our Armed Forces. Donna Monteleone Randle, a former captain in the Army Signal Corps, serves as the chairperson of Valentines for Troops in Newtown, Connecticut and helps the organization send letters from the students to the servicemembers overseas.

The participants in the Valentines for Troops program are doing a fabulous job of showing their support and admiration to those who need it the most.

This program was started by a second grade student at Sandy Hook Elementary School in Newtown, Connecticut, in 2006. That first year there were 50 letters written by students at the school, and since then the popularity of the program has increased tremendously. Schools and organizations from

Trumbull, Monroe, Bethel, Fairfield, and Danbury have joined Newtown in this program. There has been a great deal of national interest in the program this year as well. There are clubs, groups, churches, senior centers, professional offices, and schools from such diverse locations as Colorado, Ohio, Illinois, Wisconsin, Texas, and New York City lending their support to the program.

I conducted a similar program called Holiday Cards for Heroes this holiday season. School children in northwestern Connecticut made hundreds of cards for veterans staying in the Department of Veterans Affairs Medical Center and the State of Connecticut Veterans' Home in Rocky Hill. So I know what these small tokens of appreciation can do to lift the spirits of a veteran.

Mr. Speaker, I believe that we can all agree that the Valentines for Troops program deserves recognition for their efforts to show the admiration that this nation has for its troops. I ask that my colleagues join me in celebrating the Valentines for Troops program for the service it provides to the men and women of our Armed Services.

CONGRATULATING LONGFELLOW ELEMENTARY SCHOOL OF LONG BEACH, CALIFORNIA, FOR BEING RECOGNIZED AS ONE OF THE FIRST ''GREEN RIBBON SCHOOLS'' IN THE UNITED STATES

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Ms. RICHARDSON. Mr. Speaker, I rise proudly to congratulate Longfellow Elementary School located in my hometown of Long Beach, California, and the 37th Congressional District which I am proud to represent, on its designation by the U.S. Department of Education as one of the first-ever Green Ribbon Schools.

According to Education Secretary Arne Duncan, Longfellow Elementary School was recognized for its outstanding achievements in the areas of environmental curriculum, energy reduction, campus recycling and water efficiency.

The Green Ribbon Schools program is a federal recognition program that began in September 2011 under the leadership of President Obama, Education Secretary Arne Duncan, and Environmental Protection Agency Administrator Lisa Jackson. Honored schools embrace and exercise a comprehensive approach to creating ''green'' environments, which includes taking remedial action to reducing adverse environmental impacts, promoting health, and providing high-quality environmental instruction that prepares students with the skills and sustainability concepts needed to compete and win in the global economy of the 21st century.

Green Ribbon Schools promote environmental education and learning as well as protect our children's health.

Under the leadership of Principal Laurie Murrin, Longfellow Elementary School has successfully gone ''green'' by reducing energy use by 17 percent since 2004, has a 34 percent reduction in greenhouse gas emissions since 2003, and an increased recycling rate of 46 percent. Also, 100 percent of the landscaping at the school is water-efficient, and the District uses Compressed Natural Gas School Buses.

Additionally, Longfellow Elementary School actively promoted environmental learning by implementing environmental programs on campus like Energy Star Recycling program, Water Quality and Efficiency program, Green Cleaning program, Safe Routes to School, School Garden, School Integrated Pest Management Program, Indoor Air Quality Program, as well as Environmental Education.

This is a remarkable record and is all the more impressive given the economic background and demographic diversity of the Longfellow Elementary School student body. The student body is comprised of 1,080 students, 30 percent of whom are Hispanic, 17 percent are African American, 5 percent Asian and Pacific Islander, and 28 percent Caucasian. Four in ten students receive free or reduced lunches.

Despite their challenging backgrounds, the students at Longfellow Elementary School have shown that great things can happen if you are motivated, committed, and have the right leaders like Principal Murrin. As King Henry V exhorted his comrades in arms at the Battle of Agincourt, ''all things are ready if our minds be so.''

Mr. Speaker, I congratulate the Lions of Longfellow Elementary School, Principal Laurie Murrin, The Green Team, and the entire Longfellow Elementary community for being at the forefront of improving our environment and helping prepare our students to be competitive and succeed in an emerging green economy.

IN RECOGNITION OF THE TAMBURITZANS

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of the Tamburitzans, a group which has been promoting Eastern European arts and culture for 75 years.

Established by Dr. A. Lester Pierce in 1937, the Tamburitzans are a multicultural song and dance group. The group consists of students of Duquesne University in Pittsburgh, Pennsylvania. The Duquesne University Tamburitzans are dedicated to preserving and perpetuating the cultural heritage of Eastern Europe and its neighbors through performance, while awarding scholarships to talented and deserving student performers.

The Duquesne University Tamburitzans have grown from an original group of 12 men to today's company of more than three dozen performers. Since 1988, the Tamburitzans have been under the direction of Mr. Paul Stafura, a former member of the Tamburitzans during the late 1960s. Each year, the Tamburitzans travel throughout the United States to put on an average of 80 concerts. They have also held concerts in numerous Latin American countries, Canada, Bulgaria, France, Italy, Poland, Romania, the former Czechoslovakia, Soviet Union and Yugoslavia.

Mr. Speaker and colleagues, please join me in recognition of the Duquesne University Tamburitzans, the longest-running live stage show of its kind in the United States.

ANJELICA HARRISON

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Anjelica Harrison for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Anjelica Harrison is a 7th grader at Mandalay Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Anjelica Harrison is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Anjelica Harrison for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

HONORING THE WORLD WAR II VETERANS OF ILLINOIS

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. QUIGLEY. Mr. Speaker, I rise to honor the World War II veterans who traveled to Washington, DC, on April 4, 2012 with Honor Flight Chicago, a program that provides World War II veterans the opportunity to visit the World War H Memorial on The National Mall in Washington, DC. This memorial was built to honor their courage and service to their country.

The American Veteran is one of our greatest treasures. The Soldiers, Airmen, Sailors, Marines, and Coast Guardsmen who traveled here on April 4 answered our nation's call to service during one of its greatest times of need. From the European Campaign to the Pacific Asian Theatre to the African Theater, these brave Americans risked life and limb, gave service and sacrificed much, all while embodying what it is to be a hero. We owe them more gratitude than can ever be expressed.

I welcome these brave veterans to Washington and to their memorial. I am proud to submit the names of these men and women for all to see, hear, and recognize, and I call on my colleagues to rise and join me in expressing gratitude.

Leonard David Adler; David S. Albert; Donald John Anderson; Richard J. Andrew; Theodore Arey; Harold L. Autrey; Asa Melville Bacon; Rudolf Balek; Stanley C. Bartecki, Jr.; Robert L. Barz; Victor J. Biasetti; Otto R. Bobysud; Raymond J. Brejcha; Joseph P. Brooks; Walter H. Burtan; Joseph S. Buttice; Jack R. Cerniglia; Ranson Coleman; John M. Conway; James J. Corolis; James M. Cribbs;

Robert Chapman Dillion; John L. Dykstra; Harry A. Fandre, Jr.; Chester S. Faron; Willie Ferba, Jr.; Joe J. Fleck; George E. Fyock; Edwin D. Geisenheimer; Mark M. Greenburg; Joseph H. Gross; Don R. Gunderson; Maurice G. Guysenir; Hallie J. Hamilton; George J. Hazdra; Floyd J. Hoffman; Emmit Ingram, Jr.; Edward Jage; Richard H. Johnson; George M. Kaiser; Frank William Karl; Chester J. Kijak; Richard R. Kinneman; Robert F. Kirby; John D. Kiser; Joseph Kujawa; Wallace Bruce Kurtz; Walter E. Lambert.

James T. Langan; LeRoy Larson; Stanley Marvin Levy; Edward V. Lisowski; Robert R. Luke; Charles E. Mahan; Anthony Marino; Wilbur J. Martin; Virgil E. Mathias, Jr.; William J. McCaffrey; James A. Moscato, Jr.; James M. Mulqueeny; Carl A. Nelson; Joseph A. Nemanich; David S. Newquist; Franklyn M. Nipper; Daniel N. Obriot; John Oldenburger; David E. Olson; Joseph V. Pacelli; Robert V. Peck; Betty M. Peterson; Harold Peterson; Richard L. Raddatz; Angelo S. Regopoulos; Robert Joseph Roelle; Marvin Rose; Arnold Marshall Rusten; Robert T. Sasman; Jean A. Scheve; Charles William Schoenherr; Richard S. Schofield; Frank A. Schroeder; M. Eldon Schultz; William Springer; Robert A. Thatcher; James H. Thoma; Preston G. Thorpe; Robert W. Tobiaski; Fred E. Turek, Jr.; Robert G. Wallace; Allan A. Walters; Donald Lutter Wood; Bill Zamzow; George Zervos; Norman H. Zumm.

SMALL BUSINESS TAX CUT ACT

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2012

Ms. MCCOLLUM. Mr. Speaker, I rise in strong opposition to H.R. 9, the so-called Small Business Tax Cut Act. This bill is an incredible waste of taxpayer money that will do nothing to grow America's economy or create jobs.

House Republicans admit that H.R. 9 will add $46 billion to federal deficits and force our country to borrow more money from foreign countries such as China. They argue deficit-spending is worthwhile because their bill will create jobs and stimulate economic growth. Unfortunately, there is absolutely no evidence to support their claim. The nonpartisan Joint Committee on Taxation determined the economic impact of this Republican bill is ''so small as to be incalculable.''

The country's wealthiest individuals and corporations are the true beneficiaries of this legislation. H.R. 9 will provide over 125,000 millionaires with an average tax cut of $58,000. According to the nonpartisan Tax Policy Center, nearly half of the bill's benefits go to individuals with annual income over $1 million even though this group comprises just 0.5 percent of all taxpayers and 4 percent of all small-business employers. The largest tax breaks in this bill go to law partners, corporate consultants, lobbyists, hedge fund managers, and other highly profitable, private enterprises that do not need extra support from America's taxpayers.

The tax benefits in H.R. 9 are so poorly targeted that reality-show stars Donald Trump, Paris Hilton and Kim Kardashian qualify as ''small businesses'' and will receive taxpayer-financed handouts. In fact, this legislation provides tax breaks to pornography shops and corporations that ship American jobs overseas.

This legislation represents a new low point for the House Republican majority. It is so flawed that even fellow conservatives are mocking the bill. The Wall Street Journal editorial page calls H.R. 9 a ''tax gimmick.'' Former economic advisor to President Reagan Bruce Bartlett said H.R. 9 ''will do nothing whatsoever to increase employment. It is nothing more than an election year give-away to a favored Republican constituency and should not be taken seriously.''

H.R. 9 is a signal to the American people that House Republicans are officially out of ideas for creating jobs. This bill merely recycles the Bush Administration's failed economic policies that ballooned the national debt and produced the lowest rate of job creation since World War Two. The nonpartisan Congressional Budget Office analyzed a range of policies that could be enacted to strengthen the economy and promote economic growth: this measure ranked second to last.

I urge my Republican colleagues to abandon this dead-end legislation and instead, join with Democrats to support proven job creation measures, including bonus depreciation for main street businesses.

RECOGNIZING THE 50TH WEDDING ANNIVERSARY OF WAYNE AND KATHY FOWLER

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. LONG. Mr. Speaker, I rise today to recognize and honor the 50th wedding anniversary of Wayne and Kathy Fowler.

Wayne and Kathy Fowler nee Pierce were married on March 17, 1962, at Kathy's parents' home in Kissee Mills, Missouri, where her father was postmaster and owned a grocery store and gas station.

Kathy graduated from Forsyth High School, where she was salutatorian of her class. She then attended Draughon's Business College and went to work for Charles A. Moon, attorney at law. She left the law office to work for Frisco Railroad, later Burlington Northern and then Burlington Northern Santa Fe Railroad, where she retired after 32½ years. She then worked for Burrell Behavioral Health for over 6 years before retiring and starting a home transcription business. She always had a huge love for horses, with her dad buying her first Fox Trotting mare for her 12th birthday. The horses have always remained her passion.

Wayne was originally from Waterloo, Iowa, and had moved to Kissee Mills with his family in 1961. Wayne was a car enthusiast and drove stock cars for several years at the Fairgrounds Speedway, Bolivar Speedway, Odessa Speedway, and Fort Smith Arkansas. When he got out of racing, he took up bass fishing. Wayne is a welder and retired from the Paul Mueller Company several years ago. He now has a portable aluminum/stainless welding business and specializes in marine repairs. They have one son, Ken Fowler, and three grandchildren, Chase, Katie and Nick, who reside in Camdenton, Missouri.

Kathy and Wayne have resided in Springfield for the past 28 years, operating horse boarding and training stables in Republic for 13 years. Wayne and Kathy are both very busy pursuing their hobbies. Wayne still participates in bass fishing tournaments and Kathy trains and rides her Fox Trot horses. The couple celebrated their 50th wedding anniversary with a stay at Downstream Casino, one of their favorite things to do.

I am proud of Wayne and Kathy Fowler and am honored to call them my neighbors in the 7th Congressional District of Missouri. I wanted to take this opportunity to commemorate their 50th anniversary. May God bless them with many more happy and loving years together.

ARISAI GURROLA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Arisai Gurrola for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Arisai Gurrola is a 12th grader at Jefferson Senior High and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Arisai Gurrola is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Arisai Gurrola for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 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 $15,628,266,498,708.04. We've added $5,001,389,449,794.96 to our debt in just over 3 years. This is debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

RECOGNIZING CHIEF OF POLICE, ROBERT ''BOBBY'' HYATT

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. CUELLAR. Mr. Speaker, I rise today to recognize the retiring Chief of Police, Robert

"Bobby" Hyatt of the City of La Vernia in Texas. He has dedicated his career to assisting and protecting the south Texas community through his work and efforts. Chief Hyatt retired from the City of La Vernia Police Department on November 30, 2011, after 17 years of faithful service, making him the longest sitting Chief in the State of Texas.

Mr. Hyatt grew up in San Antonio, Texas, and graduated from Burbank High School. He began his law enforcement career at the young age of 21. Mr. Hyatt joined the San Antonio Police Department in 1963. Chief Hyatt retired from the San Antonio Police Department after 31 years of faithful service on Friday, July 29, 1994, and began work as the Chief of Police for the City of La Vernia on Monday, August 1, 1994. Some of his notable career accomplishments include escorting many dignitaries while they visited the City of San Antonio, including Presidents of the United States and the Queen of England. Towards the end of his career in San Antonio he worked as an applicant processing officer, conducting background checks on new cadet candidates for the San Antonio Police Department.

When he began his tenure in the City of La Vernia, he was the only police officer in the City—making him a vital asset in the area for their law enforcement. When he retired, he had a department consisting of six full-time officers, including him and eight reserve officers. Chief Hyatt retired from the City of La Vernia Police Department on November 30, 2011, after 17 years of committed service. Mr. Hyatt has been married to his wife Pat for 54 years. The couple has three children and six grandchildren.

Mr. Speaker, I am honored and privileged to have the opportunity to recognize the extraordinary commitment to former Chief of Police Robert "Bobby" Hyatt for serving and protecting the communities in Texas.

A TRIBUTE TO HEARTSAPART.ORG

HON. MIKE McINTYRE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. McINTYRE. Mr. Speaker, it is my great pleasure to rise today to pay tribute to HeartsApart.org, a truly outstanding organization providing a creative and invaluable service to the men and women of our Armed Forces. As their name implies, HeartsApart.org serves the members of our military while they are apart from their hearts—their families and loved ones—as they serve our Nation across the seas and around the world. HeartsApart.org pairs soon-to-be deployed men and women with local photographers, who donate their time, resources, and skills to give soldiers a precious gift: a portrait of their children and spouses. These photographs, printed on waterproof and durable bifolded cards, which fit securely in a uniform pocket, serve as reminders of home and encouragement for those who serve us so readily.

Mr. Speaker, I am pleased to say that HeartsApart.org began as a local organization in my own state of North Carolina. For Wilmington, NC photographer Brownie Harris, it was a way to show his support and appreciation for America's service members one photo shoot at a time. From humble beginnings and a simple mission, HeartsApart.org has grown to become a national organization, with volunteer photographers in states from Virginia to Nevada and California to Illinois. On April 11, HeartsApart.org was one of 20 organizations honored by First Lady Michelle Obama and Dr. Jill Biden as finalists for the Joining Forces Community Challenge, an initiative aimed at encouraging citizens to honor, support, and celebrate our military families. The vision and commitment of the staff of HeartsApart.org is to be commended and applauded. Today, I offer my heartfelt thanks to those who give of their time and talents to serve our brave men and women. May God continue to bless their efforts, and may God bless America.

BROOKE BALLANTYNE

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Brooke Ballantyne for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Brooke Ballantyne is an 11th grader at Two Roads High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Brooke Ballantyne is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Brooke Ballantyne for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

LAUNCH OF NORTH KOREAN MISSILE

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. REED. Mr. Speaker, the recent launch of a three-stage rocket by North Korea was a clear provocation that cannot be ignored. Although the launch was a technical failure, it was an aggressive statement that shows the new regime in North Korea intends to continue down the dangerous path of saber rattling to intimidate other nations, particularly South Korea.

For years now, the United States, South Korea, and other countries have been trying to engage the North Korean regime diplomatically to end its program to develop nuclear weapons and the delivery devices that could threaten Northeast Asia and the Western Pacific.

Despite offering many positive incentives in the form of humanitarian aid, the Stalinist government of North Korea has persisted in its belligerence and has stubbornly refused to adhere to peaceful international protocols that engender stability and economic prosperity.

By contrast, South Korea is one of the world's most economically successful countries. Many of us have seen that dramatic satellite image of the Korean peninsula at night, which shows South Korea lit brightly while North Korea is in near total darkness. This image serves as a metaphor for the freedom and enlightenment that governs South Korea and the enslavement and barbarism in North Korea. Indeed, were it not for its dalliance with advanced technologies in rockets and nuclear bombs, North Korea could truly be said to be living in the Dark Ages.

My father served in the Korean War. He fought side by side with South Korean soldiers who were struggling to save their homeland from the onslaught of communism. For 60 years, the two Koreas have lived under a fragile armistice that masks a tinderbox threatened by a match held by the Kim family dynasty.

I visited South Korea just last year. I saw economic prosperity and political liberty that never could have been imagined when my father was there in the 1950's.

South Korea is one of the largest trading partners of the United States. The recently-implemented U.S.-Korea Free Trade Agreement will open up many more opportunities for American businesses to engage our Korean partners.

In the 29th congressional district of New York, which I am privileged to represent, farmers, small business owners, and larger firms are already benefiting from the Free Trade Agreement's Launch of North Korean Missile effects. That doesn't even take into account the substantial benefits to consumers who are able to buy high-quality products at lower prices.

Political stability and the security of the Korean Peninsula are vital to U.S. interests and to our allies. Beyond South Korea, nations such as Japan and the Philippines could be threatened by the existence of North Korean nuclear missiles. Further North Korean provocations could easily and seriously disrupt the trans-Pacific trade relations that have developed over the past six decades.

It is the obligation of Congress to speak out when U.S. security and our economic interests are under threat. Even though North Korea's ill-considered missile experiment failed last week, that does not mean that the next launch will fail.

Therefore, I urge my colleagues to join me in condemning the Pyongyang regime's belligerent behavior as a threat to regional and global security.

IN REMEMBRANCE OF MRS. IDA COOK-CROWDER

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in remembrance of Mrs. Ida Cook-Crowder, a long-time member of the Greater Cleveland community.

Born on April 8, 1930, in Marshville, North Carolina, Ida was the daughter of Raymond and Annie Belle Hailey. She moved to Cleveland, Ohio, after graduating from high school.

Upon moving to Cleveland, Ida met and married Army Master Sergeant James Cook. Together, the couple has two daughters, Patricia and Paula. Because of James' career, the family often traveled to places such as Germany, France, Japan and Korea. Twelve years after the tragic passing of Mr. Cook, Ida remarried the Reverend Dr. Roland Crowder of Cleveland's Second Calvary Missionary Baptist Church.

Ida was a skilled seamstress who attended the Clark School of Dressmaking and Cuyahoga Community College, from which she earned an associate degree in decorating. She was well known throughout the Greater Cleveland area for her ability to design draperies. She ran her business under the name of ''Ida's Draperies.''

I offer my condolences to her family and friends at the Second Calvary Missionary Baptist Church. Ida's spirit and kindness will be missed by all those who had the pleasure of meeting her.

Mr. Speaker and colleagues, please join me in honoring Mrs. Ida Cook-Crowder.

BRIAN SOUKUP

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Brian Soukup for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Brian Soukup is a 12th grader at Arvada Senior High and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Brian Soukup is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Brian Soukup for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

CELEBRATING ISRAEL'S 64TH ANNIVERSARY

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. PENCE. Mr. Speaker, sixty-four years ago the state of Israel declared its independence. As Israelis celebrate their Independence Day on Thursday of this week, I offer my wholehearted congratulations to our most cherished ally.

For millennia, the state of Israel was merely a dream to the Jewish people. In 1948, under the leadership of Holocaust survivors who had resolved to overcome mid-Twentieth Century Europe's atrocities, the state of Israel declared independence in its ancient Holy Land and that dream became a reality.

The United States promptly recognized Israel, but she was met with open hostility from her Arab neighbors.

Sixty-four years later, in many respects it seems as though very little has changed. However, we know that Israel prevailed against overwhelming odds in 1948, in 1967 and in 1973 and countless other times. Undoubtedly, Israel is an overwhelming success in a region plagued by conflict.

In a neighborhood of sworn enemies, Israel is a beacon of hope. It boasts a vibrant economy and a well-educated populace whose values and interests are much the same as ours. Israel is the only functioning democracy in the Middle East, and I join my colleagues who, on a bipartisan basis, have time and again stood by her in times of trial.

Freedom-loving nations have a duty to stand with Israel much like Congress has over the years. With a growing threat from an increasingly hostile Iranian regime, a regime that has threatened on more than one occasion to 'wipe Israel off the map,' let us recommit ourselves to the defense of the state of Israel. As we celebrate the 64th anniversary of her founding, the United States must renew its commitment to preserve and protect Israel and stand firm as Israel's closest friend.

RECOGNIZING THE CONTRIBUTIONS OF FLORENCE JODZIES TO PROMOTE COMMUNITY LIBRARIES ACROSS VIRGINIA

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to recognize the ongoing work of the Vale Club and the Oakton Womens' Club to promote education and engagement on civic, cultural and social welfare issues in our community. I also join them in celebrating the contributions of Florence Jodzies, a leading voice in the effort to provide public library services across the Commonwealth of Virginia during the early 20th century, with the dedication of a highway marker in her honor near the Vale community. It is fitting to reflect on that legacy today, April 24, 2012, on the 212th anniversary of the founding of the Library of Congress and as we near the end of National School Library Month.

Mrs. Jodzies moved in 1934 to the Vale community of Fairfax County, where she promptly joined the local Home Demonstration Club, which was then an outreach program under the cooperative extension. Through her involvement with the club, she soon launched an impassioned campaign to stimulate interest in reading, to provide reading material and to help communities establish libraries. In a 1938 article in ''The Southern Planter,'' Mrs. Jodzies wrote that reading of high class literature was necessary to humanity's progress and happiness. ''Free libraries are essential instruments of education, information, research, culture and recreation—all necessary factors in any democracy which expects to remain a democracy,'' she wrote.

The fact that more than half of Virginia's residents at the time had no access to a library was a motivating factor. Within two years, every county in the Commonwealth with a Demonstration Club boasted an active library program. In addition, it was thanks to her efforts that Virginia's governor provided funding for construction of the first state library building with the assistance of a federal grant. In recognition of her efforts, Mrs. Jodzies was appointed by two successive governors to represent the Commonwealth at the Annual Conference of the American Library Association in 1937 and 1938. In addition to her work to promote community libraries, Mrs. Jodzies was active with the Fairfax County Chamber of Commerce, the Business and Professional Women's Club, Community Chest, and the County Advisory Council. She and her husband relocated to Winter Haven, Florida, before she died in 1969 at the age of 82.

She was an early pioneer for the Fairfax County Public Library system, which now boasts eight regional branches and 14 community libraries. It is one of the largest and busiest library systems in the nation with more than half a million library card holders, more than 13 million items loaned out each year, and more than 4.5 million visits to its online resources. The Fairfax system also hosts more than 8,000 events annually, attracting 150,000 attendees, and countless volunteers donated more than 155,000 hours of work to their community branches last year.

Mr. Speaker, Mrs. Jodzies once wrote that she and other Demonstration Club members would ''march on . . . until every man, woman and child in Virginia has public access to books.'' Thanks to her tireless efforts, we have realized that vision, and thanks to the ongoing work of the Vale Club and the Oakton Women's Club, future generations will continue to benefit from the legacy of Mrs. Jodzies and other community leaders who followed in her footsteps. I ask my colleagues to join me in saluting the tremendous service of these outstanding community volunteers and organizations.

COMMEMORATING THE 97TH ANNIVERSARY OF THE ARMENIAN GENOCIDE

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. COSTELLO. Mr. Speaker, I stand to commemorate the Armenian Genocide on the 97th anniversary of its occurrence. It is unfortunate, however, that once again I do so without an official recognition on behalf of the American government.

As I have said in years past, the undeniable genocidal actions by the Ottoman Empire against its Armenian citizens deserve official recognition from the American government. 1.5 million Armenians were killed, the first genocide of the 20th century. As a member of the House Armenian Issues Caucus, I have cosponsored legislation to affirm the U.S. position on Armenian Genocide and will continue to urge my colleagues in Congress and the Obama administration to support this position.

As we mourn the lives of those lost, it is important to recognize the resilience and incredible strides the Armenian people have made in recovering from that unspeakable past. I stand in solidarity with the Armenian people and renew my commitment to pursuing a future of reconciliation and peace.

As a nation we must lead by honoring the memory of those that perished so the Armenian people and the international community can move forward toward a brighter tomorrow. The U.S. has officially recognized other such tragic events and 21 other countries have recognized the Armenian Genocide. I call on my colleagues in Congress and the Obama administration to join me in recognizing the 97th anniversary of the Armenian Genocide and urge enactment of H. Res. 304.

HONORING GERALD MICHAEL PACE, SR.

HON. H. MORGAN GRIFFITH

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. GRIFFITH of Virginia. Mr. Speaker, I submit these remarks in honor of Gerald Michael Pace, Sr., a devoted public servant to the people of Salem and the Greater Roanoke Valley, who passed away suddenly on Wednesday, April 18, 2012.

Born and raised in Pulaski, Jerry attended Pulaski High School, and graduated from Hampden-Sydney College. A committed student himself, Jerry was truly passionate about education. He was instrumental in helping to establish the Community College Access Program—a partnership between the Virginia Western Community College (VWCC), Salem Public Schools, and Roanoke City Public Schools, which allows high school graduates to attend VWCC without paying tuition. He was a scholar of the writings of the Apostle Paul and the Dead Sea Scrolls. And, he taught Sunday school classes on these topics at First United Methodist Church in Salem, and to civic and other community groups.

Jerry served on the Salem School Board for 15 years and one term on the Salem City Council. He was a very proud, active member of the Board of Trustees of Virginia Intermont College in Bristol and of the Board of Directors of the Virginia Western Community College Foundation. A true go-getter, Jerry even spent time working as an adjunct professor at Virginia Western Community College, where he taught sales and marketing, industrial safety, algebra, and manufacturing processes.

I am honored to pay tribute to his many contributions to the community. A husband, father, grandfather, businessman, community servant, educator, cancer survivor, friend to me and so many others, and storyteller to all, Jerry will be greatly missed. My thoughts and prayers go out to Jerry's family and friends. His legacy and influence will be long remembered across the Roanoke Valley and throughout Southwest Virginia.

IN RECOGNITION OF THE RETIREMENT OF REV. EVERETT KELLEY

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. ROGERS of Alabama. Mr. Speaker, I rise today to honor a personal friend of mine, Reverend Everett Kelley, upon his retirement from the Anniston Army Depot and the Federal Government.

Mr. Kelley was born on February 24, 1957, in Goodwater, Alabama. In 1971, his family moved to Sylacauga, Alabama, where he graduated from Sylacauga High School in 1975. Later he enlisted in the United States Army and served three years at Fort Campbell in Kentucky.

In 1981, Everett began working at the Anniston Army Depot and on March 2, 2012, retired from Federal services with 34 years of service. While employed with the Anniston Army Depot, Everett was Program Specialist for the High School Co-Op Program and President of the AFGE Local 1945 for nine years. During his career he also held positions of Shop Steward, Chief Steward and Vice President of AFGE Local 1945.

During his career, Everett has served as Senior Pastor at St. Mary Missionary Baptist Church for the past 25 years.

Upon his retirement, Rev. Kelley will continue assisting Federal employees as National Vice President of AFGE District 5.

Mr. Speaker, I offer my congratulations to Reverend Everett Kelley and thank him for his outstanding service to our community and our nation.

RECOGNIZING THE SUSTAINABLE AND GREEN INITIATIVES OF GEORGE MASON UNIVERSITY

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, it is my honor to recognize George Mason University in Fairfax, Virginia, on its recent commendation by the 2012 version of The Princeton Review Guide to 322 Green Colleges and to congratulate GMU on its strong and exemplary commitment to sustainability.

Over the past several years, George Mason has taken a multilateral approach to creating a climate neutral campus. The university has compiled annual greenhouse gas inventories since 2006, designing its first Climate Action Plan in January 2010. In an effort to transition to environmentally sound construction, Mason has committed all new buildings to seek a LEED Silver designation, with six registered projects currently seeking certification. Additionally, all equipment on campus much be Energy Star-rated.

A central component of the university's strategy to reduce campus-based greenhouse gas emissions has been the development of the scope, appeal, and accessibility of public and alternative transportation to accommodate the ever-increasing student population.

Mason students also have played an important role in developing the sustainability and environmental responsibility of the University. Student organizations like the Environmental Awareness Group, the Patriot Green Fund, and the student-run organic vegetable garden facilitate opportunities for discussions, student research, and exposure of University initiatives to the local community. Students also can focus their academic careers through the Environmental Science, Environmental and Sustainability Studies majors, the Sustainability and Renewable Energy minors, or one of the first Energy and Sustainability Master's degree concentrations in the nation.

Mr. Speaker, I ask my colleagues to join me in congratulating all members of the George Mason University community for their success in creating a responsible and sustainable academic community. By infusing sustainability principles into every aspect of higher education, George Mason University is training the next generation of leaders to put green ideas into practice today.

BALUCHISTAN

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. POE of Texas. Mr. Speaker, Baluchistan is one of four provinces in Pakistan. It is the largest of the four provinces in terms of area (44 percent of the country's land area), but the smallest in terms of population (5 percent of the country's total). Within Baluchistan is the Baluch people group. They have their own language, culture, and history.

This distinct group of people, who once held autonomous status, was deprived of their freedom without consideration when the British Empire invaded the area. When the British took control over the area they divided the Baluchistan land into three separate parts, giving part of the land to Persia in 1896 while retaining the largest portion for India. The third and final division of the land by the British occurred in 1894 that gave part of Baluchistan to Afghanistan.

Once the British relinquished control and India and Pakistan separated, the majority of Baluchistan was forcefully annexed to Pakistan in 1948. The Baluch people never had any say—they were never asked if they wanted to be part of Pakistan.

Since then, the government of Pakistan has neglected them. Look at almost any indicator and the Baluch people are worse off than other Pakistanis. Life expectancy, school enrollment, and adult literacy are all particularly low amongst the Baluch people. This is ironic when you look at all the large reserves of gas, oil, gold, copper, silver, platinum, aluminum, and uranium it has. The Baluch people have the resources to take care of themselves, but the government of Pakistan takes the resources and either puts tight constraints on the profit that goes back to the Baluchs or gives the profit away to its friends. For example, the government has historically required Baluchistan to sell gas at a lower rate than the other provinces. Baluchistan receives a mere $0.29 per thousand cubic feet for its gas, while nearby Sindh gets $1.65 and Punjab receives $2.35. Pakistan gave the exploration rights to the Saindak copper mine to the Chinese, so the Chinese will get most of the profit and the Pakistan profit the rest.

It is not just neglect of the Baluch people but also outright persecution. Since 2005, Pakistani human rights organizations have recorded numerous serious human rights violations by security forces, including extrajudicial executions, torture, enforced disappearances, forced displacement, and excessive use of force. According to the Geneva-based Internal Displacement Monitoring Center, violence in 2005 around Dera Bugti district alone displaced around 6,000 people and killed scores.

Over 2009 and 2010, Human Rights Watch detailed 45 cases of alleged forced disappearances.

Pakistan decided to respond to complaints over how they rule with brutal force. Instead, they should give the Baluch people a voice in how they will be governed. They should not only listen to their complaints, but answer them with positive steps. Should the government of Pakistan continue to not only neglect but persecute the Baluch people, it is hard to argue with Baluchs who demand self-determination. In the end, a government is only legitimate as long as it has the support of its people. The government of Pakistan is dangerously close to that line.

Apparently, the Baluch people have been reading Thomas Jefferson's comments when he said in the Declaration in the Independence, "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government." History recorded what happened to the British when they forgot these truths. And that's just the way it is.

APRIL IS MONTH OF THE MILITARY CHILD

HON. STEVE STIVERS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. STIVERS. Mr. Speaker, I rise today to recognize April as the "Month of the Military Child."

In 1986, Secretary of Defense Caspar Weinberger established April as the Month of the Military Child. Since then, the communities that surround our military families have had the month of April as a time to focus on recognizing the important roles that military children play.

There is no doubt that we owe a great debt and gratitude to our military for the unparalleled freedom and opportunity we enjoy in this country. But, we need to pause and remember that this is also made possible through the dedication and sacrifices made by their families and children as well. While I understand it is important to show our support for the military and their loved ones every day of the year, I welcome the emphasis placed on the children of service members in the month of April.

As a way to offer my continued support and gratitude, I recently introduced H.R. 4341, TRICARE for Kids, which would help the Department of Defense and its TRICARE program develop and encourage health care practices and policies that are designed to address the specific health care needs of military children and families. The Department of Defense estimates there are approximately 1.9 million military children, and I believe we all need to work to ensure they have access to the resources and support that best meets their needs—including health care.

Without the selfless contributions our military and their families have made throughout history, our great nation would not have the freedom that it does today. Military children are a special part of that aspect of our history, as they are the young, brave, and often unnoticed heroes who have stood strong alongside their parents who have risked their lives and fought for our country and way of life. I thank every one of them for what they do, and I would like to ask every Member of Congress to join me in offering support throughout this Month of the Military Child.

HONORING DICK WYLIE

HON. JOHN F. TIERNEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. TIERNEY. Mr. Speaker, I rise today to recognize and honor Dick Wylie for his 25 years of service as President of Endicott College in Beverly, Massachusetts.

Receiving a bachelor's degree from Plymouth State College and a master's and doctorate from Boston University, Dr. Wylie has led by example as a professor and administrator at several notable institutions, including the University of Connecticut, Temple University, the University of Colorado, and Lesley University.

Thanks in part to Dr. Wylie's leadership and dedication to higher education, Endicott College grew from a small, two-year women's college into the esteemed four-year coeducational institution it is today. Specifically, when Dr. Wylie arrived in spring of 1987, Endicott College had an enrollment of fewer than 600 students. Its campus consisted of 28 buildings on 140 acres; the College's operating budget was $7.7 million; and its endowment was $3.9 million dollars. Today—25 years later—almost 5,000 students are enrolled at Endicott College, which now has 51 buildings on 235–acres of land. The College's operating budget is now over $85 million, and its endowment is more than ten times what it was in 1987.

In 1996, Dr. Wylie helped found the Van Loan School of Graduate and Professional Studies, which currently offers Master of Business Administration, Master of Science in Technology and Nursing (M.S.), Master of Arts, Master of Fine Arts, and Master of Education degrees as well as accelerated bachelor's degrees for adult learners. In December 2011, the College received approval to offer its first doctoral program, a Doctor of Education in Educational Leadership, which is reportedly the first approved doctoral program on the North Shore of Massachusetts.

Throughout his tenure at Endicott College, Dr. Wylie has never lost sight of the school's philanthropic duty to give back to its community. Mr. Speaker, it is worth noting that, just this past year, Endicott College's study body put in 15,000 hours of community service, an achievement which earned them recognition from the White House.

Dr. Wylie also established Endicott Colleges "Keys to Degrees" program. This forward-thinking program seeks to provide young, single parents the opportunity to receive a college education. Providing an environment that supports not only their needs but their children's as well, the Keys to Degrees program allows our young parents to have a better life and in turn offer a better life to their children.

Dr. Wylie's vision for providing single parents the services they need and deserve did not begin and end with the "Keys to Degrees" program, but it continues with a variety of educational services including internships and mentoring programs as well as weekend retreats on campus for both the students and their children. His stewardship in intergenerational education has recently earned him the distinct honor of being named a fellow at the Aspen Institute.

On May 5, Endicott College will be formally celebrating Dr. Wylie's remarkable 25 years as president. I look forward to being with him and his colleagues that night. In the meantime, I wanted to take this opportunity to recognize and congratulate Dr. Wylie as well as thank him for his efforts to educate and provide opportunities for students of all ages.

IN RECOGNITION OF EARTHFEST 2012

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of the Earth Day Coalition of Cleveland, as they celebrate EarthFest 2012 on April 22, 2012—a date that also commemorates the 23rd annual celebration of EarthFest in Cleveland, Ohio.

Cleveland's Earth Day Coalition was formed in 1990 to celebrate the twentieth anniversary of Earth Day in Ohio. EarthFest is now Ohio's largest environmental educational event and the longest running Earth Day celebration in the nation. I stand in recognition of the staff and volunteers of the Earth Day Coalition for all their effort and dedication in creating such an innovative, exciting and educational event for the Greater Cleveland community to enjoy. This year, EarthFest's theme is "Year of Local and Sustainable Food." Over 175 environmental exhibits are expected from environmental and community organizations, government entities and businesses. EarthFest is just one of Earth Day Coalition's many nationally-recognized programs and promises once again to be a significant aspect of the world celebration of Earth Day.

Mr. Speaker and colleagues, please join me in honor and recognition of the staff, volunteers, and members of the Earth Day Coalition as we celebrate EarthFest 2012 on April 22, 2012 at the Cleveland Metroparks Zoo and The RainForest. EarthFest 2012 promises to educate, inspire and motivate all of us to join together as a community and work toward a more healthy Earth for future generations.

HONORING DR. ROBERT AGRELLA

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Ms. WOOLSEY. Mr. Speaker, I rise today with my colleague, Rep. MIKE THOMPSON, to honor the career of Dr. Robert Agrella, who formally retires from his position as president

of Santa Rosa Junior College (SRJC) on May 5, 2012, after 22 years. Just the fourth president in the 94-year history of SRJC, Dr. Agrella has overseen a period of substantial change in an institution now recognized as a national leader in community college education. His management and foresight have benefitted us all by bringing higher learning closer to the people of the North Bay.

Serving over 36,000 students each semester, and drawing on the expertise of some 3500 faculty and staff, Santa Rosa Junior College is amongst the oldest and most widely recognized two-year colleges in California. It is also a large and growing institution, with two main campuses and a number of career-specific facilities dedicated to public safety, agriculture, technology, culinary arts, and more.

It is a proud part of Dr. Agrella's legacy that many of the SRJC facilities have been built, expanded, or refurbished during his tenure. In the 1990s, classes first began at the Petaluma campus, and SRJC moved into several new buildings in Santa Rosa. In the past decade, during a time of increasing budgetary difficulty, the new Frank P. Doyle Library, a new student services center, and vast new improvements at the Petaluma Campus and elsewhere have all been completed or undertaken. These are the products of Dr. Agrella's tireless work to unite SRJC staff and a Sonoma County community committed to the funding and planning necessary for continued growth. SRJC has also become a model for environmental consciousness, supporting green construction and a thoughtful, collaborative approach to development.

As the North Bay has grown and diversified, so too has the training and education SRJC offers to meet the needs of our community. While opening new facilities in agriculture and public safety—areas of historic strength in Sonoma County—Dr. Agrella has also overseen an expansion into new areas that will strengthen our economic base and serve the needs of a modern workforce. High technology, green energy and green building, tourism and hospitality, and performing arts offerings have all been upgraded. At the same time, scholarships have been greatly expanded to serve a diverse and inclusive College community.

Dr. Agrella's role in realizing these changes has been widely recognized in Sonoma County. He has been named Santa Rosa Citizen of the Year, and he is the recipient of the Spirit of Sonoma County Award. In appreciation of his longstanding service to SRJC and Sonoma County, Dr. Agrella has also been named the College's first president emeritus.

Mr. Speaker, we ask you to join us in thanking Dr. Agrella for his contributions to Santa Rosa Junior College, and in wishing him all the best in his retirement. Dr. Agrella leaves SRJC with a remarkable legacy of service, and with a firm footing for a strong, progressive future.

HONORING THE BRAVE FIRST RESPONDERS OF HACKLEBURG AND PHIL CAMPBELL

HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. ADERHOLT. Mr. Speaker, I would like to recognize the courage and dedication of the first responders of Hackleburg and Phil Campbell in the wake of the deadly tornadoes of April 27, 2011. Furthermore I want to honor the heroic actions of these volunteer firefighters, law enforcement officers and paramedics for their selfless devotion to their communities.

On Wednesday, April 27, 2011, the State of Alabama experienced the worst tornado outbreak since 1974 and possibly the deadliest the State has ever seen. The small Northwest Alabama towns of Hackleburg and Phil Campbell were completely devastated by the storms. The storms left a path of destruction through the towns at least half a mile wide, destroying numerous houses and businesses as well as both high schools, the fire and police stations in Hackleburg and severely damaging the city hall in Phil Campbell. Worst of all, the tornadoes took the lives of 18 people in the Hackleburg area and 27 people in Phil Campbell.

During the difficult hours and days immediately following the tornadoes of April 27, 2011, the first responders of Hackleburg, Phil Campbell, Marion County and Franklin County acted with the utmost professionalism and bravery when called to duty. Despite the carnage, they performed their duties with valor and perseverance. Many of them were working to assist others while not knowing whether their own families were safe. During the first frantic hours—and even days—of the search and rescue effort, sleep was not an option. They had a mission to do: to coordinate emergency work and retain order even while the debris-littered streets were the same route used to carry out the wounded and deceased and to welcome in relief workers from neighboring communities. But through it all, they never lost sight of the people they had sworn to serve and the spirit that has held their communities together.

On behalf of the citizens of the Fourth Congressional District of Alabama, I commend the brave men and women of the volunteer fire departments, law enforcement agencies and paramedics for their courage, selflessness and commitment to their communities. They, along with the resilient folks they serve, have begun to pick up the pieces of their shattered towns. I have every confidence that the Towns of Hackleburg and Phil Campbell will fully rebuild and be better than ever.

TO RECOGNIZE BATTLEFIELD HIGH SCHOOL'S PARTICIPATION IN THE STOCK MARKET GAME'S ''CAPITOL HILL CHALLENGE''

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to recognize Battlefield High School's Participation in the Stock Market Game ''Capitol Hill Challenge.''

The Stock Market Game (SMG) program is an extension of SIFMA and the SIFMA Foundation for Investor Education and has provided financial literacy, including personal financial skills and global economic education, to 13 million students and hundreds of thousands of teachers. Through this program, students further their performance and understanding of such financial and economic topics.

The ''Capitol Hill Challenge'' (CHC) poses a challenge to participating student teams by having them manage a hypothetical $100,000 online portfolio and investing in bonds, real stocks, and mutual funds. CHC would also engage Members of Congress with the constituents participating in SMG. The top five teams will travel to Washington D.C. to meet with their Congressman or Congresswoman. Again, CHC is an investment in our students' financial literacy for their future.

Battlefield High School will participate under the guidance of Michele Adkins and is among the more than 3,000 teams participating in the Ninth Annual Stock Market Game ''Capitol Hill Challenge.''

Mr. Speaker, I ask that my colleagues join me in recognizing Battlefield High School on the occasion of its participation in the Stock Market Game's ''Capitol Hill Challenge'' and in congratulating the students, educators, administrators, and parents on working together as a team for the benefit of all.

A TRIBUTE TO DREW MINARD

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. LATHAM. Mr. Speaker, I rise today to recognize West Des Moines Crossroads Park Elementary student Drew Minard, for his brave efforts to combat bullying in his school, state, and country.

Bullying is a problem for millions of school children every day in every corner of America. As adults we are well aware of the damage and pain that bullying causes, but it is the children of our country that live through this grim reality every day. Eleven-year-old Drew Minard understands the state of bullying firsthand and is using his talents, perspective and his big heart to motivate students across Iowa to change this reality, rather than accept it.

The 2012 documentary ''Bully'' is being viewed by millions as a heartbreaking look into our nation's bullying problem, but to Drew the film was his call to action. Drew knows that the solution to bullying does not lie with a select few, but instead lies with each and every one of us. When it comes to bullying, as Drew says, ''There is no such thing as an innocent bystander.''

To get his fellow students actively involved in combating bullying, Drew launched a student-led bully prevention initiative called ABC, or Anti-Bullying Club, for sixth-graders at Crossroads Park. ABC currently boasts roughly 30 members that gather to write and perform anti-bullying lessons that are presented at school assemblies. ABC also creates and places posters around the school to encourage students to speak out against bullying and report acts of bullying to an authority figure immediately when witnessed. The members of ABC are also readying a ''Declaration of Non-Bullying'' that they hope every student will sign to affirm their commitment to putting a stop to bullying in their school. Drew readily acknowledges that bullying is not just specific to Crossroads Park, and he plans to expand ABC to other elementary schools in his area and beyond.

Mr. Speaker, the actions Drew has shown to a cause greater than himself speaks volumes

of his selfless commitment to assisting others. Drew is a testament to the high quality character and unwavering work ethic instilled in Iowans both young and old. I know I speak for all of my colleagues in the United States Congress in congratulating Drew, thanking his supportive family, and thanking all the members of ABC, and the staff of Crossroads Park Elementary, for their life-changing efforts now and in the future.

TRIBUTE TO MARY SKEENS ON HER INDUCTION INTO THE WEST VIRGINIA AFFORDABLE HOUSING HALL OF FAME

HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mrs. CAPITO. Mr. Speaker, I rise today to recognize the accomplishments of Mary Skeens, as she is inducted into the West Virginia Affordable Housing Hall of Fame. Mary was raised in southeastern Kentucky, but has chosen West Virginia as her home to carry out her life's work in affordable housing.

Mary is currently the Executive Director of Community Works in West Virginia, a statewide housing network with a membership of 27 nonprofit housing providers serving the State's moderate to low-income home buyers. Since becoming its Executive Director, Mary has expanded the organization's lending capacity by becoming a qualified Seller/Servicer of loans to Neighborhood Housing Services of America. In addition, Mary has created a Campaign for Excellence, a leadership program designed to empower nonprofit housing managers; and developed an Affordable Housing Internship Program in partnership with West Virginia University, Marshall University and West Virginia Wesleyan University. As a matter of fact, I currently employ one of the first interns in this valuable program.

Prior to joining Community Works, Mary worked for the Federation of Appalachian Housing Enterprises, known as FAHE, and held various positions at the West Virginia Housing Development Fund with the HOME Program and in the Commercial Business and Development Department.

Mary has remained active in many state and local organizations that serve affordable housing solutions such as the West Virginia Interagency Housing Council, NeighborWorks America Rural Initiative Advisory Committee, Board Member of Rea of Hope Fellowship Home for Women and as Board Member and past-Chair of the West Virginia Affordable Housing Trust Fund.

Mr. Speaker, the purpose of the West Virginia Affordable Housing Hall of Fame is to recognize and honor men and women who have made significant and lasting contributions to affordable housing in West Virginia. Mary Skeens is truly a leader in affordable housing and community investment, and deserving of this honor.

I thank Mary for her years of service to the improvement of housing for all West Virginians. West Virginia is fortunate to call Mary one of its own.

IN HONOR OF THE GABRIEL ZIMMERMAN SCHOLARSHIP FUND

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. FARR. Mr. Speaker, I rise today to offer tribute to The Gabriel Zimmerman Scholarship Fund at University of California, Santa Cruz and the recipient of the inaugural award, Yethzell Diaz, a senior majoring in Latin American and Latino studies and sociology.

Gabriel Zimmerman graduated from UC Santa Cruz in 2002 with a degree in sociology. He served as community outreach director for Representative Gabrielle Giffords. Tragically, he was one of six people fatally wounded in the Tucson, Arizona shooting rampage that also critically injured Representative Giffords. He was the first congressional staffer to give his life in the line of duty. Gabe was a passionate public servant, committed to nonviolent solutions and consensus and was motivated to help people.

Moved by his death, UCSC alumni Jonathan Klein and Alex Clemens established a scholarship fund in his honor and offered an initial gift. The scholarship is designed to support students commited to public service.

On Friday, April 27th Gabe's mother Emily Nottingham will present the first scholarship award to Yethzell Diaz. Yethzell has already demonstrated her commitment to public service and social issues. After high school, she lived in Paraguay for seven months doing human rights work with Amnesty International. At UCSC she has worked with other students to create and implement a program in Watsonville schools to increase computer literacy among Spanish-speaking parents. She has also worked to start "Strive for College", a program the will help prepare students from underserved and disadvantaged communities to successfully transition from high school to college.

Mr. Speaker, this scholarship not only honors the efforts to which Gabe Zimmerman devoted his life, it also will support the work of Yethzell Diaz and future students who are involved in helping average citizens improve their quality of life.

CONGRATULATING THE USAF JUNIOR RESERVE OFFICER TRAINING CORPS UNIT AT SOUTHERN NASH HIGH SCHOOL

HON. RENEE L. ELLMERS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mrs. ELLMERS. Mr. Speaker, I rise today to recognize the United States Air Force Junior Reserve Officer Training Corps Unit at Southern Nash High School in Bailey, North Carolina.

Since 2006, Unit NC–935 has been selected by Headquarters, United States Air Force Air University as a Distinguished Unit, ranking in the top 25 percent of units worldwide.

For the 2010–2011 School-Years, Unit NC–935 was selected by Headquarters, United States Air Force Air University as a Distinguished Unit with Merit, the highest honor bestowed in the United States Air Force Junior Reserve Officer Training Corps.

In March, Cadets Trevon Davis, Lorell Dupree, Austin Fennell, Samantha Hill, Cristal Raya, and Trebor Walker flew on an Air Force mission with a KC–135 Tanker crew from the 77th Air Refueling Squadron to refuel a C–17 in flight.

And most recently, Unit NC–935 placed first overall at the annual Capital City Invitational Drill Meet in Raleigh, North Carolina. The Regulation Armed Flight placed third, commanded by Cadet John Setera. The Regulation Flight placed third, commanded by Cadet Lance Burnett. The First Year Cadet (AS–1) Element placed third, commanded by Cadet Eric Wall. The Regulation Color Guard placed third, commanded by Cadet Raya. The Relay Team placed third. The AS–1 Flight placed second, commanded by Cadet Davis. The Innovative Element Armed placed second, commanded by Cadet Trebor Walker. The Innovative Duo placed second, performed by Cadets Walker and Burnett. The Regulation Element Male placed first, commanded by Cadet Fennell. Cadet Burnett placed first in the Best Individual Drill with Rifle competition. Cadet Fennell placed first in the Best Individual Drill competition. Cadet Fennell also received an award for most sit ups performed in two minutes.

I would also like to congratulate Lt. Col. John Coulter, CMSgt John Wedding, Commander Luis Lewis Pimentel, and all the cadets at Southern Nash High School, on the accomplishments of this impressive unit. The 2nd district of North Carolina thrives on strong leaders like these, and I am proud to represent these fine young men and women.

KEYNOTE SPEECH FOR THE AFRICA AND INTERNATIONAL LAW CONFERENCE

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. COHEN. Mr. Speaker, I submit the following remarks given by Willy Mutunga, Chief Justice and President Supreme Court of Kenya on April 13, 2012.

Fellow Africans and our Friends: I thank the Albany Law School and Professor James Gathii for inviting me to this conference. I am delighted to be among so many practitioners and scholars of international law who share a commitment to Africa. There is a very special reason for me to be delivering this address today. April 13th was the late President—Mwalimu-Julius Nyerere's birthday. He would have been 88 today. Nyerere was a special and inspirational leader—he believed in the solidarity of the African people as well as in human dignity.

Nyerere was interested in both constitutional law and international law. There is a picture of him as a student at Edinburgh holding a copy of Dicey's Law of the Constitution. His interest was both scholarly and practical. It fell to him to develop a constitution suitable for his country—where his commitment to a one party state, although intended to increase democracy, must have come sorely in conflict with the Diceyan preference for the rule of law. As far as international law goes, he was greatly concerned to promote African unity, redefine the relationship between Africa (indeed the whole of

the South) and the West—as well as deal with Tanzania's colonial legacy, including that relating to treaty succession. He ruled out automatic succession, so the newly independent country was not burdened with unfair and unequal obligations.

I also felt honored as I read the biographies of the other participants in this conference: they read like a ''Who's Who?'' of international law and Africa. One only has to look at the conference program to see the broad depth of international law work relating to Africa. The papers submitted are impressive. I am looking forward to the deliberations here and the opportunity to get to know you and to talk about our common commitments and concern about Africa. My challenge to you always is to continue making transformative contributions in your work on Africa and international law. This will at times require those of you who are based outside Africa to return home and help contribute to the growing use and practice of international law in Africa.

My focus this morning is the new Constitution of Kenya and the role of the judiciary within it. First I want to tell you about that constitution and the vision that it espouses. We are now engaged in the challenging but difficult task of implementation in which a key role has been assigned to the judiciary. The judiciary has already made a good start on a progressive, indeed in some respects, radical jurisprudence—and now enjoys great public support.

The Constitution is one of the most progressive in the world. It was overwhelmingly approved in a referendum as a result of the most consultative and participatory processes of Constitution making anywhere in the world. The long period before the Constitution was upheld in the referendum was characterized not only by delays and deadlock, but by a series of governance challenges familiar in many countries of Africa:

An absence of a political culture of obedience to and respect for rules, and a cavalier treatment, even of constitutional texts;

Failed systems including the electoral system;

Failed institutions including a corrupt judiciary and police force;

A population tortured and inhibited from fulfilling its full potential;

Exclusion of women and many groups from full participation in society;

Gross manipulation of ethnic, racial, regional, religious, generational, clan, class, and occupational divisions by politicians for their personal ends;

Extreme inequality, great poverty and failure of even development;

An institutional culture of timidity, even where no threats existed;

A society and politics characterized by violence, fragility and instability; and

An international community that excelled in perfidy and double standards and that could not be relied upon to consistently support progressive constitutional reforms.

The result of the above has been a massive culture and practice of impunity and the marginalization of the constitution. The Constitution, which was, as my old teacher, and one of the leading constitutional scholars in Africa and the world, Yash Ghai is fond of saying, ''forced upon the rulers by the ruled.'' Here Yash's reference to rulers means both internal and external rulers—for Ghai, the Constitution has to be written to address these ills.

The 2010 Constitution of Kenya seeks to incorporate such rules in a number of ways. For example, it constantly emphasizes the sovereignty of the people, and is full of people oriented values. So Article 10 enumerates the national values and principles of governance that bind all state organs as well as everyone who applies or interprets the Constitution or any law or performs any public duty:

Patriotism, national unity, sharing and devolution of power, the rule of law, democracy and participation of the people;

Human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalized;

Good governance, integrity, transparency and accountability; and

Sustainable development.

I had argued before its promulgation that our constitution should establish a human rights state and society whose vision is radical social democracy. It is my view that this has now happened. It is, therefore, not surprising that there is considerable internal and external resistance to the constitution from people who have a vested interest in bad old habits—tribalism, nepotism and corruption. This increases the responsibility of the judiciary to ensure the enforcement of the constitution, as indeed is envisaged in Art. 20(3), which requires that a court develops the law where the Bill of Rights fails to give effect to a right or fundamental freedom.

The extent of my personal pride, sense of responsibility, and hope, as head of the judiciary, can perhaps be judged from the fact that I once wrote a book about efforts for a new Constitution, in the 1990s, in which I said ''The process of making the new constitution, the credibility of the final document and whether the people would be convinced that they own the new constitution are all issues at the root of the problem of constitution making. It is a fact that the judiciary has not fully implemented the Bill of Rights to protect the rights of the people against encroachment by the executive and state apparatuses. The overhauling of the judiciary and judicial system is also at the root of these issues.''

I still believe in the key importance of the judiciary. And the Constitution does give it a central role. Article 259 requires that the Constitution be interpreted in a way that promotes its purposes, values and principles, an obligation placed specifically upon courts and tribunals by Article 159(2)(e). And it provides a practical basis for this central role of the courts by its provisions designed to make them truly accessible, including through the institutionalization of public interest litigation. It destroys old concepts of standing by providing that anyone may bring an action to protect rights or enforce the constitution, even if they have no interest other than that of concerned citizen. It prohibits the charging of court fees for actions to enforce the Bill of Rights. It endorses the practice that the Indian Courts call ''epistolary jurisdiction''—the possibility of actions being commenced by informal documentation. And while requiring the rules of natural justice to be observed, it denies the possibility of ''unnatural justice'' in the form of procedural technicalities standing in the way of justice. Much of this comes ultimately from the jurisprudence of the Supreme Court of India, some by way of the South African Constitution.

The judiciary was one of the most criticized of the institutions of the old order. The legacy of the one party state was still discernible in judicial pandering to executive wishes. And I do not mean merely the sort of deference to the legislature that lawyers may legitimately argue about, but judges who would adjourn matters before them to take instructions from State House. The judiciary was one aspect of the machinery of impunity. Simple financial corruption was also rife. And, if you are auctioning your judgment to the highest bidder, it is probably counter-productive to exhibit much legal skill! For many years law reports were not up to date, and legal literature was all but non-existent.

Radical measures were needed. And they are found firstly in a process of subjecting all serving judges and magistrates to an examination of their suitability to remain in office. This process is under way, in the hands of an independent body, a process with which I have nothing to do, and on which it is of course improper for me to comment. Secondly, the appointment system was revamped. Now judges are interviewed and nominated by a Judicial Service Commission truly independent of government. The President is to have no discretion but must act on the Commission's recommendation. The Chief Justice and Deputy must be approved by Parliament. I was myself interviewed by the parliamentary committee, on live television, and questioned about, among other things, my finances, my attitudes to certain sensitive issues, my sexuality and my earring!

The judiciary has embarked upon many organizational changes intended to realize the Constitution's vision. These include the recruitment of judges and magistrates and professional administrative staff. Recently we appointed 26 judges to the High Court (that is the court of first instance of unlimited jurisdiction)—half of them women. The Court of Appeal now has 7 more judges, 5 of them women. We will recruit 160 Magistrates before the end of May, 2012. We have delinked judicial functions from administrative functions, boldly set out to stamp out corruption in the judiciary while speeding up reforms in computerization and other electronic justice measures. We have achieved some significant progress in reducing the backlog of cases and changing backward judicial culture. The 12 clusters that reflect these reforms, including the creation of progressive, indigenous and patriotic jurisprudence that I touch on later are contained in a write-up named the Judicial Transformation Framework that I will launch in May, 2012.

The constitution also provides for the decentralization and democratization of the judiciary. Unlike previous years when the old constitution made the Chief Justice a judicial autocrat and monarch, under the new constitution I do not control everything from the top. I have already set up a management and leadership committee that is representative and participatory.

Organization is of course important, even essential, to make the courts accessible, to end the interminable delays, the strain on the pockets and the patience, and to end impunity and, as far as the courts can, injustice. But I want briefly to emphasize something else.

I preside over the Supreme Court. As I understand the reasoning of the Constitution makers when creating this new court, apart from the desire to reintroduce the possibility of a second appeal, was similar to that that motivated the drafters of the South African Constitution when they created the Constitutional Court: to have at the apex of the system a court that would be respected, was committed to the Constitution and could set a new standard, and a new tone. In my view, one of the most important tasks that court will perform will be as a source of a new, highly competent and indigenous jurisprudence.

I link this last adjective to the Constitution's value of patriotism. Patriotism (when not being abused as the ''last refuge of the scoundrel'' in Samuel Johnson's words) requires putting love of country above love of self. For a judge it does not mean putting country above justice. I conceive that it requires the judge to develop the law, for, as

we all know, in the common law system that is what judges do, in a way that responds to the needs of the people, and to the national interest. I call this patriotic and indigenous jurisprudence. Above all, it requires a commitment to the Constitution and to the achievement of its values and vision.

But don't get me wrong: by ''patriotic and indigenous'' I do not mean insular and inward looking. The values of the Kenyan Constitution are anything but that. We need to learn from other countries. And we need to learn from scholars like this assembled company. We intend to build up a network of interested and highly qualified academics who share our vision. I hope that some of you here will form part of that network. My concern, when I emphasize ''indigenous'' is simply that we should grow our jurisprudence out of our own needs, without unthinking deference to that of other jurisdictions and courts, however, distinguished. The Kenyan judiciary has, therefore, a great opportunity to develop a robust, indigenous, patriotic and progressive jurisprudence that will give the country direction in its democratic development. This transformative mission is a duty to all judicial officers. They have all undertaken a constitutional obligation to undertake it and I have challenged them to make a personal obligation to help accomplish it.

Former Justice Krishna Iyer of the Indian Supreme Court expressed the same ambition, in his inimitable style:

Jurisprudence must match jurisdiction and jurisdiction must broaden to meet the challenges of the masses hungry for justice after a long night of feudal-colonial injustice. . . . The rule of law must run close to the rule of life and the court, to be authentic, must use native jural genius, people-oriented legal theory and radical remedial methodology regardless of Oxbridge orthodoxy, elitist petulance and feudal hubris.

Far from being inward looking, it would be my hope that we could learn from, and even emulate, distinguished courts in other countries, including, for example, the Supreme Court of India and the South African Constitutional Court. The Kenyan courts do not need to be as bold as the Indian apex court: many of its procedural innovations in public interest litigation are already enshrined in our constitution. And I would argue that the types of jurisprudence that that court has been so creative in developing are already part of our constitution. Protection of the environment, recognition of rights of communities especially in land, affirmative action, rights of persons with disability, rights to education, health and food—and the redress of past injustices—are engraved in our constitutional text.

What the first Chief Justice of the South African Constitutional Court, Arthur Chaskalson, said of their constitution could just as well be said of ours:

We live in a society in which there are great disparities in wealth. Millions of people are living in deplorable conditions and in great poverty. There is a high level of unemployment, inadequate social security, and many do not have access to clean water or to adequate health services. These conditions already existed when the Constitution was adopted and a commitment to address them, and to transform our society into one in which there will be human dignity, freedom and equality, lies at the heart of our new constitutional order.

For these reasons, including that our Constitution is couched often in language similar to that of South Africa, I anticipate that we shall learn a great deal from them, though always, as I say, suiting the decisions to our own realities.

Upendra Baxi wrote, of Public Interest Litigation (PIL),

The Supreme Court of India is at long last becoming . . . the Supreme Court for Indians. For too long the apex court had become ''an arena of legal quibbling for men with long purses''. Now increasingly, the court is being identified by the Justices as well as people as ''the last resort of the oppressed and bewildered.''

I would hope that the Supreme Court of my country will be the Supreme Court for Kenyans where the oppressed and bewildered will find justice.

But it is not enough for the Supreme Court to shine in jurisprudential terms. Most cases will never get beyond the High Court. The corollary of the decision to create a new, final, court of general, not specifically constitutional jurisdiction, was the desire that courts at all levels could confront constitutional issues and deal with them in a way that fulfills the constitutional dream. We are hoping to raise standards of judging and standards of advocacy, including through the work of the Judicial Training Institute, and by adopting frequent use of written briefs, rather than just skeleton oral arguments. The development of a new jurisprudence must be a collaborative effort between judges at all levels, and practicing and academic lawyers.

The internet is making access to precedents much easier, and there is an improvement in the law reporting situation. There is even some sign of a resurgence of interest in writing about Kenyan law. Do add your bit!

If I may turn now to the focus of concern of most of you: international law. The Constitution took a bold step and provides that ''The general rules of international law shall form part of the law of Kenya'' and ''Any treaty of convention ratified by Kenya shall form part of the law of Kenya under this Constitution''. Thus Kenya has become a monist state rather than a dualist one!

The implications of this will have to be worked out over time, as cases come before the courts. I would not have you imagine that Kenyan judges have ignored international law. I know firsthand from Kenya's supercharged civil society that constantly makes claims of international law to hold the government accountable, exemplifies the growing importance of international law in our courts. The courts have often applied the familiar common law approach, and indeed quoted the Bangalore Principles on Domestic Application of International Human Rights Norms, including:

It is within the proper nature of the judicial process and well-established judicial functions for national courts to have regard to international obligations which a country undertakes—whether or not they have been incorporated into domestic law—for the purpose of removing ambiguity or uncertainty form, national constitutions, legislation or common law.

However, where national law is clear and inconsistent with the international obligations of the State concerned in common law countries the national court is obliged to give effect to national law. In such cases the court should draw such inconsistency to the attention of the appropriate authorities since the supremacy of national law in no way mitigates a breach of an international legal obligation, which is undertaken by a country.

Now, however, the courts have greater freedom. Many issues will have to be resolved: what precisely are the ''The general rules of international law''?; what is the effect of the direct application of a treaty of which the language is not self-executing, such as ''States Parties shall take all appropriate measures'' rather than ''everyone has the right''? And what is the effect of a treaty provision that does not fill a gap in domestic law but inescapably conflicts with it? And what if the general rules of international law are exploitative, oppressive and subvert the radical social democratic vision of our constitution? All these questions clearly identify where the scholarship of people like yourselves, will be much appreciated by both bar and bench.

I should also like to quote another Bangalore Principle, relevant to my theme of indigenous jurisprudence:

While it is desirable for the norms contained in the international human rights instruments to be still more widely recognized and applied by national courts, this process must take fully into account local laws, traditions, circumstances and needs.

How can we achieve this marriage consistent with international law obligations?

Let me also emphasize that Kenya does not intend to be a ''user'' of international law, but a producer, shaper and developer of it as well. This is the link to the Nyerere Doctrine where I began. Nyerere refused to accede to existing international rules on treaty succession and came up with his own innovation. Kenyan judiciary will not just import all international legal rules including those which are disempowering to the South as a political and economic category. Instead, as I pointed above in our strategy to create an indigenous, patriotic and progressive jurisprudence, the Kenyan judiciary will use our new constitution to begin a dialogue with international legal communities to nudge the jurisprudence of social justice in a progressive direction. In particular, we have a chance to develop jurisprudence on economic and social rights in ways that are unique to our social and economic development. We intend, therefore, to be able to export progressive jurisprudence to the rest of the world.

Finally, let me not give the impression that I am negative about the work of my judicial colleagues. There are many competent and committed members of the bench. Even under the former constitution with its inadequate Bill of Rights (more limitations than rights!) creative judges were doing their best. And now many of them, new and longer established, are responding with enthusiasm to the challenges and opportunities of the new Constitution. I cannot really comment on individual cases—none has come before us yet, and some will undoubtedly do so. But I personally feel encouraged by signs of willingness to draw on international instruments, not only treaties, and by reliance on the values including those of Article 10—as Article 259 requires.

As we say in Kenya in Kiswahili—Asante Sana. We also say Shukrani, shukran and shukria. Thank you very much.

HONORING THE LIFE AND SERVICE OF CHARLES WALTER ''WALT'' RUCKEL, JR.

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. MILLER of Florida. Mr. Speaker, on behalf of the United States Congress, it is an honor for me to rise today to recognize the life of Northwest Florida's beloved Charles Walter "Walt" Ruckel, Jr. Throughout Northwest Florida, Walt Ruckel was known for his warm nature, immense generosity, dedicated service to his local community and, above all, his never-ending love for his family. Walt Ruckel is survived by 8 children, 12 grandchildren and 15 great-grandchildren.

Walt Ruckel was a true Northwest Floridian, born and raised on the Gulf Coast. After graduating from high school, he attended Davidson College and North Georgia College as part of the U.S. Army Specialized Training Reserve Program. Upon completion of his training, Mr. Ruckel entered the U.S. Army Air Corps, where he served as an airplane mechanic before being honorably discharged in 1947. In 1948, he graduated from Soule Business College in New Orleans and returned to his native Northwest Florida where he began a distinguished career in the Northwest Florida business community. Mr. Ruckel took a position working as a bank teller and bookkeeper at Valparaiso State Bank in Valparaiso, Florida, where he quickly established himself, rising to become Assistant Vice President in 1950 before becoming President of the bank in 1951. Mr. Ruckel continued to serve at the bank as Chairman of the Board until 2004.

Mr. Ruckel's immense pride in his local community inspired him to pursue a career in real estate and property development. In 1955, he founded Ruckel Properties, which continues to serve the Northwest Florida community today. Through Mr. Ruckel's leadership, Ruckel Properties has developed countless homes and businesses in Northwest Florida and has been a driving force in the development of the cities of Niceville and Valparaiso.

In addition to his work in the Northwest Florida business community, Walt Ruckel was also a noted civic leader. He was a founding member of the Niceville-Valparaiso Rotary Club, where he served as President from 1954 to 1955 and was twice named the club's ''Man of the Year.'' Mr. Ruckel truly believed in the value of community service, and he remained active in the Rotary Club until his passing, helping to organize and volunteer at the club's latest fundraiser. His steadfast dedication to serving his community extended beyond the Rotary Club, and he was active in many other civic organizations, including the local Chamber of Commerce, United Way and Boy Scouts of America.

Northwest Florida is also home to numerous military installations, and Mr. Ruckel was a strong supporter of the servicemen and women and their families who form such an integral part of our local community. Mr. Ruckel served as Chairman of the Air Force Armament Museum Foundation, where he helped lead a successful effort to raise more than $1 million for the construction of the Air Force Armament Museum, located at Eglin Air Force Base.

All those who had the fortune of meeting Walt Ruckel were blessed by his kindness and generosity, and his impact on Northwest Florida will never be forgotten. To some, Walt Ruckel will be remembered as an invaluable member and leader of the Northwest Florida community, to others, an honorable member and strong supporter of our Armed Forces. To his friends and family, Walt Ruckel will most fondly be remembered as a loving and committed family man.

Mr. Speaker, on behalf of the United States Congress, it gives me great pride to honor the life of Walt Ruckel and his living legacy. Northwest Florida has truly suffered a great loss with his passing, and my wife Vicki joins me in sending our most heartfelt condolences to the entire Ruckel family.

IN MEMORY OF DELORES THOMAS HADNOTT

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. AL GREEN of Texas. Mr. Speaker, today, I would like to honor the memory of a noble public servant and spiritual leader, Delores Thomas Hadnott. With singular dedication, Ms. Hadnott devoted her life to faithfully serving her community.

Ms. Hadnott was born in Arcadia, LA on December 31, 1951. Her parents instilled within her the importance of education and the drive to help others. In 1972, she received her B.A. degree in Sociology from Grambling State University in only three years, while serving as salutatorian, class president and a member of Alpha Kappa Alpha Sorority, Incorporated.

After Ms. Hadnott completed Management Training at the University of Houston, she started her thirty-six year career with the American Red Cross—Greater Houston Area Chapter. Ms. Hadnott excelled in her position, becoming the office director of the southeast branch office in 1987. Ms. Hadnott worked tirelessly to advocate for the betterment of Houston and under-served individuals.

In addition to her lifelong service in her community, Ms. Hadnott acted in several roles at the Mount Carmel Missionary Baptist Church. Through her unselfish hard work and virtue, she eventually became the assistant church secretary, a member of the finance committee, program coordinator for the Mission Society and a Sunday school instructor.

Ms. Hadnott's leadership and community service have been consistently recognized by her colleagues. Mayor Lee Brown honored her on May 9, 2002 when he proclaimed it Delores Hadnott Day in the City of Houston. In 2006, she received the 42nd Annual Founders' Day, Sojourner Truth Crystal and Professional awards. In 2009, I had the honor to present her with the 2009 Congressional Certificate of Special Recognition.

Finally, Mr. Speaker, Delores Thomas Hadnott will be missed dearly by her daughter, Crystal Denise, son, Lawrence Oliver, stepson, Lawrence Isaiah, grandson, Ashton Josiah, and daughter-in-law, Shakwanna. She will be remembered in the City of Houston as a dedicated public servant and valued community leader. May she rest in the peace she has so richly earned.

RECOGNIZING MASTER AGRICULTURIST DALE HINES

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. KIND. Mr. Speaker, I rise before you today to congratulate a second-generation dairy farmer from my home district in western Wisconsin. Dale Hines is a hard-working man from the beautiful small town of Ellsworth who was recently recognized as a Master Agriculturist. This distinction, awarded by the magazine Wisconsin Agriculturist, recognizes Wisconsin farmers who not only display an ability to raise crops or livestock, but those who also dedicate significant time to their family, communities, churches, farm organizations, and other local efforts.

I'm proud to be from an area so rich with agricultural history—an area which celebrates and appreciates the hard-working men and women who work on our farms, raising crops and livestock, helping to put food on our tables. The family farm is an important American institution, and Dale Hines and the rest of the Hines family are an embodiment of that spirit. As a child, Dale grew up surrounded by farming. Even at a young age, he spent his time milking his family's 30 Holstein cows along with his older brothers—a chore which became a full-time career for Dale after graduating from Ellsworth High School in 1977. Today, the Hines Ranch, which was recognized in 1987 as the Wisconsin Conservation Farm of the Year, has grown exponentially. They cultivate 810 acres of land and milk 80 cows, a herd which produces more than 28,000 pounds of milk per cow.

However, despite their farm's growth amidst the ever-changing world of farming, one thing has never changed for the Hineses: the importance of the family-run operation. Although only Dale's family lives in the farmhouse, the entire extended family is still very much involved with the farm's day-to-day operations. Everyone helps out in whatever way they can, whether it's helping with the planting and harvesting of the crops, constructing all of the farm's buildings, or keeping track of the books—a task which Dale's 85-year-old mother Joyce still does to this day.

The Hines family is truly an example to follow, both due to the success of their farm and the importance they place on family. It is with great pride that I rise today and congratulate Dale Hines, a dedicated father, farmer, and citizen, on having received proper recognition of the hard work that he and his family have put forth over the last half-century. He is truly deserving of the title of Master Agriculturist, and I wish him and the rest of the Hines family all of the best in the future.

IN RECOGNITION OF STEPHANNIE FINLEY IN HONOR OF HER SERVICE TO THE COLORADO SPRINGS CHAMBER OF COMMERCE

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. LAMBORN. Mr. Speaker, I rise today to pay tribute to Stephannie Finley, the outgoing President of the Colorado Springs Chamber of Commerce Governmental Affairs and Public Policy Division.

Stephannie began her career working for a small food distribution business that served Peterson AFB, the Air Force Academy, and Ft. Carson. After the business was sold, Stephannie entered the world of politics.

She has extensive experience including: working for the White House Advance Team in the early 1990s, serving as a staffer to the Colorado General Assembly, the Chief of Staff for Colorado's 3rd Congressional District, the Director of State Government Relations for the University of Colorado, and the Chief of Staff to Lt. Governor Jane Norton.

Stephannie first joined the Chamber in February of 2006. She has been a passionate and

dedicated servant to the Front Range of Colorado, and I extend her my sincerest thanks and wish her the best of success in her future service.

''UNBROKEN''

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. POE of Texas. Mr. Speaker, on a fateful day in May 1943, bombardier Louis Zamperini and his fellow airmen were flying in a B–24 over the Pacific Ocean on a reconnaissance mission. The plane fell apart mid-flight, crashing into the middle of ocean and killing all but three of the 11-man crew.

In the midst of the catastrophe and chaos, Louis along with his pilot Russell Allen Phillips and tail gunner Francis McNamara, found a small rubber life raft. All three avoided sharks, dodged bullets from Japanese aircraft and devised ways to catch rainwater, fish and sometimes birds.

After 33 days on the raft, Francis McNamara died. The chance of rescue for the other two men seemed bleak, until day 47, when their raft finally made landfall in the Marshall Islands.

Once they reached the island, Louie and Russell were immediately captured by Japanese forces and put in a POW camp where they were imprisoned for over two years in several infamous camps, including Ofuna, Omori and Naoetsu. Thought dead by his family, Louis faced torture worse than death.

One particular brutal guard, nicknamed ''The Bird,'' planned to make an example of the famous Olympian. Louis would look away from The Bird's eyes and get punched for looking away; Louis would stare into The Bird's eyes and get punched for staring at his eyes. The Bird would then whip Louis with a 2-pound steel buckle across the face and head. The Bird would torture, starve and force Louis to perform demeaning acts every day. It seems unthinkable, but during the two years of abuse and torture, Louis never broke down. That is a resilient spirit.

Finally, almost 28 months after his plane crashed, Louis was brought home to California. Louis tried to balance the horrors of his imprisonment with his new found celebrity status in America. His life began to spin out of control. This is not where his story ends.

Louis attributes getting his life back on track to a young evangelist named Billy Graham who inside a revival tent changed Louis's life forever. After his reconfirmation to his God, Louis became a missionary to the same country that had held him captive. In Japan, he preached the good word of forgiveness to the guards that tortured him during the war.

Laura Hillenbrand tells the tale of the great American hero Louis Zamperini in the appropriately titled book ''Unbroken.'' Born in Olean, New York in 1917, Louis moved to Torrance, California with his Italian-American family in the 1920's. Like most rural American children of the era, he grew up poor in the Depression.

Louis's teenage years were far different from the life he leads today, but, they were a precursor to the spunk he still exhibits some 80 years later. In his younger years, he was in and out of trouble with the law, having established a reputation on the streets of Torrance as a fighter and a thief. It was here that his older brother, Pete, discovered Louis's talent for running.

In an effort to restore his street reputation, Louis joined the high school track team. Pete helped develop Louis's natural athletic speed by training him, first for the mile run. By his senior year, Louis set the world's high school record in the mile run. Soon after, he qualified to run in the 1936 Berlin Olympics where he was the top American finisher in the 5,000-meter run.

At the Berlin games, Louis's speed caught Adolf Hitler's attention, and Hitler sought him out for a congratulatory handshake. The dictatorship that Louis witnessed in Berlin would soon affect him personally.

After returning from the '36 Olympics, Louis enrolled at the University of Southern California where he earned a track scholarship. It was five years later that Louis enlisted in the U.S. Army. After Pearl Harbor, Louis was sent to Houston to train in the U.S. Air Corps bombardier school. From there, he served as a bombardier in the South Pacific during World War II.

Louis is now 94 years young. Louis has done more in his life than many can claim: he ran in the 1936 Berlin Olympics; fought in the Second World War; survived a plane crash into the ocean; and endured two years of torture at Japanese POW camps. Having lived for nearly a century, Louis still travels the country telling his story and inspiring generations to come. He still has the fight left in him—don't let his age fool you.

Today, Louis still travels the world and tells his story of endurance and survival. His patriotic legacy of military service and plain old giving back is one of the best examples of our greatest generation in American history. Louis is that special warrior who never forsook his duty and never forsook his honor. He was unbroken.

And that's just the way it is.

IN REMEMBRANCE OF JUDGE PETER SIKORA

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2012

Mr. KUCINICH. Mr. Speaker, I rise today to honor Cuyahoga County Juvenile Court Judge Peter M. Sikora.

Born on December 11, 1951, Judge Sikora was a lifelong Clevelander. He attended St. Ignatius High School where he ran track, cross country and played on the hockey team. Tragically, at the age of 17, Judge Sikora suffered a life altering trampoline accident that left him in a wheelchair. However, he was able to overcome his injury and have a successful career as a judge.

After earning an associate's degree from Cuyahoga Community College and graduating as valedictorian from Baldwin-Wallace College, Judge Sikora earned his law degree from Case Western Reserve University. He went on to serve as deputy legal counsel for Governor Celeste in the mid-1980s before becoming deputy director and general counsel to the Ohio Department of Mental Retardation and Developmental Disabilities.

In 1989, former Governor Celeste appointed Judge Sikora to the Cuyahoga Juvenile Court where he continued to be re-elected for consecutive terms until his passing. He was the most veteran judge at the Cuyahoga County Juvenile Court. In addition to his service, Judge Sikora was a dedicated and active member of the Greater Cleveland community. He was a board member for the Cleveland Ballet, International Services Center, Health Hill Hospital for Children and MetroHealth Rehabilitation Institute of Ohio.

I offer my condolences to his sister, Linda Baxendale; nieces and nephews, Nathan (Sara), Jared (Ashley), Aaron (Suzanne), Leah, Molly, Claire, Ava, Hatcher, Briley, Mary Grace and Jack; his caregiver, Jean Foutz and his court staff.

Mr. Speaker and colleagues, please join me in honoring Judge Peter Sikora, who dedicated his life to serving the Greater Cleveland community.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, April 26, 2012 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

APRIL 27

10 a.m.

Finance

To hold hearings to examine the nominations of Mark J. Mazur, of New Jersey, and Matthew S. Rutherford, of Illinois, both to be an Assistant Secretary of the Treasury, and Meredith M. Broadbent, of Virginia, to be a Member of the United States International Trade Commission.

SD–215

MAY 9

10 a.m.

Homeland Security and Governmental Affairs

To hold hearings to examine the nomination of Joseph G. Jordan, of Massachusetts, to be Administrator for Federal Procurement Policy, Executive Office of the President.

SD–342

Daily Digest

HIGHLIGHTS

Senate passed S. 1789, 21st Century Postal Service Act, as amended.

Senate

Chamber Action

Routine Proceedings, pages S2663–S2743

Measures Introduced: Twenty-four bills and four resolutions were introduced, as follows: S. 2346–2369, and S. Res. 435–438. **Pages S2730–31**

Measures Reported:

Special Report entitled "Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2013.". (S. Rept. No. 112–160)

S. 1119, to reauthorize and improve the Marine Debris Research, Prevention, and Reduction Act, with an amendment in the nature of a substitute. (S. Rept. No. 112–161)

S. 1952, to improve hazardous materials transportation safety and for other purposes. (S. Rept. No. 112–162)

H.R. 298, to designate the facility of the United States Postal Service located at 500 East Whitestone Boulevard in Cedar Park, Texas, as the "Army Specialist Matthew Troy Morris Post Office Building".

H.R. 1423, to designate the facility of the United States Postal Service located at 115 4th Avenue Southwest in Ardmore, Oklahoma, as the "Specialist Micheal E. Phillips Post Office".

H.R. 2079, to designate the facility of the United States Postal Service located at 10 Main Street in East Rockaway, New York, as the "John J. Cook Post Office".

H.R. 2213, to designate the facility of the United States Postal Service located at 801 West Eastport Street in Iuka, Mississippi, as the "Sergeant Jason W. Vaughn Post Office".

H.R. 2244, to designate the facility of the United States Postal Service located at 67 Castle Street in Geneva, New York, as the "Corporal Steven Blaine Riccione Post Office".

H.R. 2660, to designate the facility of the United States Postal Service located at 122 North Holderrieth Boulevard in Tomball, Texas, as the "Tomball Veterans Post Office".

H.R. 2767, to designate the facility of the United States Postal Service located at 8 West Silver Street in Westfield, Massachusetts, as the "William T. Trant Post Office Building".

H.R. 3004, to designate the facility of the United States Postal Service located at 260 California Drive in Yountville, California, as the "Private First Class Alejandro R. Ruiz Post Office Building".

H.R. 3246, to designate the facility of the United States Postal Service located at 15455 Manchester Road in Ballwin, Missouri, as the "Specialist Peter J. Navarro Post Office Building".

H.R. 3247, to designate the facility of the United States Postal Service located at 1100 Town and Country Commons in Chesterfield, Missouri, as the "Lance Corporal Matthew P. Pathenos Post Office Building".

H.R. 3248, to designate the facility of the United States Postal Service located at 112 South 5th Street in Saint Charles, Missouri, as the "Lance Corporal Drew W. Weaver Post Office Building".

S. Res. 419, expressing the sense of the Senate that public servants should be commended for their dedication and continued service to the United States during Public Service Recognition week.

Page S2730

Measures Passed:

21st Century Postal Service Act: By 62 yeas to 37 nays (Vote No. 82), Senate passed S. 1789, to improve, sustain, and transform the United States Postal Service, by the order of the Senate of Thursday, April 19, 2011, 60 Senators having voted in the affirmative, after taking action on the following amendments proposed thereto: **Pages S2683–97**

Adopted:

Bingaman/Udall (NM) Amendment No. 2076 (to Amendment No. 2000), to require that State liaisons for States without a district office are located within their respective States. (Pursuant to the order of

Tuesday, April 24, 2012, the requirement of a 60 affirmative vote threshold, was vitiated.)

Pages S2684–85

Paul Amendment No. 2027 (to Amendment No. 2000), to require the closing of post offices in the Capitol Complex. (Pursuant to the order of Tuesday, April 24, 2012, the requirement of a 60 affirmative vote threshold, was vitiated.) **Page S2685**

Paul Modified Amendment No. 2029 (to Amendment No. 2000), to require the Postal Service to take into consideration the impact of regulations when developing a profitability plan. (Pursuant to the order of Tuesday, April 24, 2012, the requirement of a 60 affirmative vote threshold, was vitiated.) **Page S2687**

Carper Amendment No. 2066 (to Amendment No. 2000), to appropriately limit the compensation of executives of the Postal Service. (Pursuant to the order of Tuesday, April 24, 2012, the requirement of a 60 affirmative vote threshold, was vitiated.)

Pages S2687–88

Landrieu Amendment No. 2072 (to Amendment No. 2000), to determine the impact of certain postal facility closures or consolidations on small businesses. (Pursuant to the order of Tuesday, April 24, 2012, the requirement of a 60 affirmative vote threshold, was vitiated.) **Pages S2689–90**

McCaskill Amendment No. 2030 (to Amendment No. 2000), to improve the workers compensation provisions. (Pursuant to the order of Tuesday, April 24, 2012, the requirement of a 60 affirmative vote threshold, was vitiated.) **Pages S2690–91**

Pryor/Begich Amendment No. 2036 (to Amendment No. 2000), to express the sense of the Senate with respect to the closing and consolidation of postal facilities and post offices. (Pursuant to the order of Tuesday, April 24, 2012, the requirement of a 60 affirmative vote threshold, was vitiated.) **Page S2691**

Rockefeller/Cardin Modified Amendment No. 2073 (to Amendment No. 2000), relative to Medicare educational program for Postal Service employees and retirees. (Pursuant to the order of Tuesday, April 24, 2012, the requirement of a 60 affirmative vote threshold, was vitiated.) **Page S2691**

Rockefeller Modified Amendment No. 2074 (to Amendment No. 2000), to improve the Postal Service Health Benefits Program. (Pursuant to the order of Tuesday, April 24, 2012, the requirement of a 60 affirmative vote threshold, was vitiated.)

Pages S2691–92

Schumer Amendment No. 2050 (to Amendment No. 2000), to maintain all current door delivery point services. (Pursuant to the order of Tuesday, April 24, 2012, the requirement of a 60 affirmative vote threshold, was vitiated.) **Page S2692**

Lieberman (for Warner/Mikulski) Modified Amendment No. 2071 (to Amendment No. 2000), to require reporting regarding retirement processing and modernization. (Pursuant to the order of Tuesday, April 24, 2012, the requirement of a 60 affirmative vote threshold, was vitiated.)

Pages S2683, S2692–93

Tester/Pryor Amendment No. 2032 (to Amendment No. 2000), to appropriately limit the pay of Postal Service executives. (Pursuant to the order of Tuesday, April 24, 2012, the requirement of a 60 affirmative vote threshold, was vitiated.) **Page S2693**

Reid (for Lieberman) Modified Amendment No. 2000, in the nature of a substitute. **Pages S2683–97**

Rejected:

By 43 yeas to 53 nays (Vote No. 77), Manchin/Rockefeller Amendment No. 2079 (to Amendment No. 2000), to extend the moratorium on the closing and consolidation of postal facilities or post offices, stations, or branches. (Pursuant to the order of Thursday, April 19, 2012, the amendment having failed to achieve 60 affirmative votes, was not agreed to.) **Page S2683**

By 35 yeas to 64 nays (Vote No. 78), Paul Amendment No. 2028 (to Amendment No. 2000), to establish a pilot program to test alternative methods for the delivery of postal services. (Pursuant to the order of Thursday, April 19, 2012, the amendment having failed to achieve 60 affirmative votes, was not agreed to.) **Pages S2685–87**

By 23 yeas to 76 nays (Vote No. 79), Paul Amendment No. 2039 (to Amendment No. 2000), to prohibit employees of the United States Postal Service from engaging in collective bargaining. (Pursuant to the order of Thursday, April 19, 2012, the amendment having failed to achieve 60 affirmative votes, was not agreed to.) **Page S2688**

By 44 yeas to 54 nays (Vote No. 80), Casey Amendment No. 2042 (to Amendment No. 2000), to maintain current delivery time for market-dominant products. (Pursuant to the order of Thursday, April 19, 2012, the amendment having failed to achieve 60 affirmative votes, was not agreed to.)

Pages S2688–89

By 46 yeas to 53 nays (Vote No. 81), DeMint Amendment No. 2046 (to Amendment 2000), to provide protections for postal workers with respect to their right not to subsidize union nonrepresentational activities. (Pursuant to the order of Thursday, April 19, 2012, the amendment having failed to achieve 60 affirmative votes, was not agreed to.)

Page S2690

Congratulating the Boston College Men's Ice Hockey Team: Senate agreed to S. Res. 437, congratulating the Boston College men's ice hockey

team on winning its fifth National Collegiate Athletic Association Division I Men's Hockey Championship. **Pages S2741–42**

National Safe Digging Month: Senate agreed to S. Res. 438, to support the goals and ideals of National Safe Digging Month. **Page S2742**

Measures Considered:

Violence Against Women Reauthorization Act—Agreement: Senate began consideration of S. 1925, to reauthorize the Violence Against Women Act of 1994, after agreeing to the motion to proceed. **Pages S2664–83, S2697–S2720**

A unanimous-consent-time agreement was reached providing for further consideration of the bill at approximately 9:30 a.m., on Thursday, April 26, 2012, that the Senate be in a period of debate only until 11:30 a.m., and that after the remarks of the two Leaders, the time until 11:30 a.m. be equally divided and controlled between the two Leaders, or their designees, with the Republicans controlling the first 45 minutes and the Majority controlling the second 45 minutes. **Pages S2697–98**

Costa and Guaderrama Nominations—Agreement: A unanimous-consent-time agreement was reached providing that at 11:30 a.m., on Thursday, April 26, 2012, Senate begin consideration of the nominations of Gregg Jeffrey Costa, of Texas, to be United States District Judge for the Southern District of Texas, and David Campos Guaderrama, of Texas, to be United States District Judge for the Western District of Texas; that there be 30 minutes for debate equally divided in the usual form; that upon the use or yielding back of time, Senate vote, without intervening action or debate, on confirmation of the nominations in the order listed; that no further motions be in order; and that following the votes on confirmation of the nominations, the Majority Leader be recognized. **Page S2722**

Nominations Received: Senate received the following nominations:

Terrence G. Berg, of Michigan, to be United States District Judge for the Eastern District of Michigan.

Jesus G. Bernal, of California, to be United States District Judge for the Central District of California.

Shelly Deckert Dick, of Louisiana, to be United States District Judge for the Middle District of Louisiana.

Lorna G. Schofield, of New York, to be United States District Judge for the Southern District of New York.

Charles R. Breyer, of California, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2015.

A routine list in the Army. **Pages S2742–43**

Messages from the House: **Page S2725**

Measures Referred: **Page S2725**

Measures Placed on the Calendar: **Pages S2725, S2742**

Executive Communications: **Pages S2725–27**

Petitions and Memorials: **Pages S2727–30**

Executive Reports of Committees: **Page S2730**

Additional Cosponsors: **Pages S2731–32**

Statements on Introduced Bills/Resolutions: **Pages S2732–37**

Additional Statements: **Pages S2724–25**

Amendments Submitted: **Pages S2737–41**

Authorities for Committees to Meet: **Page S2741**

Record Votes: Six record votes were taken today. (Total—82) **Pages S2684, S2687–90, S2696**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 6:33 p.m., until 9:30 a.m. on Thursday, April 26, 2012. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S2742.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: NATIONAL AND MILITARY INTELLIGENCE PROGRAMS

Committee on Appropriations: Subcommittee on Department of Defense concluded a closed hearing to examine proposed budget estimates for fiscal year 2013 for national and military intelligence programs, after receiving testimony from James R. Clapper, Jr., Director of National Intelligence; and Tom Ferguson, Principal Deputy Under Secretary of Defense for Intelligence.

DEFENSE AUTHORIZATION REQUEST AND FUTURE YEARS DEFENSE PROGRAM

Committee on Armed Services: Subcommittee on Strategic Forces concluded a hearing to examine ballistic missile defense policies and programs in review of the Defense Authorization Request for fiscal year 2013 and the Future Years Defense Program, after receiving testimony from J. Michael Gilmore, Director, Operational Test and Evaluation, Bradley H. Roberts, Deputy Assistant Secretary for Nuclear and Missile Defense Policy, Lieutenant General Patrick J. O'Reilly, USA, Director, Missile Defense Agency, and Lieutenant General Richard P. Formica, USA, Commander, United States Army Space and Missile

Defense Command, Army Forces Strategic Command, and Commander, Joint Functional Component Command for Integrated Missile Defense, all of the Department of Defense; and Cristina T. Chaplain, Director, Acquisition and Sourcing Management, Government Accountability Office.

DEFENSE AUTHORIZATION REQUEST AND FUTURE YEARS DEFENSE PROGRAM

Committee on Armed Services: Subcommittee on Personnel concluded a hearing to examine the Active, Guard, Reserve, and civilian personnel programs in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program, after receiving testimony from Thomas R. Lamont, Assistant Secretary of the Army for Manpower and Reserve Affairs, Juan M. Garcia III, Assistant Secretary of the Navy for Manpower and Reserve Affairs, Daniel B. Ginsberg, Assistant Secretary of the Air Force for Manpower and Reserve Affairs, Lieutenant General Thomas P. Bostick, USA, Deputy Chief of Staff G–1, Vice Admiral Scott R. Van Buskirk, USN, Chief of Naval Personnel, Lieutenant General Robert E. Milstead Jr., USMC, Assistant Commandant for Manpower and Reserve Affairs, and Lieutenant General Darrell D. Jones, USAF, Deputy Chief of Staff for Manpower, Personnel and Services, all of the Department of Defense.

HOMEOWNERS REFINANCING

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Housing, Transportation and Community Development concluded a hearing to examine helping homeowners save money through refinancing, after receiving testimony from Christopher J. Mayer, Columbia Business School, and Laurie S. Goodman, Amherst Securities Group LP, both of New York, New York; Debra W. Still, Mortgage Bankers Association, Englewood, Colorado; Anthony B. Sanders, George Mason University Mercatus Center, Washington, D.C.; and Michael Calhoun, Center for Responsible Lending, Durham, North Carolina.

TAX REFORM

Committee on Finance: Committee concluded a hearing to examine tax reform, focusing on what it means for state and local tax and fiscal policy, after receiving testimony from Frank Sammartino, Assistant Director for Tax Analysis, Congressional Budget Office; Kim Rueben, Urban-Brookings Tax Policy Center, and Joseph Henchman, Tax Foundation, both of Washington, D.C.; Walter Hellerstein, University of Georgia Law School, Athens; and Sanford Zinman, National Conference of CPA Practitioners, White Plains, New York.

BUSINESS MEETING

Committee on Homeland Security and Governmental Affairs: Committee ordered favorably reported the following business items:

S. 241, to expand whistleblower protections to non-Federal employees whose disclosures involve misuse of Federal funds, with an amendment in the nature of a substitute;

S. 2061, to provide for an exchange of land between the Department of Homeland Security and the South Carolina State Ports Authority, with an amendment;

S. 1673, establish the Office of Agriculture Inspection within the Department of Homeland Security, which shall be headed by the Assistant Commissioner for Agriculture Inspection, and for other purposes, with an amendment in the nature of a substitute;

S. 1998, to obtain an unqualified audit opinion, and improve financial accountability and management at the Department of Homeland Security, with an amendment in the nature of a substitute;

H.R. 3902, to amend the District of Columbia Home Rule Act to revise the timing of special elections for local office in the District of Columbia;

H.R. 2668, to designate the station of the United States Border Patrol located at 2136 South Naco Highway in Bisbee, Arizona, as the ''Brian A. Terry Border Patrol Station'';

S. Res. 419, expressing the sense of the Senate that public servants should be commended for their dedication and continued service to the United States during Public Service Recognition week;

H.R. 298, to designate the facility of the United States Postal Service located at 500 East Whitestone Boulevard in Cedar Park, Texas, as the ''Army Specialist Matthew Troy Morris Post Office Building'';

H.R. 1423, to designate the facility of the United States Postal Service located at 115 4th Avenue Southwest in Ardmore, Oklahoma, as the ''Specialist Micheal E. Phillips Post Office'';

H.R. 2079, to designate the facility of the United States Postal Service located at 10 Main Street in East Rockaway, New York, as the ''John J. Cook Post Office'';

H.R. 2213, to designate the facility of the United States Postal Service located at 801 West Eastport Street in Iuka, Mississippi, as the ''Sergeant Jason W. Vaughn Post Office'';

H.R. 2244, to designate the facility of the United States Postal Service located at 67 Castle Street in Geneva, New York, as the ''Corporal Steven Blaine Riccione Post Office'';

H.R. 2660, to designate the facility of the United States Postal Service located at 122 North

Holderrieth Boulevard in Tomball, Texas, as the ''Tomball Veterans Post Office'';

H.R. 2767, to designate the facility of the United States Postal Service located at 8 West Silver Street in Westfield, Massachusetts, as the ''William T. Trant Post Office Building'';

H.R. 3004, to designate the facility of the United States Postal Service located at 260 California Drive in Yountville, California, as the ''Private First Class Alejandro R. Ruiz Post Office Building'';

H.R. 3246, to designate the facility of the United States Postal Service located at 15455 Manchester Road in Ballwin, Missouri, as the ''Specialist Peter J. Navarro Post Office Building'';

H.R. 3247, to designate the facility of the United States Postal Service located at 1100 Town and Country Commons in Chesterfield, Missouri, as the ''Lance Corporal Matthew P. Pathenos Post Office Building'';

H.R. 3248, to designate the facility of the United States Postal Service located at 112 South 5th Street in Saint Charles, Missouri, as the ''Lance Corporal Drew W. Weaver Post Office Building''; and

The nominations of Tony Hammond, of Missouri, to be a Commissioner of the Postal Regulatory Commission, Mark A. Robbins, of California, to be a Member of the Merit Systems Protection Board, and Roy Wallace McLeese III, to be an Associate Judge of the District of Columbia Court of Appeals.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported the following business items:

An original bill entitled ''Food and Drug Administration Safety and Innovation Act''; and

The nominations of Deborah S. Delisle, of South Carolina, to be Assistant Secretary of Education for Elementary and Secondary Education, Bonnie L. Bassler, of New Jersey, to be a Member of the National Science Board, National Science Foundation, and Adam Gamoran, of Wisconsin, Judith D. Singer, of Massachusetts, Hirokazu Yoshikawa, of Massachusetts, and David James Chard, of Texas, all to be a Member of the Board of Directors of the National Board for Education Sciences.

HOMELAND SECURITY OVERSIGHT

Committee on the Judiciary: Committee concluded an oversight hearing to examine the Department of Homeland Security, after receiving testimony from Janet Napolitano, Secretary of Homeland Security.

SENATE CAMPAIGN DISCLOSURE PARITY ACT

Committee on Rules and Administration: Committee concluded a hearing to examine S. 219, to require Senate candidates to file designations, statements, and reports in electronic form, after receiving testimony from Senator Tester; Nancy Erickson, Secretary of the Senate; and Paul S. Ryan, The Campaign Legal Center, Washington, D.C.

VETERANS' AFFAIRS MENTAL HEALTH CARE

Committee on Veterans' Affairs: Committee concluded a hearing to examine Veterans Affairs mental health care, focusing on evaluating access and assessing care, after receiving testimony from William Schoenhard, Deputy Under Secretary for Health for Operations Management, Mary Schohn, Director, Office of Mental Health Operations, and Antonette Zeiss, Chief Consultant, Office of Mental Health Services, all of the Veterans Health Administration, and Linda A. Halliday, Assistant Inspector General for Audits and Evaluations, and John D. Daigh, Jr., Assistant Inspector General for Healthcare Inspections, both of the Office of Inspector General, all of the Department of Veterans Affairs; Major General T.S. Jones, USMC (Ret.), Outdoor Odyssey Youth Development and Leadership Academy, Lake Ridge, Virginia; and Nicholas Tolentino, Washington, D.C.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 196 public bills, H.R. 4621–4816 and 2 resolutions, H. Res. 632–633 were introduced. **Pages H2123–26**

Additional Cosponsors: **Pages H2134–35**

Reports Filed: Reports were filed today as follows:

H.R. 2308, to improve the consideration by the Securities and Exchange Commission of the costs and benefits of its regulations and orders, with an amendment (H. Rept. 112–453) and

H. Res. 631, providing for consideration of the bill (H.R. 3523) to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes; providing for consideration of motions to suspend the rules; providing for consideration of the bill (H.R. 4628) to extend student loan interest rates for undergraduate Federal Direct Stafford Loans; and for other purposes. **Page H2123**

Speaker: Read a letter from the Speaker wherein he appointed Representative Palazzo to act as Speaker pro tempore for today. **Page H2073**

Recess: The House recessed at 10:51 a.m. and reconvened at 1 p.m. **Page H2078**

Chaplain: The prayer was offered by the guest chaplain, Reverend Matthew Barnes, Capital Commission Indiana, Indianapolis, Indiana. **Page H2078**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Digital Accountability and Transparency Act: H.R. 2146, amended, to amend title 31, United States Code, to require accountability and transparency in Federal spending and for other purposes, as amended. **Pages H2082–95**

Small Business Credit Availability Act: H.R. 3336, amended, to ensure the exclusion of small lenders from certain regulations of the Dodd-Frank Act, by a 2/3 yea-and-nay vote of 312 yeas to 111 nays, Roll No. 180. **Pages H2095–99, H2107**

Surface Transportation Extension Act of 2012, Part II: The House disagreed to the amendment of the Senate to H.R. 4348, to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and agreed to a conference with the Senate. **Pages H2099–H2106, H2106–07, H2108**

Rejected the Rahall motion to instruct conferees on the bill by a yea-and-nay vote of 181 yeas to 242 nays, Roll No. 179. **Page H2106**

The Chair appointed the following conferees: From the Committee on Transportation and Infrastructure, for consideration of the House bill (except section 141) and the Senate amendment (except secs. 1801, 40102, 40201, 40202, 40204, 40205, 40305, 40307, 40309–40312, 100112–100114, and 100116), and modifications committed to conference: Representatives Mica, Young (AK), Duncan (TN), Shuster, Capito, Crawford, Herrera Beutler, Bucshon, Hanna, Southerland, Lankford, Ribble, Rahall, DeFazio, Costello, Norton, Nadler, Brown (FL), Cummings, Boswell, and Bishop (NY). **Page H2108**

From the Committee on Energy and Commerce, for consideration of sec. 142 and titles II and V of the House bill, and secs. 1113, 1201, 1202, subtitles B, C, D, and E of title I of Division C, secs. 32701–32705, 32710, 32713, 40101, and 40301 of the Senate amendment, and modifications committed to conference: Representatives Upton, Whitfield, and Waxman. **Page H2108**

From the Committee on Natural Resources, for consideration of secs. 123, 142, 204, and titles III and VI of the House bill, and sec. 1116, subtitles C, F, and G of title I of Division A, sec. 33009, titles VI and VII of Division C, sec. 40101, subtitles A and B of title I of Division F, and sec. 100301 of the Senate amendment, and modifications committed to conference: Representatives Hastings (WA), Bishop (UT), and Markey. **Page H2108**

From the Committee on Science, Space, and Technology for consideration of secs. 121, 123, 136, and 137 of the House bill, and sec. 1534, subtitle F of title I of Division A, secs. 20013, 20014, 20029, 31101, 31103, 31111, 31204, 31504, 32705, 33009, 34008, and Division E of the Senate amendment, and modifications committed to conference: Representatives Hall, Cravaack, and Eddie Bernice Johnson (TX). **Page H2108**

From the Committee on Ways and Means, for consideration of secs. 141 and 142 of the House bill, and secs. 1801, 40101, 40102, 40201, 40202, 40204, 40205, 40301–40307, 40309–40314, 100112–100114, and 100116 of the Senate amendment, and modifications committed to conference: Representatives Camp, Tiberi, and Blumenauer. **Page H2108**

Recess: The House recessed at 3:24 p.m. and reconvened at 4:45 p.m. **Page H2106**

Suspension: The House agreed to suspend the rules and pass the following measure which was debated yesterday, April 24th:

Authorizing the conveyance of two small parcels of land within the boundaries of the Coconino National Forest: H.R. 1038, amended, to authorize the conveyance of two small parcels of land within the boundaries of the Coconino National Forest containing private improvements that were developed

based upon the reliance of the landowners in an erroneous survey conducted in May 1960, by a 2/3 yea-and-nay vote of 421 yeas to 1 nay, Roll No. 181.

Pages H2107–08

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H2106, H2107, H2107–08. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 7:34 p.m.

Committee Meetings

2012 FARM BILL: RURAL DEVELOPMENT PROGRAMS

Committee on Agriculture: Subcommittee on Rural Development, Research, Biotechnology, and Foreign Agriculture held a hearing entitled ''Formulation of the 2012 Farm Bill: Rural Development Programs''. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURE; AND REPORT ON SUBALLOCATION OF BUDGET ALLOCATIONS FOR 2013

Committee on Appropriations: Full Committee held a markup of Energy and Water Appropriations Bill FY 2013; and report on the suballocation of Budget Allocations for FY 2013. The Energy and Water Appropriations Bill FY 2013 was ordered reported, as amended; and the report on the suballocation of Budget Allocations for FY 2013 was ordered reported without amendment.

REPLACING THE SEQUESTER

Committee on the Budget: Full Committee held a hearing entitled ''Replacing the Sequester''. Testimony was heard from Daniel I. Werfel, Controller, Office of Federal Financial Management, Office of Management and Budget.

OVERSIGHT OF THE U.S. SECURITIES AND EXCHANGE COMMISSION

Committee on Financial Services: Subcommittee on Capital Markets and Government Sponsored Enterprises held a hearing entitled ''Oversight of the U.S. Securities and Exchange Commission''. Testimony was heard from Mary L. Schapiro, Chairman, Securities and Exchange Commission.

SOURCES OF INSTABILITY IN AFRICA

Committee on Foreign Affairs: Full Committee held a hearing entitled ''LRA, Boko Haram, al-Shabaab, AQIM and Other Sources of Instability in Africa''. Testimony was heard from Donald Y. Yamamoto, Principal Deputy Assistant Secretary Bureau of African Affairs, Department of State; Daniel Benjamin Ambassador-at-Large, Coordinator for Counterterrorism, Bureau of Counterterrorism, Department of State; and Amanda J. Dory, Deputy Assistant Secretary for African Affairs, Office of the Secretary of Defense, Department of Defense.

U.S. POLICY TOWARD THE EVOLVING SITUATION IN SYRIA, PART II

Committee on Foreign Affairs: Subcommittee on the Middle East and South Asia held a hearing entitled ''Confronting Damascus: U.S. Policy Toward the Evolving Situation in Syria, Part II''. Testimony was heard from public witnesses.

WESTERN HEMISPHERE BUDGET REVIEW 2013

Committee on Foreign Affairs: Subcommittee on Western Hemisphere held a hearing entitled ''Western Hemisphere Budget Review 2013: What Are U.S. Priorities?'' Testimony was heard from Roberta S. Jacobson, Assistant Secretary of State; Bureau of Western Hemisphere Affairs, Department of State.

OVERSIGHT OF U.S. POLICY TOWARD BURMA

Committee on Foreign Affairs: Subcommittee on Asia and the Pacific held a hearing entitled ''Oversight of U.S. Policy Toward Burma''. Testimony was heard from Kurt Campbell, Assistant Secretary, Bureau of East Asian and Pacific Affairs, Department of State; Nisha Biswal, Assistant Administrator for Asia, United States Agency for International Development; and public witnesses.

LEGISLATIVE MEASURE

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held a hearing on H.R. 3361, the ''Utilizing DNA Technology to Solve Cold Cases Act of 2011''. Testimony was heard from Dennis Kilcoyne, Detective, Robbery and Homicide Division, Los Angeles Police Department; Peter M. Marone, Director, Virginia Department of Forensic Science; and public witnesses.

LEGISLATIVE MEASURE

Committee on the Judiciary: Subcommittee on Courts, Commercial and Administrative Law held a hearing on H.R. 4377, the ''Responsibly and Professionally Invigorating Development Act of 2012''. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Full Committee held a markup of Committee Print of material to be transmitted to the Committee on the Budget pursuant to Section 201 of H. Con. Res. 112; and H.R. 365, the ''National Blue Alert Act of 2011''. The motion to transmit the Committee Print to the Committee on the Budget was agreed to; and H.R. 365 was ordered reported, as amended.

MISCELLANEOUS MEASURES

Committee on Natural Resources: Full Committee held a markup of the following measures: H.R. 460, the ''Bonneville Unit Clean Hydropower Facilitation Act''; H.R. 1237, to provide for a land exchange with the Trinity Public Utilities District of Trinity County, California, involving the transfer of land to

the Bureau of Land Management and the Six Rivers National Forest in exchange for National Forest System land in the Shasta-Trinity National Forest, and for other purposes; H.R. 1272, the ''Minnesota Chippewa Tribe Judgment Fund Distribution Act of 2011''; H.R. 1818, the ''Mt. Andrea Lawrence Designation Act of 2011''; H.R. 2467, the ''Bridgeport Indian Colony Land Trust, Health, and Economic Development Act of 2011''; H.R. 2489, the ''American Battlefield Protection Program Amendments Act of 2011''; H.R. 2621, the ''Chimney Rock National Monument Establishment Act''; H.R. 3874, the ''Black Hills Cemetery Act''; H.R. 4027, to clarify authority granted under the Act entitled ''An Act to define the exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah, and for other purposes''; H.R. 4222, to provide for the conveyance of certain land inholdings owned by the United States to the Tucson Unified School District and to the Pascua Yaqui Tribe of Arizona, and for other purposes; S. 363, to authorize the Secretary of Commerce to convey property of the National Oceanic and Atmospheric Administration to the City of Pascagoula, Mississippi, and for other purposes; and S. 925, the ''Mt. Andrea Lawrence Designation Act of 2011''. The following measures were ordered reported, as amended: H.R. 460; H.R. 1272; measures were ordered reported, without amendment: H.R. 1237; H.R. 1818; H.R. 4027; S. 363; and S. 925.

ADEQUATELY PROTECTING TAXPAYERS FROM MEDICAID FRAUD

Committee on Oversight and Government Reform: Subcommittee on Health Care, District of Columbia, Census and National Archives; and Subcommittee on Regulatory Affairs, Stimulus Oversight and Government Spending held a joint hearing entitled ''Is Government Adequately Protecting Taxpayers from Medicaid Fraud?''. Testimony was heard from Senator Charles E. Grassley and Representative Michele Bachmann; Gabriel Feldman, Local Medicaid Director for the Personal Care Services Program, New York County Health Services Review Organization; Cindy Mann, Director, Center for Medicaid and State Operations, Centers for Medicare and Medicaid Services; Lucinda Jesson, Commissioner, Minnesota Department of Human Services; and Carolyn L. Yocom, Director, Health Care, Government Accountability Office.

CYBER INTELLIGENCE SHARING & PROTECTION ACT AND INTEREST RATE REDUCTION ACT

Committee on Rules: Granted, by voice vote, a structured rule for H.R. 3523, Cyber Intelligence Sharing & Protection Act. The rule provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Permanent Select Committee on Intelligence. The rule waives all points of order against consideration of the bill. The rule makes in order as original text for purpose of amendment the amendment in the nature of a substitute consisting of the text of Rules Committee Print 112–20 and provides that it 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. 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 recommit with or without instructions.

The rule further provides that it shall be in order at any time through the legislative day of April 27, 2012, for the Speaker to entertain motions that the House suspend the rules, as though under clause 1 of rule XV, relating to the following measures: H.R. 2096, the Cybersecurity Enhancement Act of 2011; H.R. 3834, the Advancing America's Networking and Information Technology Research and Development Act of 2012; and H.R. 4257, the Federal Information Security Amendments Act of 2012.

The rule provides further for a closed rule for consideration of H.R. 4628, Interest Rate Reduction Act. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. The rule waives all points of order against consideration of the bill and provides that it shall be considered as read. The rule waives all points of order against provisions in the bill. The rule provides one motion to recommit.

Finally, the rule provides that the Committee on Appropriations may, at any time before 6 p.m. on Wednesday, May 2, 2012, file privileged reports to accompany measures making appropriations for the fiscal year ending September 30, 2013. Testimony was heard on H.R. 3523 from Chairman Mike Rogers (MI) and Representatives Barton (TX), Mulvaney, Ruppersberger, Schakowsky, Langevin, Schiff, Jackson Lee (TX), Thompson (MS), and Richardson. Testimony was heard on H.R. 4628 from Representatives Biggert and Tierney.

HOW THE REPORT ON CARCINOGENS USES SCIENCE TO MEET ITS STATUTORY OBLIGATIONS

Committee on Science, Space, and Technology: Subcommittee on Investigations and Oversight; and Subcommittee on Healthcare and Technology held a joint hearing entitled ''How the Report on Carcinogens Uses Science to Meet its Statutory Obligations, and its Impact on Small Business Jobs''. Testimony was heard from Linda S. Birnbaum, Director, National Institute of Environmental Health Sciences

and National Toxicology Program, Department of Health and Human Services; Charles A. Maresca, Director of Interagency Affairs, Office of Advocacy, Small Business Administration; and public witnesses.

AVIATION SAFETY IN THE UNITED STATES

Committee on Transportation and Infrastructure: Subcommittee on Aviation held a hearing entitled ''A Review of Aviation Safety in the United States''. Testimony was heard from Margaret Gilligan, Associate Administrator for Aviation Safety, Federal Aviation Administration; David Grizzle, Chief Operating Officer, Air Traffic Organization, Federal Aviation Administration; Jeffrey B. Guizetti, Assistant Inspector General for Aviation and Special Programs Audit, Inspector General, Department of Transportation; Gerald L. Dillingham, Director, Physical Infrastructure Division, Government Accountability Office; and public witnesses.

MOVING FROM UNEMPLOYMENT CHECKS TO PAYCHECKS

Committee on Ways and Means: Subcommittee on Human Resources held a hearing entitled ''Moving from Unemployment Checks to Paychecks: Implementing Recent Reforms''. Testimony was heard from Jane Oates, Assistant Secretary, Employment and Training Administration, Department of Labor; Darrell Gates, Deputy Commissioner, New Hampshire Department of Employment Security; Larry Temple, Executive Director, Texas Workforce Commission; and public witnesses.

IMPACT OF LIMITATIONS ON THE USE OF TAX-ADVANTAGED ACCOUNTS FOR THE PURCHASE OF OVER-THE-COUNTER-MEDICATION

Committee on Ways and Means: Subcommittee on Oversight held a hearing entitled ''Impact of Limitations on the Use of Tax-Advantaged Accounts for the Purchase of Over-the-Counter Medication''. Testimony was heard from public witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR THURSDAY, APRIL 26, 2012

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: business meeting to markup proposed budget estimates for fiscal year 2013 for Agriculture, Rural Development, Food and Drug Administration and related agencies and Energy and Water Development, 10:30 a.m., SD–106.

Committee on Armed Services: to hold hearings to examine the nominations of Kathleen H. Hicks, of Virginia, to be Principal Deputy Under Secretary for Policy, and Derek H. Chollet, of Nebraska, to be Assistant Secretary for International Security Affairs, both of the Department of Defense, 9:30 a.m., SD–G50.

Subcommittee on SeaPower, to hold hearings to examine Marine Corps acquisition programs in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program, 10 a.m., SR–222.

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine legislative proposals in the Department of Housing and Urban Development's fiscal year 2013 budget, 10 a.m., SD–538.

Committee on Energy and Natural Resources: business meeting to consider Adam E. Sieminski, of Pennsylvania, to be Administrator of the Energy Information Administration, Department of Energy, Marcilynn A. Burke, of North Carolina, to be an Assistant Secretary of the Interior, and Anthony T. Clark, of North Dakota, and John Robert Norris, of Iowa, both to be a Member of the Federal Energy Regulatory Commission; to be immediately followed by a hearing to examine weather related electrical outages, 9:30 a.m., SD–366.

Committee on Finance: to hold hearings to examine tax filing season, focusing on improving the taxpayer experience, 10 a.m., SD–215.

Committee on Foreign Relations: business meeting to consider S. 2224, to require the President to report to Congress on issues related to Syria, H.R. 1016, to measure the progress of relief, recovery, reconstruction, and development efforts in Haiti following the earthquake of January 12, 2010, S. Res. 401, expressing appreciation for Foreign Service and Civil Service professionals who represent the United States around the globe, an original resolution calling for democratic change in Syria, the nominations of Scott H. DeLisi, of Minnesota, to be Ambassador to the Republic of Uganda, Michael A. Raynor, of Maryland, to be Ambassador to the Republic of Benin, and Makila James, of the District of Columbia, to be Ambassador to the Kingdom of Swaziland, all of the Department of State, and lists in the Foreign Service, 2 p.m., S–116, Capitol.

Subcommittee on East Asian and Pacific Affairs, to hold hearings to examine United States policy on Burma, 3 p.m., SD–419.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine biological security, focusing on the risk of dual-use research, 10 a.m., SD–342.

Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, to hold hearings to examine financial literacy, focusing on empowering Americans to prevent the next financial crisis, 2:30 p.m., SD–342.

Committee on the Judiciary: business meeting to consider the nominations of Michael P. Shea, to be United States District Judge for the District of Connecticut, Gonzalo P. Curiel, to be United States District Judge for the Southern District of California, and Robert J. Shelby, to be United States District Judge for the District of Utah, vice Tena Campbell, 10 a.m., SD–226.

House

Committee on Agriculture, Subcommittee on Conservation, Energy, and Forestry, hearing entitled ''Formulation of the 2012 Farm Bill: Conservation Programs'', 9:30 a.m., 1300 Longworth.

Subcommittee on Livestock, Dairy, and Poultry, hearing entitled ''Formulation of the 2012 Farm Bill: Dairy Programs'', 2 p.m., 1300 Longworth.

Committee on Appropriations, Full Committee, markup of Commerce, Justice, and Science Appropriations Bill FY 2013, 10 a.m., 2359 Rayburn.

Committee on Armed Services, Subcommittee on Military Personnel, markup of H.R. 4310, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes, 10:30 a.m., 2212 Rayburn.

Subcommittee on Seapower and Projection Forces, markup of H.R. 4310, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes, 12 p.m., 2118 Rayburn.

Subcommittee on Strategic Forces, markup of H.R. 4310, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes, 1:30 p.m., 2122 Rayburn.

Subcommittee on Emerging Threats and Capabilities, markup of H.R. 4310, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes, 3:30 p.m., 2118 Rayburn.

Committee on Education and the Workforce, Full Committee, hearing entitled ''Reviewing the President's Fiscal Year 2013 Budget Proposal for the U.S. Department of Health and Human Services'', 10 a.m., 2175 Rayburn.

Committee on Foreign Affairs, Subcommittee on Africa, Global Health, and Human Rights, hearing entitled ''The North-South Sudan Conflict'', 2 p.m., 2200 Rayburn.

Subcommittee on Europe and Eurasia, hearing entitled ''NATO: The Chicago Summit and U.S. Policy'', 2:30 p.m., 2172 Rayburn.

Committee on Homeland Security, Subcommittee on Counterterrorism and Intelligence; and Subcommittee on Cybersecurity, Infrastructure, Protection, and Security Technologies, joint hearing entitled ''Iranian Cyber Threat to the U.S. Homeland'', 10 a.m., 311 Cannon.

Subcommittee on Emergency Preparedness, Response, and Communications, hearing entitled ''Ensuring the Efficiency, Effectiveness, and Transparency of Homeland Security Grants (Part II): Stakeholder Perspectives'', 2 p.m., 311 Cannon.

Committee on the Judiciary, Subcommittee on Intellectual Property, Competition and the Internet, hearing entitled ''International Patent Issues: Promoting a Level Playing Field for American Industry Abroad'', 10 a.m., 2141 Rayburn.

Subcommittee on the Constitution, hearing entitled ''Victims' Rights Amendment'', 2 p.m., 2141 Rayburn.

Committee on Natural Resources, Full Committee, hearing entitled ''Increased Electricity Costs for American Families and Small Businesses: The Potential Impacts of the Chu Memorandum'', 10 a.m., 1324 Longworth.

Subcommittee on Energy and Mineral Resources, hearing on the following measures: H.R. 4381, the ''Planning for American Energy Act''; H.R. 4382, the ''Providing Leasing Certainty for American Energy Act''; H.R. 4383, the ''Streamlining Permitting of American Energy Act''; H.R. 4402, the ''National Strategic and Critical Minerals Production Act of 2012''; H.R. 1192, the ''Soda Ash Royalty Extension, Job Creation, and Export Enhancement Act of 2011''; and H.R. 2176, the ''Clean Energy Promotion Act'', 3 p.m., 1324 Longworth.

Committee on Oversight and Government Reform, Full Committee, markup to amend title 5, United States Code, to comply with the reconciliation directive included in section 201 of the Concurrent Resolution on the Budget for Fiscal Year 2013; H.R. 2008, the ''Keeping Politics Out of Federal Contracting Act of 2011''; H.R. 3609, the ''Taxpayers Right to Know Act''; H.R. 4078, the ''Regulatory Freeze for Jobs Act''; and the ''Midnight Rule Relief Act of 2012'', 9 a.m., 2154 Rayburn.

Committee on Science, Space, and Technology, Subcommittee on Space and Aeronautics, hearing entitled ''An Overview of the NASA Aeronautics Research Mission Directorate Budget for Fiscal Year 2013'', 10 a.m., 2318 Rayburn.

Committee on Small Business, Subcommittee on Agriculture, Energy and Trade, hearing entitled ''Small Business Innovators: On the Cutting Edge of Energy Solutions'', 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Coast Guard and Maritime Transportation, hearing entitled ''Regulation of the Maritime Industry: Ensuring U.S. Job Growth While Improving Environmental and Worker Safety'', 9 a.m., 2167 Rayburn.

Committee on Ways and Means, Subcommittee on Select Revenue Measures, hearing entitled ''Expiring Tax Provisions'', 10 a.m., 1100 Longworth.

Joint Meetings

Joint Economic Committee: to hold hearings to examine gas prices in the Northeast, focusing on the potential impact on the American consumer due to loss of refining capacity, 2:15 p.m., SD–G50.

Next Meeting of the SENATE

9:30 a.m., Thursday, April 26

Senate Chamber

Program for Thursday: Senate will continue consideration of S. 1925, Violence Against Women Reauthorization Act. At 11:30, Senate will begin consideration of the nominations of Gregg Jeffrey Costa, of Texas, to be United States District Judge for the Southern District of Texas, and David Campos Guaderrama, of Texas, to be United States District Judge for the Western District of Texas, and vote on confirmation of the nominations at approximately 12 p.m. Following which, the Majority Leader will be recognized.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, April 26

House Chamber

Program for Thursday: Consideration of the following measure under suspension of the Rules: H.R. 4257—Federal Information Security Amendments Act of 2012. Begin consideration of H.R. 3523—Cyber Intelligence Sharing and Protection Act (Subject to a Rule).

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